Springfield Police Division
Rules and Regulations & Manual of Procedures
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Springfield Police Division

Rules & Regulations

Number: 1.01
Subject: Role and Mission
Effective: June 28th, 1989

1.01 THE ROLE AND MISSION OF CONTEMPORARY POLICE SERVICES

The Police Role:

There are many explanations of the police role in society. The explanation provided by the National Advisory Commission on Criminal Justice Standards and Goals (1973) is as follows:

> "The police are not separate from the people. They draw their authority from the will and consent of the people, and they recruit their officers from them. The police are the instrument of the people to achieve and maintain order; their efforts are founded on principles of public service and ultimate responsibility to the public…The police officer is not only a part of the community…and a part of the government…He is also a part of the criminal justice system that determines what course society will pursue…in the interest of public order."

Springfield Police Division

Rules & Regulations

Number: 1.01
Subject: Role and Mission
Effective: June 28th, 1989

1.01 THE ROLE AND MISSION OF CONTEMPORARY POLICE SERVICES

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Springfield Police Division

Rules & Regulations

Number: 1.02
Subject: Agency Goals
Effective: June 28th, 1989

1.02

AGENCY GOALS

The Division of Police annually establishes and reviews organizational goals and objectives.

This process is essential to any organization and is part of the budgetary process.

Springfield Police Division

Rules & Regulations

Number: 1.03
Subject: Participation of Personnel
Effective: June 28th, 1989

1.03

PARTICIPATION OF PERSONNEL

At least annually, sometimes more frequently, the Division of Police or its major components establish goals and objectives for the Division and for its major organizational components.

This process includes the Chief and all subordinate managers; all agency employees are hereby encouraged to develop and offer personal, professional opinions regarding all such matters.

Springfield Police Division

Rules & Regulations

Number: 1.04
Subject: Measurement of Goals
Effective: June 28th, 1989

1.04

MEASUREMENT OF GOALS

To be effective, goals – and especially objectives – must be measurable! Such measurement of goals and objectives must be conducted at least annually and some of them should be evaluated quarterly or even monthly, especially at the level of implementation/ application involving the major components of the Division.

Springfield Police Division

Rules & Regulations

Number: 1.05
Subject: General Responsibilities
Effective: June 28th, 1989

1.05 GENERAL POLICE OFFICER RESPONSIBILITIES

The written and – especially – unwritten responsibilities of the Police Officer are virtually endless.

As the only community agency which is “open” for general services twenty-four hours per day, the police agency and its employees are frequently called upon for services which are normally performed by other persons or agencies.

All too often the police officer is compelled to deal with situations which try the personal skills, patience and education of those who have special professional tools for specific personal and community problems. While it is unreasonable to expect the Police Officer to have mastered the principles, skills and practices of professional persons in many varied fields, the simple fact is he or she must respond to and cope with such situations in a reasonable and proper manner.

The very nature of modern policing requires the Police Officer to deal with situations which are very unlikely, if not impossible, to lead to the satisfaction of all involved. Family or neighborhood disturbances are prime examples of the frustrations encountered as effective maintenance of peace, order and personal safety almost always leads to the dissatisfaction of some of those involved as well as of the individual officer.

Police Officers must expect and learn to tolerate severe criticism, even when such is not at all reasonable from the point of the officer.

All police conduct must be within the proper framework of service to individual people as well as to the community. All police authority and responsibility is delegated to us by or through the people and Officers must continually demonstrate the practice of lawful, courteous and effective community service.

The general responsibilities of the Police Officer are to lawfully, courteously, properly and effectively deal with the wide variety of individual and community needs while performing the delegated Mission of the Division of Police.

Springfield Police Division

Rules & Regulations

Number: 1.06
Subject: Authority
Effective: June 28th, 1989

1.06 STATUTORY AUTHORITY OF SWORN PERSONNEL

Some selected statutes or ordinances are presented only to give a general outline of the historical and contemporary authority of municipal Police Officers.

These statutes are, from time-to-time, amended and it is the duty of each sworn officer to be aware and informed, if and when, any such statute changes.

When the Division determines any changes of any statutes or ordinances are of substantial import, notice may be given through roll-calls; memos; in-service training; training bulletins, etc. It is not intended this "general reference" material in this manual be necessarily amended.

Officers and other police employees are also expected to utilize Divisional training officers, libraries, and the law library, etc. to fulfill their personal, professional responsibilities in this or other areas of education and training.

1.06A General duties of Police and Fire departments

The police force of a municipal corporation shall preserve the peace, protect persons and property, and obey and enforce all ordinances of the legislative authority of the municipal corporation, all criminal laws of the state and the United States, and all court orders issued and consent agreements approved pursuant to sections 2919.26 and 3113.31 of the Revised Code. The fire department shall protect the lives and property of the people in case of fire. Both the police and fire departments shall perform any other duties that are provided by ordinance…

1.06B Police Division

A Police Division of the Department of Public Safety is hereby established. The Police Division shall preserve the peace; protect persons and property; and enforce all traffic and criminal ordinances and laws.

1.06C City Auxiliary Police

The legislative authority of a city may establish, by ordinance, an auxiliary police unit within the police department of the city, and provide for the regulation of auxiliary police officers. The director of public safety shall be the executive head of the auxiliary

police unit, shall make all appointments and removals of auxiliary police officers, subject to any general regulations prescribed by the legislative authority by ordinance, and shall prescribe rules and regulations for the organization, training, administration, control, and conduct of the auxiliary police unit. Members of the auxiliary police unit are not eligible for membership in the police relief and pension fund under sections 741.31 to 741.54, inclusive, of the Revised Code. Members of the auxiliary police unit shall not be in the classified service of the municipality.

1.06D [Officer's power to arrest without warrant; pursuit outside jurisdiction]

(A) A Sheriff, deputy sheriff, marshal, deputy marshal, police officer, or state university law enforcement officer appointed under section 3345.04 of the Revised Code shall arrest and detain until a warrant can be obtained a person found violating, within the limits of the political subdivision , college, or university in which the peace officer is appointed, employed, or elected, a law of this state or an ordinance of a municipal corporation.

(B) When there is reasonable grounds to believe that an offense of violence, the offense of criminal child enticement as defined in section 2905.05 of the Revised Code, the offense of public indecency as defined in section 2907.09 of the Revised Code, the offense of domestic violence as defined in section 2919.25 of the Revised Code, a theft offense as defined in section 2913.01 of the Revised Code, or a felony drug abuse offense as defined in section 2925.01 of the Revised Code, has been committed within the limits of the political subdivision, college, or university in which the peace officer is appointed, employed, or elected, a sheriff, deputy sheriff, marshal, deputy marshal, police officer, or state university law enforcement officer appointed under section 3345.04 of the Revised Code may arrest and detain until a warrant can be obtained any person whom he has reasonable cause to believe is guilty of the violation. For purposes of this division, the execution of a written statement by a person alleging that an alleged offender has committed the offense of domestic violence against the person or against a child of the person, constitutes reasonable ground to believe that the offense of domestic violence against the person or against a child of the person, constitutes reasonable ground to believe that the offense was committed and reasonable cause to believe that the person alleged to have committed the offense is guilty of the violation.

(C) A constable, within the limits of the township in which the constable is appointed or elected, shall arrest and detain until a warrant can be obtained a person found by him committing, within the limits of the township, a misdemeanor, either in violation of a law of this state or an ordinance of a village.

(D) If a sheriff, deputy sheriff, marshal, deputy marshal, police officer, constable, or state university law enforcement officer appointed under section 3345.04 of the Revised Code is authorized by division (A), (B), or (C) of this section to arrest and detain, within the limits of the political subdivision, college, or university in which he is appointed or elected, a

person until a warrant can be obtained, the peace officer may, outside the limits of the political subdivision, college, or university in which he is appointed or elected, pursue, arrest, and detain that person until a warrant can be obtained if all of the following apply:

(1) The pursuit takes place without unreasonable delay after offense is committed;

(2) The pursuit is initiated within the limits of the political subdivision, college, or university in which the peace officer is appointed or elected;

(3) The offense involved is a felony, a misdemeanor of the first degree or a substantially equivalent municipal ordinance, a misdemeanor of the second degree or a substantially equivalent municipal ordinance, or any offense for which points are chargeable pursuant to division (G) of section 4507.021 [4507.02.1] of the Revised Code.

1.06E <u>Affidavit filed in case of arrest without warrant</u>

When a person named in section 2935.03 of the Revised Code has arrested a person, without a warrant, he shall, without unnecessary delay, take the person arrested before a court or magistrate having jurisdiction of the offense, and shall file or cause to be filed an affidavit describing the offense for which the person was arrested. Such affidavit shall be filed either with the court or magistrate, or with the prosecuting attorney or other attorney charged by law with prosecution of crimes before such court or magistrate and if filed with such attorney he shall forthwith file with such court or magistrate a complaint, based on such affidavit.

1.07F <u>Apprehension, custody and detention</u>

A child may be taken into custody:

(A) Pursuant to an <u>order of the court</u> under this chapter;

(B) Pursuant to the <u>laws of arrest</u>;

(C) <u>By a law enforcement officer or duly authorized officer of the court when there are reasonable grounds to believe that the child is suffering from illness or injury and is not receiving proper care,</u> as defined in section 2151.03 of the Revised Code, or is in immediate danger from his surroundings, and that his removal is necessary; <u>Note</u>: This authority is limited by other statutes or policies.

(D) By an enforcement official, as defined in section 4109.01 of the Revised Code, under the circumstances set forth in section 4109.08 of the Revised Code;

(E) By a law enforcement officer or duly authorized officer of the court when there are reasonable grounds to believe that the child has run away from his parents, guardian, or other custodian.

Taking a child into custody shall not be deemed an arrest except for the purpose of determining its validity under the constitution of this state or of the United States.

A child taken into custody shall not be detained or placed in shelter care prior to the hearing on the complaint unless his detention or care is required to protect the person and property of others or those of the child, or because the child may abscond or be removed from the jurisdiction of the court, or because he has no parents, guardian, or custodian or other person able to provide supervision and care for him and return him to the court when required, or because an order for his detention or shelter care has been made by the court pursuant to this chapter.

Springfield Police Division

Rules & Regulations

Number: 1.07
Subject: Ethics
Effective: June 28th, 1989

1.07 CANONS OF POLICE ETHICS

ARTICLE 1 – Primary Responsibility of Job

The primary responsibility of the police service, and of the individual officer, is the protection of the people of the United States through the upholding of their laws; chief among these is the Constitution of the United States and its amendments. The law enforcement officer always represents the whole of the community and its legally expressed will, and is never the arm of any political party or clique.

ARTICLE 2 – Limitations of Authority

The first duty of a law enforcement officer, as upholder of the law, is to know its bounds upon him in enforcing it. Because he represents the legal will of the community, be it Local, State or Federal, he must be aware of the limitations and prescriptions which the people, through law, have placed upon him. He must recognize the genius of the American system of government which gives to no man, groups of men, or institution, absolute power, and he must insure that he, as a prime defender of that system, does not pervert its character.

ARTICLE 3 – Duty to be familiar with the Law and Responsibilities of Self and Other Public Officials

The law enforcement officer shall assiduously apply himself to the duty of the principles of the laws which he is sworn to uphold. He will make certain of his responsibilities in the particulars of their enforcement, seeking aid from his superiors in matters of technicality or principle, when these are not clear to him; he will make special effort to fully understand his relationship to other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and substantively.

ARTICLE 4 – Utilization of Proper Means to Gain Proper Ends

The law enforcement officer shall be mindful of his responsibility to pay strict heed to the selection of means in discharging the duties of his office. Violations of law or disregard for public safety and property on the part of an officer are intrinsically wrong; they are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.

ARTICLE 5 – Cooperation with Public Officials in the Discharge of their Authorized Duties

The law enforcement officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of party affiliation or personal prejudice. He shall be meticulous, however, in assuring himself of the propriety under the law, of such actions and shall guard against the use of his office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to question, he shall seek authority from his superior officer, giving him a full report of the proposed service or action.

ARTICLE 6 – Private Conduct

The law enforcement officer shall be mindful of his special identification by the public as an upholder of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain special privilege, cannot but reflect upon the police officer and the police service. The community and the service require that the law enforcement officer lead the life of a decent and honorable man. Following the career of a policeman gives no man special prerequisites. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American republic. The officer who reflects upon this tradition will not degrade it. Rather, he will so conduct his private life that the public will regard him as an example of stability, fidelity and morality.

ARTICLE 7 – Conduct toward the Public

The law enforcement officer, mindful of his responsibility to the whole community, shall deal with individuals of the community in a manner calculated to instill respect for its laws and its police service. The law enforcement officer shall conduct his official life in a manner such as will inspire confidence and trust. Thus, he will be neither overbearing nor subservient, as no individual citizen has an obligation to stand in awe of him nor a right to command him. The officer will give service where he can, and require compliance with the law. He will do neither from personal preference or prejudice, but rather as a duly appointed officer of the law discharging his sworn obligation.

ARTICLE 8 – Conduct in Arresting and Dealing with Law Violators

The law enforcement officer shall use his powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. His office gives him no right to prosecute the violator nor to mete out punishment for the offense. He shall, at all times, have a clear appreciation of his responsibilities and limitations regarding detention of the violator; he shall conduct himself in such a manner as will minimize the possibility of having to use force. To this end he shall cultivate a dedication to the service of the people and the equitable upholding of their laws whether in the handling of the law violators or in dealing with the law-abiding.

ARTICLE 9 – Gifts and Favors

The law enforcement officer, representing government, bears the heavy responsibility of maintaining, in his own conduct, the honor and integrity of all government institutions. He shall, therefore, guard against placing himself in a position

in which any person can expect special consideration or in which the public can reasonably assure that special consideration is being given. Thus, he should be firm in refusing gifts, favors or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing his judgment in the discharge of his duties.

ARTICLE 10 – Presentation of Evidence

The law enforcement officer shall be concerned equally in the prosecution of the wrong-doer and the defense of the innocent. He shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing, he will ignore social, political, and all other distinctions among the persons involved, strengthening the tradition of the reliability and integrity of an officer's word.

The law enforcement officer shall take special pains to increase his perception and skill of observation, mindful that in many situations, he is the sole impartial testimony to the facts of a case.

ARTICLE 11 – Attitude toward Profession

The law enforcement officer shall regard the discharge of his duties as a public trust, and recognize his responsibility as a public servant. By diligent study and sincere attention to self-improvement, he shall strive to make the best possible application of science to the solution of crime and, in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. He shall appreciate the importance and responsibility of his office; hold police work to be an honorable profession rendering valuable service to this community, and his country.

Springfield Police Division

Rules & Regulations

Number: 1.08
Subject: Knowledge & Compliance with Rules, Policies, & Practices
Effective: June 28th, 1989

1.08 Knowledge and Compliance; Agency Rules, Policies and Authorized Practices

All members of the Division of Police must both know and comply with all laws, policies, and authorized practices as well as duty, skill and task requirements of their assigned jobs or positions.

Because compliance is not possible without knowledge, the first requirement of all police employees is accurate and current knowledge of the law (constitutional, statutory, and case law) and of City and Division rules, policies, procedures, training, and authorized practices.

The second requirement is full compliance with law, policies, rules, training, and authorized practices.

Because of the tremendous authority and responsibility delegated by the State and by the people, sworn police officers and – especially – police supervisors bear a special and substantial responsibility for both knowledge and full compliance with both law and policy.

These are the first and most important requirements of police employment. Without both knowledge of – and compliance with – both law and policy it is not possible to correctly fulfill our obligations to our community.

Springfield Police Division

Rules & Regulations

Number: 1.09
Subject: Appropriate Conduct
Effective: June 28th, 1989

1.09 Conduct Appropriate to Officer Authority, Police Employment Required

In addition to the basic, primary requirement of knowledge of and compliance with both law and policy, all police employees – especially police officers – and most especially police managers must at all times and places engage in conduct which is appropriate to officer authority and responsibility.

Generally, what is appropriate is defined by policy or other orders as well as by authorized training and the guidance of supervisors; however, many of the most important issues concerning appropriate conduct are guided by policies and training concerning courtesy with the public we serve and with all fellow police and City employees.

In addition to law, specific policies, and authorized practices, some good basic guides to defining appropriate conduct are as follows:

1. Conduct, especially for police officers, must demonstrate the requirement that police employment is our primary employment and other employment or personal pursuits are not allowed to unreasonably interfere with police duties, whether on or off duty.

2. Conduct must demonstrate concern and sensitivity to likely public perceptions of the actual methods used to perform police duties.

3. Conduct must be likely to end or effectively resolve the incident, matter or complaint.

4. Conduct must demonstrate personal professional concern to be as helpful as practicable in referring the public and fellow employees to other public agencies, other police units, or other police employees when such is the correct course of action.

5. Conduct must demonstrate standards of personal behavior in all matters which are at least as high as those we seek to enforce upon the public or fellow employees.

All police employees are, at all times and places, both expected and required to engage in appropriate conduct and otherwise take the appropriate action to fulfill the general and specific obligations of police employment.

Springfield Police Division

Rules & Regulations

Number: 1.10
Subject: Devotion to Duty
Effective: June 28th, 1989

1.10 DEVOTION TO DUTY

Contemporary police authority and responsibility require devotion to duty of all police employees. The Division of Police expects all police employees to clearly and consistently demonstrate devotion to police duties. Devotion to duty may be demonstrated in many different ways.

Some of the ways of demonstrating devotion to duty are as routine as promptly reporting ready for duty assignments, care of equipment, compliance with directives, courteous treatment of the public and courteous cooperation with fellow employees.

Devotion to duty may be demonstrated by asking intelligent questions about existing policies or methods in sincere attempts to help research and implement better ways of performing our public responsibilities.

Devotion to duty is also demonstrated by assumption of reasonable risks to our personal safety or well-being. Persons who are not willing to assume such reasonable risks and perform under stressful conditions are not suitable for contemporary police service; however, the sworn officer is often faced with the great burden of conflicting concerns and very difficult or quick decisions as regards personal and public safety. It is very important these burdens – even when necessarily dealt with in fractions of seconds – not result in what is commonly known as “tombstone courage”.

Officers of this Division are selected, trained, equipped and directed to protect and to serve this community even at substantial risks to their personal safety. Obviously, sworn officers are required to demonstrate both courage and zeal in proper performance of their duties to protect and to serve this community; however, neither the public nor any individual officer should demand or expect any officer to knowingly or recklessly attempt to protect our community with methods or risks which are unreasonable, unmanageable, inappropriate or foolhardy.

It is often impossible to properly perform our duties without exposing both suspects and bystanders to risks of harm; however, such risks must be both reasonable and appropriate and should not jeopardize an officer or another beyond that point which is reasonably necessary and reasonably appropriate to the nature of the offense or threat and all such risks must be reasonably judged, planned and carried out with prudent regard for the reasonable safety of all persons, specifically and including the individual officer.

Police officers are required to utilize appropriate and lawful means to prevent or halt the commission of an offense and to prevent escape of or to apprehend a suspect or offender when it is reasonably within their power to do so alone or with available

assistance; however, no officer shall be disciplined for neglect of duty or any similar allegation if the officer took appropriate action in any instance and yet avoided or terminated methods or actions which created or continued risks which were inappropriate or unreasonable under the specific circumstances as reasonably known to the officer.

This Division requires devotion to duty. We do not require, do not expect, and do not intend to tolerate methods or actions which expose officers or the community to unreasonable or inappropriate risks of great harm to persons or property when such could reasonably have been avoided or terminate.

This overall philosophy of proper police service should be read in conjunction with all specific policies, procedures or rules.

Springfield Police Division

Rules & Regulations

Number: 1.11
Subject: Officer Discretion
Effective: June 28th, 1989

1.11 OFFICER DISCRETION

Police Officers are necessarily allowed a reasonable degree of discretion in the proper performance of their many duties. We have far more complaints or violations than we have police work hours, and each officer must necessarily be personally satisfied he or she is doing the right thing in each situation.

Officer discretion is never without reasonable limits and guides. Discretion is controlled by law, general and specific directives, and in a few situations by direct orders; however, the general policy is that each officer is necessarily left with the personal professional decision as to which appropriate action to take.

In most cases the questioning of officer discretion involves the decision whether or not to make an arrest or issue a citation. Because all persons and situations are to some degree unique and because it is totally unrealistic to expect officers to be mechanical in decisions, it is expected officers should be able to articulate reasonable judgment in given enforcement decisions. It is not reasonable to expect all, or even a majority of people, will necessarily agree with the decision as to which appropriate action was taken.

It is not improper for officers to consider many different factors in utilizing their discretion. Some of the factors which may be legitimately considered are as follows:

(A) The nature of the apparent offense;

1. The degree of injury to persons or property or the likely level of threat of injury, loss, or damage;
2. Potential penalty provided by law;
3. Divisional Policy statements;
4. The quantity and quality of admissible evidence;
5. The prior record/conduct of the suspect;
6. The attitude and cooperativeness of the complainant, suspect and witness;
7. The actual, present workload of the shift, unit or officer;
8. Community attitudes concerning such situations or offenses as well as accurate perceptions of prosecutor or court attitudes concerning such offenses.

(B) Equity, essential fairness to all persons, is a central issue of valid officer concern;

(C) Can the matter be effectively resolved (ended) by use of an appropriate alternative for arrest or summons?

There is no discretion in the terms of compliance with law and directives and an officer must at all times and places take such actions as are appropriate and reasonable. Ultimately, especially for the more minor violations, the individual officer responsible for the scene or situation is left with the decision as to which appropriate enforcement action to take. Such reasonable discretion cannot realistically be removed from police enforcement services.

As long as the decision is within law and directives, the decision is yours.

Springfield Police Division

Rules & Regulations

Number: 1.12
Subject: Arrest & Alternatives
Effective: June 28th, 1989

1.12 ARREST AND ALTERNATIVES

Police officers are necessarily provided with reasonable discretion in properly handling police incident matters or complaints.

As identified in the general police concerning officer discretion, any action which properly fulfills our responsibilities to comply with both law and directives and efficiently and effectively end or resolve the issue or incident is largely the decision of the individual officer; however, it is important to clearly identify some of the alternatives to making an arrest.

Some of the obvious alternatives to arrest are as follows:

(1) Advice or counsel;
(2) Verbal warning;
(3) Written warning;
(4) Referral to other agencies;
(5) Referral to other police units or officers.

In all cases except felony, arrest should be considered as only one appropriate course of action. If not limited by law or directives, an alternative to arrest which is likely to effectively resolve (end) the incident, matter, or complaint is both authorized and encouraged.

Even when an arrest for misdemeanor seems to be the superior enforcement action, both law and policy place some restrictions upon the making of “physical” arrests. When physical arrests must or can be avoided by issue of a summons or citation, such is a valid alternative and often the best alternative.

Springfield Police Division

Rules & Regulations

Number: 1.15
Subject: Administrative Review
Effective: June 28th, 1989

1.15 ADMINISTRATIVE REVIEW: THE SECOND JUDGMENT

Very few professions consistently place more conflicting demands or critical decisions upon those who serve than are placed upon police officers and support personnel.

The nature of police authority and responsibility as well as the absolute necessity of police accountability creates the right of the general public and the obligation of Management to question, review and criticize the actions or inactions of all police employees.

Very, very few people, especially police officers, enjoy being “second-guessed” or otherwise subjected to what some may call “Monday morning quarterbacks”. In fact, such public and supervisory criticism is often cited as a primary source of “police stress”.

While it is important the public and the supervisor understand the fact they need to be open-minded about alleged police misconduct or other reported errors and recognize that police service places unique and dangerous stresses upon human beings, it is also important all members, especially police officers, realize and accept that their judgment or conduct can never be beyond question or criticism in a free society.

Management has the obligation to help relieve some of the stresses of police duty and of the police organization, specifically including the obvious stresses of complaint investigation and management review; however, all officers must accept and fulfill their duty to willingly and effectively accept honest and sincere public or managerial criticism and properly respond to all reviews of conduct, supervisory questioning and guidance in performance of police duties.

The police employee being questioned or criticized has an equal obligation to help relieve his or her own stresses by not expecting the public will always appear to be supportive and by not expecting supervisors to ignore their duty to question, investigate, review, and effectively commend, criticize or discipline on behalf of the community we are all sworn to serve.

It is important police managers realize we must consider all the facts which can be obtained before we make any judgments in reviewing officer conduct. It is also important police managers realize the way something is done may be as important as what is done in terms of reviewing officer decisions or conduct. It is very important we keep in our minds the fact there may be more than on approximately equally valid decision or action in a given situation and that the one the supervisor would have chosen needs to be conveyed in a respectful and otherwise appropriate manner.

Management must be supportive of all subordinate employees; however, such support of all officers and other personnel must never include a failure to ask questions; failure to search for a better way; failure to openly and honestly communicate sincere criticism or recommendations; failure to give proper orders regarding future performance; or failure to initiate or sustain appropriate disciplinary action.

Springfield Police Division

Rules & Regulations

Number: 1.20
Subject: Jurisdiction/Venue
Effective: June 28th, 1989

1.20 AGENCY JURISDICTION/VENUE

The general jurisdiction of municipal police departments is to enforce the laws of the State of Ohio and the ordinances of the City of Springfield, Ohio. This agency fulfills such other duties as are authorized by the State or the City.

The included statutes or ordinances are for reference and general knowledge and do not necessarily completely define the issue of jurisdiction and venue.

1.20A

…If a sheriff, deputy sheriff, marshal, deputy marshal, police officer, constable, or state university law enforcement officer appointed under section 3345.04 of the Revised Code is authorized by division (A), (B), or (C) of this section to arrest and detain, within the limits of the political subdivision, college, or university in which he is appointed or elected, a person until a warrant can be obtained, the peace officer may, outside the limits of the political subdivision, college, or university in which he is appointed or elected, pursue, arrest, and detain that person until a warrant can be obtained if all of the following apply:

(1) The pursuit takes place without unreasonable delay after offense is committed;

(2) The pursuit is initiated within the limits of the political subdivision, college, or university in which the peace officer is appointed or elected;

(3) The offense involved is a felony, a misdemeanor of the first degree or a substantially equivalent municipal ordinance, a misdemeanor of the second degree or a substantially equivalent municipal ordinance, or any offense for which points are chargeable pursuant to division (G) of section 4507.021 [4507.02.1] of the Revised Code.

1.20B Apprehension, custody and detention

A child may be taken into custody:

(A) Pursuant to an order of the court under this chapter;

(B) Pursuant to the laws of arrest;

(C) By a law enforcement officer or duly authorized officer of the court when there are reasonable grounds to believe that the child is suffering from illness or injury and is not receiving proper care, as defined in section 2151.03 of the Revised Code, or is in immediate danger from his surroundings, and that his removal is necessary. Note: This authority is limited by other statutes or policies…

1.20C Accused may be arrested in any county (GC 13432-10)

If an accused person flees from justice, or is not found in the county where a warrant for his arrest was issued, the officer holding the same may pursue and arrest him in any county in this state, and convey him before the magistrate or court of the county having cognizance of the case.

If such warrant directs the removal of the accused to the county in which the offense was committed, the officer holding the warrant shall deliver the accused to a court or magistrate of such county.

The necessary expense of such removal and reasonable compensation for his time and trouble, shall be paid to such officer out of the treasury of such county, upon the allowance and order of the county auditor.

1.20D Police jurisdiction outside Municipal Corporation

A municipal corporation owning and using lands beyond its limits for a municipal purpose may provide, by ordinance or resolution, all needful police or sanitary regulations for the protection of such property and may prosecute violations thereof in the municipal court of such municipal corporation.

Springfield Police Division

Policy & Procedure

Number: 1.30
Subject: Response to Resistance
Revised: Tuesday, September 15, 2020

Note- The highlighted items have been updated.

1.30.1 Response to Resistance
1.30.2 Response to Deadly Resistance
1.30.3 Unauthorized Discharge of Weapons and Warning Shots
1.30.4 Response to Resistance using Less-Lethal Force
1.30.5 Appropriate Medical Aide After Lethal and/or Less Response to Resistance
1.30.6 Response to Resistance Reporting
1.30.7 Supervisors Review of Officers Response to Resistance
1.30.8 Employee Removal Pending Administrative Review after Serious Incident
1.30.9 Lethal and Less-Lethal Weapons Authorized_amended 09152020 (page 11)
1.30.10 Demonstrating Proficiency with Weapons
1.30.11 Annual Proficiency Demonstration Training
1.30.12 Annual Distribution of Response to Resistance Directives
1.30.13 Annual Review of Response to Resistance and Firearms Discharge Reports
1.30.14 Firearms and Defensive Weapons While Off Duty
1.30.15 Conducted Electrical Weapon (CEW)- Less Lethal_amended 01202016
1.30.16 Dynamic Response to Resistance Model Training
1.30.17 Reporting, other
1.30.18 Less Lethal Shotgun
1.30.19 Prohibited Control Methods_amended 09152020 (page 33)
1.30.20 Duty to Intercede_amended 09152020 (page 33)
1.30.21 Requesting Medical Personnel and Providing First Aid_amended 09152020 (page 33)

1.30.1 Response to Resistance

Commentary: Officers who use excessive or unjustified force degrade the confidence of the community that they serve, undermine the legitimacy of an officer's authority, and hinder the Division's ability to provide effective law enforcement services to the community.

Purpose: The policy of the Springfield Police Division (SPD) is to use only that amount of force reasonably necessary to affect an arrest, control a situation, or defend themselves or others from harm. SPD recognizes that combative, non-compliant, armed, and/or violent subjects cause handling and control problems that require specialized training and equipment. Because of this, SPD has adopted the use of less lethal force options to assist with the de-escalation of potentially violent confrontations.

A. General Policy

1. This policy is for division use only and does not apply in any criminal or civil proceeding. This policy should not be considered as establishment of a higher legal standard of conduct for officers in case of third party claims. Violations of this policy will

only form the basis for divisional administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

2. The Supreme Court of the United States (SCOTUS), in its ruling in the case Graham v. Connor (1989) (490 U.S. 386, 109 S. Ct. 1865), set the standard which governs the use of force by law enforcement officers as “Objective Reasonableness”. It is the policy of this Police Division that officers use only that force which is “objectively reasonable” in light of the facts and circumstances, which they are confronted with to accomplish a lawful objective.

3. All force must be reduced as the level of the threat or resistance is clearly reduced.

4. Officers of this Division shall not use force:

   a. As an investigative tool to threaten or attempt to gain information from a person.

   b. Against a person already in custody and who is under control.

   c. As retaliation for physical or verbal abuse.

B. Definitions

1. Deadly force - the Ohio Revised Code defines deadly force as any force, which carries a substantial risk that it shall proximately result in the death of the person (ORC 2901.01 a, 2.)

2. Force: conduct on the part of a police officer that is designated to assist the officer in controlling a situation or the actions or behavior of a person or persons.

3. Levels of Resistance:

   a. No resistance (Cooperative): Suspects who do not resist and follow all commands are compliant. No physical force above handcuffing techniques is required.

   b. Passive resistance: Physically non-aggressive actions that do not prevent the officer’s attempt to control a subject. For example, a person who remains in a limp-prone position or passive demonstrators.

   c. Active resistance: A subject’s physical actions to defeat an officer’s attempt at control and to avoid being taken into custody. Verbal statements that do not impede a legitimate law enforcement function do not constitute active resistance.

   d. Active aggression: A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.

   e. Deadly Resistant: A deadly resistant subject will seriously injure or kill the officer or another person if immediate action is not taken to stop the threat.

4. Objectively Reasonable – Officers shall evaluate each situation in light of the known facts and circumstances confronting the officer.

5. Physical force: involves actual physical contact with a person and forcibly subduing that individual until resistance is overcome.

6. Serious physical harm: Harm to persons means any of the following (2901.01 A, 5, a-e):

    a. Any mental illness or condition of such gravity as would normally require hospitalization or prolonged psychiatric treatment;

    b. Any physical harm that carries a substantial risk of death;

    c. Any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity;

    d. Any physical harm that involves some permanent disfigurement or that involves some temporary, serious disfigurement;

    e. Any physical harm that involves acute pain of such duration as to result in substantial suffering or that involves any degree of prolonged or intractable pain.

7. Reasonable belief: The facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent police officer to act or think in a similar way under similar circumstances. Personal beliefs (or conclusions) are generally appropriate, if supported by facts.

1.30.2 Response to Deadly Resistance

Commentary: Our society places tremendous value upon human life. Law enforcement officers have been delegated an awesome and sometimes conflicting responsibility to protect life and property and apprehend offenders.

The potential use of deadly force involves an inherent balancing test, with the value of human life usually tending to tip the scales of law and prudence against the use of deadly force for purposes of apprehension or capture. The fact that a violent felony has been or is being committed and even the fact the perpetrator may otherwise escape, does not necessarily justify the use of deadly force; however, we have an awesome obligation to protect ourselves, others, and the community from persons whom we have probable cause to believe pose an immediate threat of serious physical harm and/or death if that person is allowed to escape apprehension. Deadly force is constitutionally permissible if there is a reasonable belief it is necessary for apprehending dangerous suspects.

1.30.2.1 Goal

1. Our goal is to promptly prevent or stop aggression or the risk of aggression when we have probable cause to believe there is a threat of death or serious physical harm to ourselves or others.

1.30.2.2 Justification for response to deadly resistance.

1. An officer is justified in using deadly force when he or she reasonably believes such force is necessary to (TN v Garner, 1985):

    a. Defend the officer from the imminent threat of death or serious physical harm.

b. To defend another human being from the threat of death or serious physical harm.

c. To prevent the escape of a fleeing felon suspect when the reasonableness requirements have been met. Those requirements are:

1. The suspect has threatened the officer with a weapon or the officer has probable cause to believe that the suspect has committed a crime involving the infliction or threatened infliction of serious physical harm, and the use of deadly force is necessary to prevent the suspect's escape, and

2. The Officer gives the suspect some warning of the imminent use of deadly force, if feasible.

1.30.3 Unauthorized Discharge of a Firearm and Warning Shots

1.30.3.1 When Firearms may not be discharged

1. Warning shots may not be fired. Warning shots differ from cover or suppressive fire, which may be necessary to protect the lives of officers. Cover or suppressive fire should only be used when other options are not reasonable and only to stop serious physical harm or deadly assaults, or to prevent the offender(s) from initiating a serious physical harm or deadly assault.

2. Shooting at or from Moving Vehicles

a. Officers should not discharge their firearms at or from a moving vehicle, motorcycle, or bicycle (collectively, "moving vehicle") unless officers reasonably believe deadly force is necessary to defend the officer or a third person from the use, or imminent use, of deadly force.

1. For purposes of this policy, officers will not discharge their firearms at moving vehicles except under extreme circumstances. Such discharges will be rigorously scrutinized.

2. Officers shall, as a rule, avoid tactics that could place them in a position where a vehicle could be used against them. When confronted with an oncoming, moving vehicle, officers should attempt to move out of its path.

1.30.4 Response to Resistance Using Less-Lethal Force

A. Officers shall use only the amount of force necessary to affect his or her lawful objective (Graham v. Connor (1989)).

B. Sworn members of this agency are allowed to carry and utilize certain items to assist them in defending themselves or another from harm and/or effect a lawful arrest.

1. Conducted Electrical Weapon (CEW) also see CEW Policy 1.3.15.)

a. All members of the Division who carry and/or use a CEW must successfully complete a division approved, training program. This training shall include a review of this policy and the Divisions Response to Resistance policy. In addition, officers shall receive instruction on the functionality of the device, familiarization with the device, deployment of the device, and care of individuals

post deployment. No officer may carry a CEW without first successfully completing this training.

2. Oleoresin Capsicum Aerosol (OC)

   a. Oleoresin Capsicum is the authorized defensive aerosol to be used by the officers certified in its use. Use of this product is strictly limited to sworn officers who have received and passed the approved training. Certified instructors will conduct such training and the records maintained by the Police Division.

3. Monadnock Auto Lock collapsible baton may be carried only after basic baton training and certification have been obtained. The size and design are subject to approval by the Chief of Police.

4. Specialty Impact Munitions are available for use by members of the SOT. Only SOT members trained in the use of these munitions will use them operationally.

5. Flash Sound Distraction Devices are available for use by members of SOT. Only SOT members trained in the use of flash sound distraction grenades will use them operationally.

C. Division personnel may have at their disposal certain restraint options used to assist in controlling various situations:

   1. Handcuffs are issued to each officer for their use in temporarily restraining persons they have taken into custody. Each officer will receive basic instruction in the proper and legal use of handcuffs prior to assuming street duties.

   2. Leg shackles are also available when transporting prisoners who might propose a flight risk.

   3. Transport belts are available for use when needed. It is recommended that transport belts be used when transporting a prisoner(s) long distances (to and from state correctional facilities and/or psychiatric centers, etc.)

   4. The Supreme Court of the United States and other lower courts has defined the use of handcuffs and other restraints as a use of force. As such, the use of handcuffs is subject to the “object reasonableness” standard set forth in Graham v. Connor (490 U.S. 386, 109 S. Ct. 1865).

D. <u>Any less-lethal weapons not specifically authorized by the Chief of Police will not be carried.</u>

1.30.5 Appropriate Medical Aide After Lethal and/or Less-Lethal Response to Resistance

A. Appropriate Medical Aide

   1. Officers will make medical treatment available to all persons who request it or exhibit evidence of injury following any response to resistance.

   2. If a prisoner is ambulatory and/or still resisting, the prisoner will be transported to the hospital emergency room by at least two officers.

3. If a prisoner is unconscious, seriously injured, or claims serious injury or incapacitation paramedics will be called to evaluate the prisoner's medical needs. If paramedics remove the prisoner to the hospital, at least one officer will accompany the paramedics. If manpower permits, two officers will accompany the paramedics to the hospital.

    a. Prisoners being transported to the hospital for treatment will be secured with handcuffs.

4. In the event an officer must use physical force on a subject and the subject does not appear to be injured or complain of injury, the officer will maintain increased observance of the individual watching for obvious physical changes of the subject. This increased observance of the subject is to aid in guarding against a subject not getting medical aid when needed but not immediately known.

5. Person(s), who that has been subject to a CEW, see 1.3.15 F, 1 through 12.

6. An on-duty supervisor will be called to the scene any time a response to resistance results in the need for medical treatment.

1.30.6 Response to Resistance Reporting

A. SPD officers shall submit a Response to Resistance report when:

1. An officer applies weaponless physical force above soft hand control techniques (grabs, holds, joint locks, balance displacement, or escort techniques, etc.) for passive resistant subjects, applied for the purpose of handcuffing and do not result in injury or complaint of injury.

2. An officer applies force or threat of force through the use of lethal or less-lethal weapons.

    a. To include the pointing of lethal and less-lethal weapons at or toward any person or any specific group of persons

3. An officer discharges a firearm at another person.

4. An officer takes an action that results in, or is alleged to have resulted in injury or death to any person.

5. Only one subject may be listed per form.

6. The only exception is for Special Operations Team (SOT) activity.

    a. The SOT commander will write a thorough summary of the entire operation to cover the pointing of weapons at subjects. If an officer uses force other than the pointing of weapons at subjects, the individual officer(s) will complete a Response to Resistance report as outlined here.

1.30.7 Supervisors Review of Officers Response to Resistance and Report

A. The shift supervisor is responsible for reviewing each officer's Response to Resistance report prior to it being forwarded to the officer-in-charge, sub-division commander, and the chief of police.

   1. If the shift supervisor reviews the report and finds that the document is accurate and complete, and agrees that the officer's response to resistance was appropriate, the shift supervisor will sign off on the report and forward it to the officer-in-charge, sub-division commander, and the chief of police.

   2. In the event that the officer's response to resistance is deemed to be inappropriate, the shift supervisor will conduct an initial inquiry into the suspected violations and forward the shift supervisor's report to the officer-in-charge, sub-division commander, and the chief of police, along with the Response to Resistance report submitted by the officer(s) in involved.

1.30.8 Employee Removal Pending Administrative Review After a Serious Incident

A. The chief of police, in order to provide safety for the community and the employee, shall remove the employee from a line-duty assignment pending an administrative investigation and review when the incident resulted in a death or serious physical harm while the employee was acting in an official capacity.

   1. Incidents that may result in an officer's removal pending administrative review include, but may not be limited to:

      a. Officer's response to resistance incidents;

      b. Fatal or serious automobile accidents involving an officer;

      c. In-custody deaths or serious injury, or;

      d. Situation in which an employee's actions results in death or serious injury to any person.

   2. These incidents may be inherently traumatic for the officer involved. Quite often, the officer's outward demeanor is not indicative of the officer's mental well-being. For that reason, during this period the officer may be required to meet with a psychologist and/or psychiatrist, at the discretion of the chief of police, to determine the effects of the incident.

      a. The officer may request in writing, to meet with a psychologist or psychiatrist through the police supervisor.

      b. All personnel should be familiar with available mental health services and avail themselves of these services following officer critical incidents (42.2.13 (C), (6), (b), (1), (a.))

         1. Section 502 - Health Counseling Program / Employee Assistance Program (EAP)

            a. The City of Springfield is concerned about employees whose lives are affected by health and personal problems. The purpose of the Health

Counseling Program is to offer assistance to employees in solving health and personal problems. If you have a personal problem that is affecting your work, attendance, health, family or social life, you can get help. Assistance is provided for excessive drinking, drug misuse or other personal and behavioral problems. The program can provide assistance to any employee who is experiencing a health or personal problem or who has a family member with a problem.

Discussion will be strictly confidential and will not be reflected in personnel records. You or your family may contact the Personnel Department or go through your health insurance carrier for assistance. Only a minimum of information will be necessary to make the referral to the proper agency. In most cases, your health insurance will pay for the assistance.)

3. Officers reassigned as a result of this rule can have the matter reevaluated upon their written request to the chief of police.

1.30.9 Lethal and Less-Lethal Weapons Authorized

A. The Springfield Police Division will only permit authorized weapons to be carried by its officers. The Chief of police must approve division issued weapons, as well as any authorized weapon.

B. The lethal and less-lethal weapons approved by the Springfield Police Division for sworn personnel include:

1. Lethal:

a. Sig Sauer P226, .40 S&W handgun (single/double action)

b. Sig Sauer P365 9mm pistol

c. Colt M-4, 5.56 x 45mm NATO

d. Remington 700-P, .308 Winchester rifle

e. Remington 870, 12 gauge shotgun

2. Less-Lethal:

a. Monadnock Auto Lock expandable baton.

b. Fox 10% oleoresin capsicum (OC) spray (2.0 oz. canister)

c. Taser International, Conducted Electrical Weapon (CEW)

d. 37mm and 40mm Single Shot Launchers (SOT)

e. 40MM Multi-shot Launcher (SOT)

f. Flash Bangs (SOT)

C. Only currently issued ammunition shall be used in the performance of duties.

1. .45 ACP
2. .40 cal.
3. .380 cal.
4. 38 cal.
5. 9mm
6. 5.56mm rifle ammunition
7. .308 caliber match grade rifle ammunition
8. 12 gauge, 00 buckshot
9. 12 gauge, slug round

D. Although not required, officers are permitted to carry their approved handgun(s) off duty in accordance with the Ohio Revised Code 2923.12 B and C, (1), (a) and (b.)

E. A range officer will inspect all firearms annually to ensure the weapons are safe and serviceable. This inspection will be done when the officer qualifies, or at the range officer's discretion. The Chief of Police or any supervisor may inspect a subordinate officer's weapon at any time. Any weapon that is authorized and found to be unacceptable will be removed from service and repaired.

F. All firearms issued by the agency will be secured when not in use.

1. Acceptable methods include:

    a. Secured it in a locker;

    b. Locked desk drawer;

    c. Gun safe, etc.

2. Any weapon found unsecured at headquarters will be confiscated.

G. This policy regarding secondary weapons, commonly known as a back-up weapon, is hereby set forth to allow officers to carry a second firearm in addition to the issued handgun, while on duty.

1. Carrying of a back-up firearm shall be optional for each officer, however, in order to carry such a weapon, the officer must first qualify with the weapon to demonstrate proper proficiency with such weapon. The qualification will be on an annual basis.

2. Weapons permitted to be carried:

    a. Only weapons of quality manufacture will be considered for carry. Examples include:

        1. Sig-Sauer;

    2. Beretta;
    3. Smith & Wesson;
    4. Glock;
    5. Colt;
    6. Any other firearm deemed of quality manufacture by the chief of police.

3. Calibers permitted.
    a. The only calibers of carry are: .380 ACP, .38 special, 9mm, 40 S&W, and .45 ACP.
    b. No ammunition will be carried in a Secondary Weapon, other than that which is issued by the division.

4. Costs associated with the secondary firearm:
    a. Officer's responsibility
        1. Practice ammunition;
        2. Holster and related items;
        3. Maintenance;
        4. Time needed for practice and qualification.
    b. Provided by the department:
        1. Ammunition for annual qualification;
        2. On-Duty ammunition.

5. Method of carry:
    a. Officer shall carry the secondary weapon in a safe, secure manner, concealed on their person, with the utmost attention in concealing the weapon from the view of the public. It is preferred officers carry the weapon in an ankle or vest holster, which is firmly secured, with a working retention device to ensure the weapon will not fall out of such holster.

6. Officers will submit a Request to Carry form to the Chief of Police.
    a. This form will include the make, model, caliber, and serial number of the weapon, along with the method of carry. Officers will also notify their Supervisor that they are carrying a secondary weapon during roll call. This is necessary so that the firearm can be accounted for in time of emergency.

7. Use of Secondary weapon:
    a. Officer shall first resort to their issued firearm in a deadly force situation. However, it is understood that circumstances may arise that dictate the officer use of the secondary weapon first, in order to protect themselves or the life of another.

H. Prohibited Weapons and/or Equipment

1. Throw away weapons, illegal weapons, blackjacks, sap gloves, hard knuckle tactical gloves, nunchakus, hunting knives, brass knuckles and any instruments not specifically authorized will not be carried by employees.

2. A flashlight is a major part of the Patrol Officer's equipment and is usually at hand, if the need arises that the flashlight becomes involved in defense of the officers or other persons, the flashlight should be used in accordance with and under the same outlines as the expandable baton.

3. It is recognized that the carrying of one or more specialty knives is common for most emergency services personnel, police officers included. These items are normally carried and employed as tools for tasks such as cutting a seatbelt at a crash scene. Nothing in this policy is intended to prevent this practice or to condone the carrying of any such item for the primary purpose of using such item as a weapon.

    a. All uniformed and plain-clothes officers are restricted to a specialty knife that is small enough to either clip inside the officer's pocket or stowed in a case on the gun belt.

    b. The respective supervisor will approve SOT members, the knife size and style.

4. The Springfield Police Division realizes and acknowledges that in tense, uncertain and/or rapidly evolving confrontations an officer may have to reasonably use techniques, weapons and/or improvised weapons that are:

    a. Not a part of the agency's formal training program;

    b. Or that may not be covered in this policy;

    c. Or that the officer may have to use a technique or weapon in a manner that is not in conformity to training;

    d. Or due to the suspect's action, the technique or weapon used has an unintentional point of impact or an outcome that is not part of the agency's training curriculum.

I. Removal of unsafe Weapons

1. If any of an officer's issued duty weapons is found to be unsafe it will be taken out of service, the officer will be issued another divisionally owned weapon comparable with the one surrendered. The unsafe weapon shall not be carried or used until it is repaired or rendered safe, and has been re-inspected by the Division's Weapons specialist. The officer will be required to qualify with newly issued firearms prior to taking active street duty if the make/model is different from the one previously carried.

2. Personally Owned Weapons:

    a. If a personally owned weapon is found to be in need of maintenance beyond the capabilities of the firearm training staff, it will be the responsibility of the Officer who owns the weapon to have the weapon repaired at his/her own expense. Weapons in need of repair will not be authorized for carry until the weapon has been repaired to the satisfaction of the firearms supervisor.

J. Weapons Records:

1. Detailed records of individual history will be maintained on all city owned weapons. These records will contain but not be limited to the following:

    a. The weapon's divisional identification number,

    b. The weapon's manufacturer identification number,

    c. The brand, model, and if applicable caliber of the weapon,

    d. To whom the weapon has been issued,

    e. Dates of issue and return to stock,

    f. Service history of the weapon

    g. Any other information that would seem relevant to the weapon specialist.

2. Personally owned Weapons:

    a. When an officer qualifies with his/her personally owned weapon(s), the firearms instructor will inspect the weapon and document the following on the qualification form. The form will then be filed in the officer's training file.

        1. The weapon's manufacturer identification number,

        2. The brand, model, and if applicable caliber of the weapon,

        3. The owner of the weapon,

        4. Any other information that would seem relative to the range officer(s.)

    b. No ammunition will be carried in a personally owned weapon that has been approved for off duty carry by SPD, other than that which is issued by the division.

1.30.10 Demonstrating Proficiency with Weapons

A. The Chief of Police will only grant authorization to carry weapons (Division issued or personally owned) to Officers who have demonstrated their proficiency to use those weapons. Proof of proficiency will be the ability to obtain a passing score on a State of Ohio, O.P.O.T.C. approved qualification course or divisionally approved course.

B. Each weapon qualification course:

1. Shall be an approved State of Ohio, O.P.O.T.C. Qualification course and/or a divisionally approved course and lesson plans shall be maintained by the Police Division.

2. Shall be taught by a certified instructor.

C. Division issued and personally owned weapons requiring an annual demonstration of proficiency are:

1. Division issued and personally own firearms that the officer intends to carry as a secondary or off duty weapon.

2. All firearms issued to vehicles

3. Members of the Special Operations Team (SOT) must qualify on all specialty firearms used by the team.

4. CEW

1.30.11 Annual Proficiency Demonstration/Training

Commentary: Annually, each officer will receive in-service training on the division's use of force policies and procedures. Also annually, each officer will demonstrate proficiency with any approved lethal weapons including the Conducted Electrical Weapon (CEW) that the officer is authorized to use.

A. The Chief of Police will only grant authorization to carry weapons (Division issued or personally owned) to Officers who have demonstrated their proficiency to use those weapons. Proof of proficiency will be the ability to obtain a passing score on a State of Ohio, O.P.O.T.C. approved qualification course or divisionally approved course.

B. Each weapon qualification course:

   1. The Springfield Police Division re-qualification course(s) shall be at least as difficult as the current OPOTA qualification course, as mandated under section 109.801 of the Ohio Revised Code and Chapter 109:2-3 of the Ohio Administrative Code.

   2. Shall be taught by a certified instructor.

C. Division issued and personally owned weapons requiring an annual demonstration of proficiency are:

   1. Division issued, and secondary firearms;

   2. Off duty firearms in accordance with this section;

   3. All firearms issued to vehicles;

   4. Members of the Special Operations Team must qualify on all specialty firearms used by the team;

   5. And CEW.

D. Firearms Instruction and Annual Re-qualification

   1. All officers are personally responsible for maintaining proficiency with all generally or personally issued firearms and such special weapons as may be issued or authorized, including off-duty firearms and back-up weapons.

   2. All officers must attend a training or re-qualification session whenever directed, but no less than annually. The training/re-qualification will be conducted while the officers are on-duty.

3. Procedure
    a. Scoring
        1. Scoring Method - Full diameter holes will be counted as hits.
        2. Scoring System - An aggregate system will be used. The total number of hits in the preferred area of the target must equal eighty percent (80%) of the total number of rounds shot in all events. The range instructor, under the general direction of the Chief, may require a higher standard of scoring.
4. Safety
    a. All firearms practice or instruction must always be conducted within the general and specific rules of safe handling of firearms, the rules of the range facility, and in full compliance with all instructions of range or training personnel.
    b. Any willful, knowing, or reckless disregard of safety or of any instruction from any officer (of any rank) charged with range or instructional duties constitute insubordination or other serious violations of good conduct. Negligent misconduct especially that which is likely to endanger persons or property, is also a violation of this or other directives.
    c. The following safety devices, as approved by a range officer, must be worn whenever anyone is participating in range instruction, training, or re-qualification:
        1. Eye protection.
        2. Ear protection.
        3. Ballistic vest.
5. Qualification Procedure
    a. Sworn officers must qualify with any assigned or authorized weapon, prior to carrying the weapon on or off-duty.
    b. Officers who fail to qualify on the first attempt will be given a second opportunity to qualify, the same day.
    c. Officers who do not qualify on their second attempt will be required to wait 24 hours prior to their third attempt.
    d. Officers who do not qualify on their third attempt will be required to attend comprehensive re-training, as directed by the chief.
        1. Officers who do not annually attain and maintain minimum qualification with any standard issue firearm shall not possess, use, or control such weapons- other than as directed- during the period of comprehensive re-training.
        2. If after comprehensive re-training any officer has still failed to achieve the minimum qualification standard, he or she shall be referred to the Office of the Chief for such action as is deemed reasonable.
        3. Such determination and action may include, but is not limited to:
            a. Issue of a different service weapon with which the officer can and does qualify;

b. Eye or general medical examination by the officer's own physician and/or by a City physician;

c. Disciplinary action;

d. Any combination of such actions, or other actions, as determined by the Chief of Police

e. Officers who cannot meet minimum standards of competence with firearms cannot adequately perform the basic duty of protection of self or others from deadly assault. Therefore, eligibility for continued employment may cease at any time such lack of competence is reasonably established.

1.30.12 Annual Distribution of Response to Resistance Directives

All agency personnel of this police division shall be issued copies of, and receive instruction in, the policies described in sections 1.3 Response to Resistance before being authorized to carry lethal and less-lethal weapons, make an arrest, or function in an official capacity. The instruction and issuance shall be documented and a copy of this document will be included in the officers' training file.

1.30.13 Annual Review of Response to Resistance Reports

Annually, an analysis of response to resistance reports will be conducted to determine if a pattern or trend is developing that may indicate a need for training and/or policy modifications. This analysis will take the form of a written report completed by the Professional Standards Unit and forwarded to the Chief.

1.30.14 Firearms and Defensive Weapons While Off Duty

.1 Except as herein provided, no member shall carry or immediately control for purposes of going armed any defensive weapon off duty, except those issued or authorized by the Division.

.2 Because of the nature of police services, there are a variety of reasons officers may wish to carry or control firearms or other defensive weapons while off duty; therefore, if all standards of qualification and authorization have been met or exceeded, sworn officer may, at their discretion, carry a firearm or other authorized defensive weapon while off duty.

.3 Such weapons must, when officers are in public view, be kept satisfactorily concealed and otherwise both appropriate and discreet in manner of carry or display. Weapons, which cannot be or are not safely, conveniently and completely concealed are prohibited.

.4 Firearms which can be conveniently and completely concealed shall be defined as those which can, without significant force, fit within the height/length outline of the issue Uniform handgun equipped with authorized replacement grips plus an additional 1/4" in each direction.

.5 No officer of this Division is authorized to possess, carry, or control any firearm in any "D" permit premises while consuming any alcoholic beverages.

.6 Should an officer seek authorization to carry any off-duty firearms other than the issued firearm(s), the officer must qualify with such firearms to the satisfaction of the training staff, subject to Divisional policy or rules. Such qualification is required every calendar year following initial qualification with a particular firearm and all ammunition consumed during such qualifications shall be equivalent to that used when the firearm is carried and shall be provided at the expense of the officer seeking such qualification. All time consumed shall be personal time of the officer, and no payment of any sort shall be considered by City.

1.30.15 Conducted Electrical Weapon (CEW) – Less-Lethal

Purpose: The purpose of this directive is to establish guidelines and limitations for Springfield Police Division (SPD) sworn police personnel reference the required training and use of Conducted Electrical Weapons (CEW).

Policy: The policy of SPD is to use only that amount of force reasonably necessary to affect an arrest, control a situation, or defend themselves or others from harm. SPD recognizes that combative, non-compliant, armed, and/or violent subjects cause handling and control problems that require specialized training and equipment. Because of this SPD has adopted the use of a less-lethal force option to assist with the de-escalation of potentially violent confrontations.

A. Definitions

1. Activation: Pulling the trigger, or depressing the ARC switch of a CEW, causing arcing or probe discharge.

2. Anti-Felon Identification (AFID) tags: Small identifying cards expelled from a CEW cartridge when probes are discharged. Each card (sometimes referred to as confetti tag) contains a serial number unique to the specific cartridge used.

3. Application: The actual contact and delivery of electrical impulse to the subject via probe discharge or drive stun.

4. ARC display: Depressing the ARC switch, visibly and audibly energizing the CEW as part of a warning tactic, typically accompanied by verbal commands.

5. Cartridge: A replaceable vessel that generally contains compressed gas, probes, connecting wires, and AFID tags.

6. Cycle: The period during which electrical impulses are emitted from the CEW following activation. In most models, a standard cycle is 5 seconds for each activation. The duration of a cycle may be shortened by turning the CEW off but may be extended in certain models by continuing to pull the trigger.

7. Display: Drawing and exhibiting the CEW as part of a warning tactic, typically accompanied by verbal commands.

8. Drive stun: Drive stun mode is possible whether or not the cartridge has been expended or removed from the CEW. (If the cartridge is not removed, the probes will enter the body.) This action requires pulling the trigger and placing the CEW in direct

contact with the subject, causing the electric energy to enter the subject directly. Drive stun is frequently used as a non-incapacitating pain compliance technique. It may also be used to incapacitate the subject where at least one probe is attached to the subject's body and the CEW contact will complete the circuit.

9. Conducted Electrical Weapon (CEW): A less-lethal weapon designed primarily to discharge electrical charges into a subject that will cause involuntary muscle contractions and override the subject's voluntary motor responses.

10. Duration: The aggregate time that the CEW is activated. It is important to note that the duration of activation refers to the length of time the device is activated. However, the duration of the electrical impulse the subject feels is directly related to whether or not the device is in contact with their body.

11. Excited delirium: State of extreme mental and physiological excitement, characterized by behaviors and symptoms such as extreme agitation, elevated body temperature, watering eyes, hostility, exceptional strength, and endurance without fatigue.

12. Exigent circumstances: Circumstances that would cause a reasonable person to believe that prompt and unusual action is necessary to prevent physical injury to self or others.

13. Firing: Discharging CEW probes at an intended target.

14. Fleeing: An active attempt by a person to avoid apprehension by a law enforcement officer through evasive actions while attempting to leave the scene.

15. Frail or infirm person: A person who is feeble or weak in body or health, especially because of age.

16. Laser painting: The act of un-holstering and pointing a CEW at a subject and activating the CEW's laser dot to show that the weapon is aimed at the subject.

17. Less-Lethal weapon: Any apprehension or restraint tool that, when used as designed and intended, is less likely to cause death or serious physical harm to persons than a conventional police lethal weapon (e.g., firearm).

18. Levels of Resistance:

    a. No resistance (Cooperative): Suspects who do not resist and follow all commands are compliant. No physical force above handcuffing techniques is required.

    b. Passive resistance: Physically non-aggressive actions that do not prevent the officer's attempt to control a subject. For example, a person who remains in a limp-prone position or passive demonstrators.

    c. Active resistance: A subject's physical actions to defeat an officer's attempt at control and to avoid being taken into custody. Verbal statements that do not impede a legitimate law enforcement function do not constitute active resistance.

d. Active aggression: A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.

e. Deadly Resistant: A deadly resistant subject will seriously injure or kill the officer or another person if immediate action is not taken to stop the threat.

19. Probes: Projectiles with wires contained in a CEW cartridge. When the CEW is discharged, probes are expelled from the CEW and penetrate the subject's clothing and/or skin, allowing application of the electric impulse.

20. Sensitive areas: An area of the subject's body that may cause more serious injury to the subject if struck with an CEW probe (e.g., head, neck, female breasts, genitalia)

21. "Serious physical harm to persons" means any of the following (2901.01 A, 5, a-e):

    a. Any mental illness or condition of such gravity as would normally require hospitalization or prolonged psychiatric treatment;

    b. Any physical harm that carries a substantial risk of death;

    c. Any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity;

    d. Any physical harm that involves some permanent disfigurement or that involves some temporary, serious disfigurement;

    e. Any physical harm that involves acute pain of such duration as to result in substantial suffering or that involves any degree of prolonged or intractable pain.

B. The following are the applicable response to resistance standards directly related to the deployment of the CEW:

1. The use of a CEW involves the application of force and each application of a CEW involves an additional use of force.

2. Multiple applications of a CEW cannot be justified solely on the grounds that a subject fails to comply with a verbal command, absent other indications that the subject is about to flee, or poses an immediate threat to an officer or other person.

3. Any decision to apply multiple applications of a CEW must take into consideration whether a subject is capable of complying with the officers' commands.

4. The CEW is not intended to replace firearms when deadly force is necessary, but rather to provide a less-lethal alternative within the guidelines of the SPD Response to Resistance policy.

~~5.~~ Authorized officers who carry and use CEW shall:

a Carry the CEW in a Division approved holster on the opposite side from their firearm, with the cartridge(s) attached, while working their assigned shift.

b Point the CEW in a safe direction when loading, unloading, or testing the device.

c Visually and physically inspect the CEW and cartridges at the beginning of their shift.

d Spark test the CEW before each working day.

e Officers will secure and store the CEW, both on and off duty, in such a way as to ensure that no unauthorized person (especially children) will have access to, or gain control over, the CEW.

f Any use or accidental discharge of a CEW must be immediately reported to a supervisor.

6. Officers are generally permitted to use a CEW in accordance with training in the following instances:

   a The subject's actions are actively resisting in a manner that, in the officer's judgment, is likely to result in injuries to themselves or others (active resistance) when lower levels of force are not reasonable or are ineffective.

   b To stop a subject who poses a threat of physical injury to himself or herself.

   c Officers should only use a CEW against a fleeing subject when the subject has committed, or is about to commit, a felony offense of violence. Fleeing, in and of itself, cannot be the sole justification for using a CEW against a subject. Officers must consider the severity of the offense, the subject's threat level to others, and the risk of serious injury to the subject before deciding to use a CEW on a fleeing subject.

   d Displaying a CEW when "painting the subject with the CEW laser," or giving a visual ARC display, to attempt to gain compliance of the subject where active resistance, active aggression, assault, and/or violence is reasonably anticipated.

   e It is understood that in dynamic, rapidly evolving situations, the probes may impact unintended areas of the subject.

   f During Division authorized training programs and demonstrations.

   g Any use of the CEW while off duty is subject to the same rules as outlined here.

7. The use of the CEW is generally prohibited (absent exigent circumstances) in the following situations:

   a. Subject that is not resistant (cooperative) or passively resisting.

   b. A subject that is in an elevated position where the officer knows or is likely to know that a fall may cause substantial injury or death.

   c. Against persons who may have come into contact with flammable liquids or in environments where flammable liquids or fumes are likely present.

1. This includes any OC spray used on an individual by any other agency.

2. SPD officers may only deploy a CEW against a subject that the officer knows was sprayed with OC by a SPD officer.

d. An operator in control of a vehicle, including automobiles, trucks, motorcycles, ATV's, bicycles, scooters, unless exigent circumstances exist. Any such tactic will result in careful and detailed review by the administrative authority and may result in severe disciplinary action if any improper conduct is determined to have occurred.

e. Any person the officer knows or reasonable knows is less than 80 pounds, pregnant women, elderly persons, young children, and visibly frail persons. Personnel should evaluate whether the use of the CEW is reasonable, based upon all circumstances, including the subject's age and physical condition. In some cases, other control techniques may be more appropriate as determined by the subject's threat level to others.

e Against a subject who is not resisting (cooperative) or passively resisting the lawful commands of the officer.

f Against a handcuffed person, except to prevent that person from seriously harming themselves or others, or when they are actively resisting or exhibiting aggression.

g. To rouse unconscious, impaired, or intoxicated individuals.

h. For horseplay or any other unprofessional conduct.

8. To experiment on a person or allow a person to experience the CEW, even if the person requests it, when the CEW's use would not otherwise be allowed under this policy. This does not apply to voluntary CEW training exposures or CEW demonstrations authorized by the Division.

9. For illegal purposes (abuse, coercion, punishment, torture, etc.)

   a. Any such usage that involves the generally prohibited use if the CEW, even where an exigent circumstance exists, will result in a careful and detailed review by the administrative authority and may result in severe disciplinary action if improper conduct is determined to have occurred.

10. When deploying a CEW, officers will make efforts to comply with the following directives, when reasonable:

    a. A command for compliance should be given prior to activating the CEW. The subject should be given an opportunity to comply with an officer's verbal command unless doing so would place the officer or any other person at risk.

    b. When feasible, alert other law enforcement officers present that you are about to deploy a CEW by saying "Taser, Taser, Taser." This statement will prepare the

officers at the scene for the CEW deployment and help prevent sympathetic weapon discharges.

c. Use the laser and/or fixed sights to aim the CEW, per training and manufacturer instructions. Officers should attempt to aim for the subject's back, whenever possible, or below the breastbone for frontal deployments.

d. Officers should use the CEW for one standard cycle (five seconds) and then evaluate the situation to determine if subsequent cycles are necessary.

    1. Officers must consider that exposure to the CEW for longer than 15 seconds (whether due to multiple applications or continuous cycling) may increase the risk of death or serious physical injury.

    2. Any subsequent applications must be independently justifiable, and the risks weighed against other force options.

e. Personnel should not intentionally activate more than one CEW at a time against a subject.

f. Personnel should not intentionally target the sensitive areas of the body, to include, the head, neck, genitalia, or female breasts.

g. CEW's should be used only against subjects whose actions rise to the level of active resistance or active aggression who are resisting in a manner that, in the officer's judgment, is likely to result in injuries to themselves or others.

h. In an attempt to minimize the number of CEW discharges necessary for subject compliance, officers should, while deploying the CEW clearly and reasonably give direction to the subject as the incident mandates.

    1. A five second delay, between CEW discharges, is the generally accepted practice of the Springfield Police Division.

    2. The circumstances of the situation will dictate the response.

i. Whenever possible reasonably possible the CEW shall be deployed using a back-up officer to assist with providing cover and handcuffing.

j. After deployment the subject shall be handcuffed as soon as it is safe to do so.

k. Dispatch will be notified of the CEW deployment as soon as the subject is compliant, and the situation is under control.

D. Training and Certification

1. CEW Training*:* All members of the Division who carry and/or use a CEW must successfully complete a division approved, training program. This training shall include a review of this policy and the Divisions Response to Resistance policy. In addition, officers shall receive instruction on the functionality of the device, familiarization with the device, deployment of the device, and care of individuals post

deployment. No officer may carry a CEW without first successfully completing this training.

2. SPD policy and training discourages the use of the drive stun mode as a pain compliance technique. The drive stun mode should be used only to supplement the probe mode to complete the incapacitation circuit, or as a countermeasure to gain separation between officers and the subject so that officers can consider another force option.

3. SPD Officers are trained to attempt hands-on control tactics during CEW application, including handcuffing the subject during CEW application (i.e., handcuffing under power). Training emphasizes that personnel who touch a subject during CEW application will not receive exposure to the electrical charge, so long as caution is taken not to touch the subject along the circuit (i.e., between the locations of the two probes).

4. SPD command staff, supervisors, and investigators receive awareness training appropriate to the investigations they conduct and review.

5. In addition to providing an overview of CEWs, SPD provides annual CEW awareness training to personnel who are not certified to carry the devices, which emphasizes their responsibilities. The training covers situations such as attempting to handcuff subjects during CEW deployments.

6. Annual Re-Certification

    a. A mandatory annual re-certification program must be successfully completed. Officers who fail to attend training and allow their certification to lapse will not be authorized to carry the CEW.

7. Certified Instructors

    a. A certified instructor will conduct all Division CEW programs.

8. Training Records

    a. The division-training officer shall maintain CEW Training and certification records.

9. Annual audit

    a. The division-training officer will conduct an annual audit of the CEW training records to ensure that all officers carrying a CEW have met proficiency training for the year. The division training officer will notify the appropriate division commander reference the names of those officers who have not completed the required training no later than December 1st, of each year. This notification provides ample opportunity to schedule the training.

E. Medical Considerations

1. Absent exigent circumstances all subjects who have been exposed to CEW application should receive a medical evaluation by EMS in the field or at a medical facility.

2. Personnel conducting the medical evaluation should be made aware that the suspect has experienced CEW activation, so they can better evaluate the need for further medical treatment.

3. Subjects who have been exposed to prolonged application (i.e., more than 15 seconds) should be transported to a hospital for evaluation.

4. SPD Command Staff shall establish a protocol for this procedure with SFD Emergency Medical personnel.

5. Post CEW application SPD Officers, if needed, will use a restraint technique that does not impair the subjects breathing. Officers need to pay particular attention to the possibilities of position asphyxiation.

6. If any subject displays respiratory problems post CEW application medical attention shall be sought immediately.

7. Medical attention shall be sought immediately for individuals identified as "At Risk," on whom the CEW has been deployed. (See section F, 3, b through g. for a list of persons identified as *"At Risk."*)

8. Officers should be aware that there is a higher risk of sudden death in subjects under the influence of drugs and/or exhibiting symptoms associated with excited delirium.

9. In the event the subject must be removed from the scene, due to exigent circumstances, either EMS should be called to the new location or the subject should be transported to the hospital.

10. All subjects who have received a CEW application should be monitored regularly, during the time while in police custody even after they have received medical care.

11. The officer discharging a CEW operationally will verbally notify jail personnel that the subject they are booking in has been exposed to a CEW. Officers will also make a note of that fact, in their court statement.

12. Probe removal:

    a. The CEW operator must have the areas photographed after the probes are removed (including a rule to show distances) and attach copies of the photos to the CEW Use Report.

    b. Wearing protective gloves, generally the CEW operator will remove the probes as instructed during training.

c. Officers will not remove the probes in the event of any impact to the FACE, NECK, FEMALE BREAST, or GENITALS. These removals must be performed by medical personnel at a medical facility.

d. Probes should be removed as soon as reasonably practical.

e. CEW probes should be treated as a biohazard. Use Universal Precautions to avoid the transfer of bodily fluids when dealing with a subject who has been struck by a CEW probe.

f. Wearing protective gloves, the CEW operator will remove the probes as instructed during training.

g. The probes will be placed in the empty (fired) cartridge and submitted in an evidence envelope.

h. The spent cartridge and probes must be submitted, with a property receipt, as evidence, even in cases of a miss.

F. Notification and Documentation.

a. Display, laser painting, and/or visual ARC display.

b. Deployment of a CEW whether by display, laser painting, and/or visual ARC display used as tactics to deter a subject or gain their compliance, is considered force.

c. The officer using the CEW in these capacities shall complete an SPD Response to Resistance report by the end of the officer's shift.

d. The Response to Resistance report will detail whether or not the display, laser painting, or visual ARC display tactic deterred the subject and gained compliance.

10. Discharging (Firing) or Drive Stun.

a. The officer discharging a CEW will verbally notify dispatch, and an on-duty supervisor, as soon as possible.

b. Accidental discharges, where no person was struck, should be documented on an Inter-office communication.

c. Deployment of a CEW whether by discharging or drive stun is considered a use of force.

d. The officer using the CEW in these capacities shall complete an SPD Response to Resistance report and a CEW Response to Resistance report by the end of their shift.

e. Prior to the end of their shift, the officer shall also:

1. Collect the spent cartridge(s), probes, & AFID tags.

2. Photograph the spent cartridges and probes.

3. Complete the required CEW Response to Resistance report and attach it to the Chief's copy of the Use of Force Report.

3. A Response to Resistance report and a CEW Response to Resistance report shall contain the following information:

Note- the two reports have specific areas where the following information is called for. The list, below, should be used as a template for completing the reports.

a. Date, time, and location of the incident.

b. If an officer displayed the CEW, or painted a subject with the CEW laser, in an attempt to gain compliance they must document that fact on a Response to Resistance form. They must also document whether or not the tactic(s) deterred the subject and gained compliance.

c. Identifying and descriptive information and any investigative statements of the subject (including membership in an at-risk population), a list of all personnel firing CEWs, and a list of all witnesses.

d. The number of CEW activations, the duration of each cycle and the duration between activations must be documented in the narrative.

e. Level of aggression encountered.

f. Any weapons possessed by the subject.

g. The type of crime/incident the subject was involved in.

h. Determination of whether deadly force would have been justified.

i. The type of clothing worn by the subject.

j. The range at which the CEW was used.

k. The type of mode used (probe deployment or drive stun).

l. The point of probe impact on a subject with the device in probe mode.

m. The point of impact on a subject with the device in drive stun mode.

n. Location of missed probe(s).

o. Terrain and weather conditions during CEW use.

p. Lighting conditions.

q. The type of cartridge used.

r. Suspicion that subject was under the influence of drugs (specify if available.).

s. Medical care provided to the subject.

t. Any injuries incurred by personnel or the subject.

4. With the assistance of the Officer-in-Charge, download the CEW database information from the device and attach a printed copy to the Response to Resistance report.

G. Prior to downloading the CEW, demonstrate that the CEW is functioning properly by cycling it for five full seconds in the presence of the supervisor who is going to perform the download.

H. Accidental discharges*:*

1. The Officer involved in an accidental discharge of a CEW will immediately notify an on-duty supervisor.

2. The Officer involved in an accidental discharge will document the event in an Inter-Office Communication to the Chief of Police, and submit the cartridges(s) as property.

3. A supervisor will conduct a follow up investigation, and forward the results to the Chief of Police.

I. Supervisory responsibilities:

1. Ensure trained personnel, who are issued and carry the CEW, comply with this policy while working their assigned shift.

2. Immediately respond to any scene in which the CEW was used in either the drive stun capacity or fired.

3. When possible, a supervisor should anticipate the likelihood that officers will use a CEW at an incident and should respond.

4. Obtain a data port download for all CEW's deployed in the incident.

5. Supervisors shall ensure all required information is documented in the appropriate reports, and all appropriate evidence is collected and submitted following the use of a CEW.

6. Ensure that photographs are taken of the probe penetration sites and any secondary injuries (caused, for example, by falling to the ground).

7. Review the circumstances surrounding the use of the CEW to determine if the use, or deployment, of the CEW was in compliance with policy and procedures.

a. In situations where the Use of Force appears to be outside of policy and procedure, or serious physical injury to persons resulted out of the Use of Force, the supervisor shall require all officers at the scene to submit a detailed inter-office concerning the event.

b. The supervisor shall also prepare a detailed inter-office communication listing the results of their administrative review of the unusual event.

J. Other CEW Downloads

1. Quarterly, the Shift Lieutenants will conduct a download of all CEW's assigned to their shift or unit, to insure that unreported deployments are not taking place and as a quality control component for our agency.

2. These downloads will be saved on the server in the file specified.

K. Conducted Electrical Weapon Coordinator (CEWC)

1. The CEWC, or his designee, is responsible for maintaining the equipment and records associated with the deployment of the Divisions CEW's.

2. Be responsible for issuing CEW's and cartridges, and ensure they are recorded either in NWS, or otherwise.

3. Ensure cartridges are replaced before their expiration date.

4. Conduct data port downloads when requested by investigating supervisors.

5. Maintain overall responsibility for coordination of purchase, repair, and replacement of CEW's and cartridges.

L. Professional Standards Unit

1. Will collect and maintain copies of all Response to Resistance reports and CEW use reports.

2. Will review each report as it comes in for:

   a. Whether or not the tactics of, laser painting, or visual ARC display deterred the subjects and gained compliance.

   b. Usage trends.

   c. Policy compliance.

3. At the end of each quarter, the Professional Standards Unit will audit and reconcile the quarterly data downloads described above.

4. Annually, the Professional Standards Unit will analyze all CEW statistics and make them available for review.

M. CEW Cartridge Retention Schedule

1. The spent cartridge(s), probes, & AFID tags will be held for a minimum of two (2) years, or until the criminal case or any internal investigation is complete, whichever is longer.

1.30.16 Dynamic Response to Resistance Model Training

A. The following provides officers with a source of reference on the response to resistance. All officers who are authorized to carry weapons shall become familiar with the following guidelines related to the Dynamic Response to Resistance Model. (DRRM.)

B. The DRRM is a graphic representation and description of the escalation and de-escalation of force used by police officers in response to actions taken by a suspect or offender.

    1. The appropriate level of force that may be used by a police officer to control a person depends upon the particular circumstances in which the officers find themselves at the time the force is used.

    2. Important factors to consider when determining the level of force that may be applied to control a situation include, but are not limited to, the age, size, fitness, experience, skill level, relative strength, and number of the officer(s) and suspect(s) involved in an incident.

C. When dealing with suspects and offenders, officers should attempt to apply the DRRM, at the most appropriate level based upon the particular circumstances.

    1. In the DRRM diagram, no resistance (compliance) is in the center of the square, emphasizing that as the goal of every encounter. If a suspect's resistance level places him on one of the four corners of the square, the officer's response (appropriate use of force) is intended to move the suspect's behavior to the center of the square and compliance. If the officer in response to the suspect's resistance level uses force, the sole purpose of the application of force is to gain compliance.

D. Considerations of Force Escalation or De-escalation.

    1. The totality of the circumstances reasonably known to a police officer at the time force is used affects the appropriate level of force the officer may use in response to a threat.

    2. Among the important issues that may affect the determination of what level of force is appropriate in a given situation are the following:

        a. Has the threat had the opportunity to comply with commands, if commands were possible and appropriate?

        b. Is the current course of action achieving control or compliance?

        c. Does the threat warrant the risk of injury to yourself or the threat?

E. Basic Principles of Justification

    1. The threat always dictates the degree of force to be used. Therefore, the threat is responsible for any injury the threat may incur while resisting.

    2. It is incumbent on the officer to overcome the threat's resistance as quickly as possible to control the threat and the situation.

F. The Springfield Police Division realizes and acknowledges that in tense, uncertain or rapidly evolving confrontations, an officer may have to use reasonable techniques that could cause physical harm.

G. All officers' actions that are deemed Objectively Reasonable (Graham v. Connor, 490 U.S. 386 (1989) United States Supreme Court)), will be considered to be within policy, even if the specific action or operation are not specifically addressed here.

H. *Levels of Resistance:*

1. *No resistance (Cooperative):* Suspects who do not resist and follow all commands are compliant. No physical force above handcuffing techniques are required.

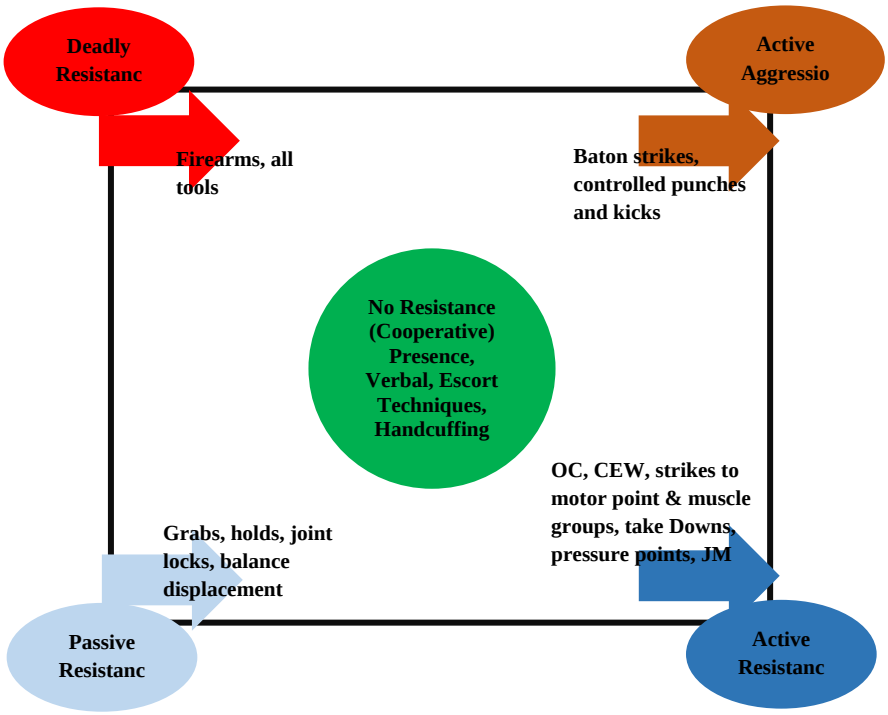
2. *Passive resistance:* Physically non-aggressive actions that do not prevent the officer's attempt to control a subject. For example, a person who remains in a limp-prone position or passive demonstrators.

3. *Active resistance:* A subject's physical actions to defeat an officer's attempt at control and to avoid being taken into custody. Verbal statements that do not impede a legitimate law enforcement function do not constitute active resistance.

4. *Active aggression:* A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.

5. *Deadly Resistant:* A deadly resistant subject will seriously injure or kill the officer or another person if immediate action is not taken to stop the threat.

I. Dynamic Response to Resistance Model. (DRRM) graphic representation



1.30.17 Reporting, other

With the exception of instruction, practice or qualification sessions, members shall promptly submit a detailed written report to the Chief, their Sub-Division Commander and their Shift or Unit Commander whenever they deliberately or accidentally discharge any firearm. Included with the report will be a reasonable diagram of the scene of such discharge showing the object of the discharge, the apparent path of the projectile(s), and all person, structures, vehicles or substantial property in the immediate area as well as such pertinent facts or figures as distances between persons and objects, angles of fire, addresses, geographical directions, and so forth. Such diagram shall be completed and approved by the appropriate supervisor.

1.30.18 Less Lethal Shotgun

1.30.18.1 Policy

.1 Less-lethal impact projectiles or bean bag rounds are an effective weapon to resolve confrontational situations quickly and in a method less likely to result in death or serious injury. The department recognizes bean bag rounds as an intermediate weapon. Any deployment will be consistent with the established use of force or less lethal policies.

.2 Less-lethal shotguns and bean bag rounds will only be authorized for use by officers who have received training through the department from a certified weapons instructor.

.3 Use of force incidents involving the deployment of less-lethal impact projectiles will be investigated in the same manner as any police shooting. Investigators from an Internal Affairs team will conduct a post use investigation and report their findings to the Chief of Police

1.30.18.2 Authorization

.1 Only SWAT officers and supervisors specifically trained in the use of the beanbag shotgun are permitted to use the weapon.

.2 A beanbag shotgun shell has a standard 2 3/4 inch, 12 gauge shotgun shell with a transparent hull.

.3 Stocks on beanbag shotguns are orange and clearly labeled as "less-lethal".

.4 Never load regular shotgun ammunition into beanbag shotguns; or vice versa.

1.30.18.3 Training

.1 Only officers who have successfully completed an approved training course conducted by a certified weapons instructor will deploy bean bag rounds.

.2 Officers trained in the use of bean bag rounds will be re-certified each year as part of their in-service training. Only officers who are currently certified may use bean bag rounds.

1.30.18.4 Deployment

.1 The less lethal shotgun will always be carried in an unloaded condition. The less lethal rounds shall be carried in the butt stock carrier of the orange, less lethal shotgun. Upon preparing to deploy the less lethal shotgun the officer shall visually confirm that they are loading bean bag rounds. Only after such confirmation will the officer deploy the less lethal shotgun.

.2 The decision to use bean bag rounds will be based on the officer's determination that other less-lethal weapons (e.g. TASER or baton) would place officer(s) and/or suspect(s) unacceptably close to one another. Officers must consider the actions of the offender(s) or threat facing the officer(s), as well as the totality of the circumstances surrounding the incident.

.3 Bean bag rounds are not meant to replace deadly force. A second officer, who is prepared to use deadly force, and/or a TASER, should be present when bean bag rounds are deployed, if possible.

.4 Proper consideration and care should be taken when using bean bag rounds on offenders in elevated positions or other circumstances where a fall may cause substantial injury or death.

.5 Officers should not target the face or head unless the only other recourse would be deadly force.

.6 When using a beanbag shotgun, target a specific part of the body. Avoid the head, neck, throat, heart, and genitals, if possible.

.7 Officers should avoid using the beanbag shotgun on persons who reasonably appear to be, or are known to be, young children, elderly, medically infirm, pregnant, or users of a cardiac pacemaker. Officers are not prohibited from using the beanbag shotgun on such persons, but use is limited to those exceptional circumstances where the potential benefit of using the beanbag shotgun (i.e., injury reduction) reasonably outweighs the risks and concerns.

.8 Beanbag shotgun rounds should not generally be deployed at distances less than twenty (20) feet unless the only other option is deadly force.

While multiple beanbag rounds may be expended as necessary, no more than two beanbag shotguns should be simultaneously deployed on an individual.

.9 Whenever possible a warning will be given that bean bag rounds will be deployed. An announcement will be shouted stating "bean bag, bean bag, bean bag" in order to notify other officers that a bean bag deployment will occur.

.10 Bean bag rounds should not be deployed under certain circumstances.

.1 Bean bag rounds should not be deployed on suspect(s) armed with firearms.

.2 Bean bag rounds will never be used punitively or for purposes of coercion.

.3 Bean bag rounds should not be deployed in circumstances or environments where flammables are obviously present.

.4 Bean bag rounds should not be used on pregnant offenders unless the only other option is deadly force.

1.30.18.5 Post Deployment

.1 Immediate action should be taken to protect and secure the offender and to protect the scene.

.2 EMS shall be called to the scene regardless of the offender's apparent condition.

.3 After using a beanbag shotgun, and after an individual is under control, notify onlookers a beanbag shotgun, not a regular shotgun, was used. Inform onlookers the beanbag shotgun is a less lethal alternative designed to apprehend individuals without causing serious injury

.4 Each bean bag round deployment is to be reported on the standard Use of Force report.

.5 A supervisor at the scene shall ensure the following-

.1 That the offender receives medical treatment, including transportation to the hospital, if necessary.

.2 That the offender has been properly restrained.

.3 That the Chief of Police has been notified.

.4 That the Use of Force report is properly completed and filed.

.6 Bean bag round deployment data records will be reviewed annually as part of the Division's use of force analysis.

1.30.18.6 Equipment Care and Maintenance

.1 Only less-lethal shotguns and bean bag rounds issued by the department will be used by officers.

.2 Officers assigned less-lethal shotguns will regard them as firearms and secure them in the same manner as a firearm at all times.

1.3.19 Prohibited Control Methods

.1 Officers shall not knowingly use neck restraints or neck holds (also known as choke holds) unless deadly force would be authorized to prevent serious bodily injury or death.

.2 Officers shall not knowingly use blows to the neck/throat or spinal cord unless deadly force would be authorized to prevent serious bodily injury or death.

.3 Officers shall not knowingly place their knee, feet or body weight on the neck/throat, of a subject, in order to control or contain the subject's movements unless deadly force would be authorized to prevent serious bodily injury or death.

.4 Officers shall not knowingly place direct pressure on the spinal cord of a subject unless deadly force would be authorized to prevent seriously bodily injury or death.

Commentary: Clearly, officers may need to lay across a person's back or place an arm/leg across a person's back to control them during a struggle. This policy is specifically aimed at avoiding direct pressure, blows, or strikes to the spinal cord unless deadly force would be authorized to prevent serious bodily injury or death.

1.3.20 Duty to Intercede

.1 Any officer present and observing another officer using force that is beyond that which is reasonable as defined by the Division's Use of Force policy shall, when in a position to do so, regardless of rank, safely intercede to prevent the use of such force.

.2 Officers shall immediately report these observations to an on-duty supervisor.

1.3.21 Requesting Medical Personnel and Providing First Aid

Any time force is used shall immediately request medical personnel to the scene when any of the following occurs:

.1 A person sustains any bodily injury from the discharge of a firearm.

.2 A person sustains serious bodily injury.

.3 A person is struck by a less lethal munition. (See also: 1.30.18)

.4 A person is sprayed with OC Spray and appears to be in increased distress due to a medical or physical condition. (See also: 1.30.5 and General Order #42.)

.5 A person is darted by a CEW in the head, neck, groin area, or breast (male or female) or the person sustains physical trauma indirectly associated with the CEW use (e.g., injury from a fall) (See also: 1.30.15 E; CEW)

.6 As otherwise needed.

.7 While awaiting emergency medical services, employees shall provide first aid to their level of training without any unreasonable delay, taking into consideration that the first priority of all officers is scene safety.

Mitigating any potential threats prior to providing first aid shall remain the most important task, because once treatment begins, officers may quickly lose any tactical advantage due to the fact they will be kneeling or crouched and/or have their attention diverted during the assessment and rendering of first aid.

Springfield Police Division

Rules & Regulations

Number: 1.32
Subject: Mutual Aid
Effective: March 23rd, 1982

1.32 MUTUAL AID, ASSISTANCE TO AND FROM OTHER AGENCIES

The Springfield Division of Police gives co-operation and assistance to all other public police and law enforcement agencies to the greatest practicable extent, as permitted by law or policy.

The City of Springfield does not have any mutual aid agreements with any other law enforcement agencies.

1.30.1

A RESOLUTION NO. 4229

Authorizing the providing of Police protection to Clark County, Ohio, and declaring an emergency.

…ooooOOOoooo…

WHEREAS, from time to time, situations arise in which the Sheriff of Clark County, Ohio requires assistance of the Police Division of the City in affording protection to the citizens of Clark County, Ohio: and

WHEREAS, it is the determination of the City Commission that formal authorization be given for the rendering of such assistance by the Police Division at the earliest possible moment, which fact together with the necessity of providing for the immediate preservation of the public peace, health and safety, cause an emergency to exist which requires that this Resolution take effect and be in force from and after the time hereinafter specified: NOW, THEREFORE:

BE IT RESOLVED by the City Commission of the City of Springfield, Ohio, at least four of its members concurring:

Section 1. That the Police Division of the City may, as hereinafter provided, provide police protection to Clark County, Ohio upon request of the Sheriff of said county or any member or employee of his department who has previously been designated, in writing, by such sheriff.

Section 2. Such protection, consisting of services, or equipment, or both, may be provided outside the corporate limits of the City at the direction of the lieutenant in charge of police headquarters at the time such request is made, or, in the absence of such lieutenant, at the direction of a sergeant so acting.

Section 3. Such protection may be provided only if the request therefor indicates that such protection is sought because of the existence of conduct or circumstances which place any person in jeopardy of death or serious bodily harm, or that a felony is being committed or has been committed.

Section 4. Such protection need not be provided if it appears unlikely that such protection, if afforded, would prevent or lessen the consequences of effect of such conduct or circumstances or would increase the probability of apprehension of an offender.

Section 5. Such protection shall not be provided to the extent that it would interfere with effectively providing necessary police protection to and within the City.

Section 6. That by reason of the emergency set forth and defined in the preamble hereto, this Resolution shall take effect and be in force immediately.

ADOPTED this 23rd day of March, A.D., 1982

Springfield Police Division

Rules & Regulations

Number: 1.40
Subject: Shared Services
Effective: June 28th, 1989

1.40 SHARED, CONSOLIDATED, REGIONAL SERVICES

The Springfield Division of Police is committed to co-operation, sharing, and consolidation regarding certain public services, facilities, and functions.

Such activities and functions include:

A. County-wide E911 System

1. County System E911 policy agreement
2. Clark County Sheriff's Department
3. Springfield Police Division
4. Springfield Fire Department

B. Shared systems with Clark County Sheriff

1. Criminal Records System
2. Shared Training Facility
3. Police Crime Laboratory
4. Joint Intake Center
5. Shared Indoor Range Facility
6. Police Library
7. Police Photo Lab and processes
8. Shared DUI Testing Center
9. Some assistance with processing of major crime scenes outside the City.

C. Springfield Fire Division

1. Public Safety Dispatching, Records, DP Systems

2. By ordinance, the Fire Division is vested with authority and responsibility for the reporting, investigation, arrest and prosecution as regards Arson, Attempted Arson and directly related violations of law; however, the Police Division assists with stenographic and other Police Services as required by the situation and authorized by the Chief of Police.

3. The Police Division is the original (first) answering point for all Fire Division services requests which utilize the County-wide E911 System.

Springfield Police Division

Rules & Regulations

Number: 2.00
Subject: Agency Administration
Effective: June 28th, 1989

2.00 AGENCY ADMINISTRATION

This Chapter includes some of the basic information about the general administrative processes and the major organizational components of the Springfield Division of Police.

In Springfield, the City Manager is the Acting Director of Public Safety; therefore, the Manager is the general or ultimate chief executive of the Division.

Operationally, the Chief of Police and subordinate supervisors conduct the business of the Division through utilization of the Organizational Structure and the delegation of authority and responsibility.

Springfield Police Division
Organizational Chart

Springfield Police Division

Rules & Regulations

Number: 2.01
Subject: Organizational Structure
Effective: June 28th, 1989

2.01 ORGANIZATIONAL STRUCTURE

The Chief of Police, subject to the authority of the (Acting) Director of Public Safety, may structure the various components of the Division in any manner which is deemed appropriate.

Because the social science of police administration is built upon certain basic tenets or principles rather than upon absolute, rigid formulas, it is probable that several alternative structures could be appropriate for the same organization.

In addition, limitations of personnel or other resources as well as the changing needs of a community may very well result in changes in structure.

To fully understand how the various elements of a modern police organization are intended to operate requires extensive reading of this manual, police administration texts, and some personal knowledge of policing; however, the organizational structure chart should help explain some of the basic questions, especially the general relationships between the major functional units of the Division.

Whenever any significant structural change occurs, a new chart should be issued to each police employee and retained in this manual.

Springfield Police Division

Rules & Regulations

Number: 2.10
Subject: Agency Direction
Effective: June 28th, 1989

2.10

AGENCY DIRECTION

As included in other sections of the manual, the Chief of Police is the Administrator of the Division of Police who performs direction and control functions for all agency operations.

In addition, he performs other duties as defined by State Law or City Ordinance as well as those delegated by the (Acting) Director of Public Safety.

The brief references included here do not completely define all of the authority and responsibility of the Chief; however, they give some additional information which is pertinent to this Chapter.

2.10A Composition and control of police department

The police department of each city shall be composed of a chief of police and such other officers, patrolmen, and employees as the legislative authority thereof provides by ordinance.

The director of public safety of such city shall have the exclusive management and control of all other officers, surgeons, secretaries, clerks, and employees in the police department as provided by ordinances or resolution of such legislative authority. He may commission private policemen, who may not be in the classified list of the department, under such rules and regulations as the legislative authority prescribes.

2.10B Chief of Police

The chief of police shall have exclusive control of the stationing and transfer of all patrolmen, auxiliary police officers, and other officers and employees in the police department, and police auxiliary unit, under such general rules and regulations as the director of public safety prescribes.

2.10C Suspension of Police and Fire personnel

The chief of police and the chief of the fire department shall have exclusive right to suspend any of the deputies, officers, or employees in their respective departments and under their management and control, for incompetence, gross neglect of duty, gross

immorality, habitual drunkenness, failure to obey orders given them by the proper authority, or for any other reasonable and just cause.

If any such employee is suspended, the chief of police or the chief of the fire department, as the case may be, shall forthwith certify such fact in writing, together with the cause for which such suspension, to the director of public safety, who, within five days from the receipt thereof, shall proceed to inquire into the case of such suspension and render judgement thereon. Such judgement, if the charge is sustained, may be either suspension, reduction in rank, or dismissal from the department. Such judgement shall be final except as otherwise provided by law.

The director, in any investigation of charges against a member of the police or fire department, shall have the same powers to administer oaths and to secure the attendance of witnesses and production of books and papers as are conferred upon the mayor.

2.10D Police Auxiliary Unit

A Police Auxiliary Unit of the Police Division of the Department of Public Safety is hereby established. The Police Auxiliary Unit consists of qualified members appointed and removed by the City Manager as Director of Public Safety. The unit shall assist and aid the Police Division and perform such duties as are assigned to the unit by the Chief of Police.

2.10E Rules and Regulations of Fire and Police Divisions

The City Manager, as Director of Public Safety, shall adopt and promulgate general rules and regulations governing the operation of the fire and Police Divisions.

2.10F Police Auxiliary Unit Regulations

The Chief of Police shall adopt and promulgate rules and regulations governing the qualifications, dress, weaponry, conduct, supervision and discipline of the members of the Police Auxiliary Unit while on duty with the Police Division.

2.10G Officers and Bylaws of Police Auxiliary Unit

The Police Auxiliary Unit may elect a captain and subordinate officers of the unit. The Police Auxiliary Units may adopt bylaws in conformity with the ordinances and rules and regulations of the City.

Springfield Police Division

Rules & Regulations

Number: 2.11
Subject: Chain of Command
Effective: June 28th, 1989

2.11

CHAIN OF COMMAND

THE NORMAL CHAIN OF COMMAND FOR THE SPRINGFIELD DIVISION OF POLICE SHALL BE AS FOLLOWS:

1. Chief of Police;
2. Captain;
3. Lieutenant;
4. Sergeant;
5. Police Officer.

Supervisors who are not sworn peace officers are placed in the chain of command according to specific directives.

Absent directives to the contrary, the proper chain of command should be used on all matters of business which pertain to the functioning or personnel of the Division or any of its organizational components. While it is recognized that over-reliance on the hierarchical chain of command can actually prevent or limit effective and efficient performance, all members of the Division should use the proper chain whenever it is practicable and prudent.

Failure to utilize the proper chain of command – especially if repeated – may constitute substantial violation of good conduct required of all members.

Springfield Police Division

Rules & Regulations

Number: 2.20
Subject: Written Directives
Effective: June 28th, 1989

2.20

THE WRITTEN DIRECTIVES SYSTEM

The Chief of Police has the authority to issue, modify, approve or void all Division of Police written directives. That authority is subject to the general executive authority of the Acting Director of Public Safety (City Manager) and other superior authority as established by Law or Charter.

The Springfield Division of Police utilizes a system of written directives to establish, direct, or control all police operations, tasks or duties and the ways and means by which all business of the Division is conducted.

The written directives system consists of statements or policies, rules or regulations, procedures, general or special orders, personnel or other “assignment” orders or memos, divisional instructional materials, and all other clarifying, or inquiring documents, memos, or communications made or received in written form. All directives which may be “read” (as opposed to verbal-only communication) are considered to be “written directives”.

Agency written directives may be issued by Operational Commanders within the general authority of – and subject to the specific approval of – the Chief. Written directives which apply only to specific units, teams, projects or employees subject to the supervision of the issuing Supervisor may be issued provided such orders or instructions do not contradict, contravene, or modify any directives of the Division or of the City and subject to the approval of the Chief and all other superior authority.

All written directives which are not self-cancelling or otherwise subject to a clear expiration time or date should be reviewed at least once each calendar year. All directives which are not self-cancelling or otherwise subject to a clear termination or modification date shall continue in full force and effect until explicitly modified or cancelled by a written directive or by personal order of the Chief of Police.

While the written directives system will usually stipulate terms such as rule, policy, procedure, etc. and while such terms do have valid applications in proper interpretation of police directives, it is more important particular emphasis be placed upon words such as should, may, or generally as well as shall, must, or always.

All written directives should carefully and properly use terms, words, or phrases as they are defined by this manual, other directives, or the specific directive in which they are utilized.

If and when the glossary of terms in this manual or the definitions provided with any specific order or memo are not sufficient for any person to clearly understand the intent(s) of any directive, it is the obligation of the person who has the questions to seek full and proper explanation through the chain of command.

While all directives should be carefully considered and all words or terms used as intended, all police employees must remember that it is the proper intent of the directive which is truly important, not the overly legalistic or highly technical construction of words, labels, or terms.

Properly used, the written directives system will provide a good framework for the authorized tasks and methods involved in fulfilling our police mission to protect and to serve.

Springfield Police Division

Rules & Regulations

Number: 2.21
Subject: Glossary
Effective: June 28th, 1989

2.21

GLOSSARY OF TERMS

DIRECTIVE: Any order or instruction of any type, whether written or verbal.

EFFECTIVELY: Achieving goals, objectives, or standards; producing something known to be of value to the Division.

EFFICIENTLY: Producing an intended result with a minimum of expense, waste, harm or effort.

GENERAL ORDER: A term used to describe permanent directives concerned with policy, rules, or procedures affecting more than one organizational component.

INSTRUCTIONAL MATERIAL: Training bulletins, guides or checklists; films, audio or visual instruction.

MANUAL: A collection of policies, procedures, rules or regulations, or other written directives.

MEMORANDUM (Inter-Office): An informal written document that may convey an order (directive); it is most often used to clarify, inform, record or inquire.

ORDERS: The instructions of any supervisor vested with appropriate authority; orders may be direct or indirect (transmitted by memo, note, another police employee, or any person the supervisor asks to deliver or repeat any communication from the supervisor). The presumption is that all orders which are not illegal or clear violations of Divisional directives or training are proper.

POLICY: A written directive that is a statement, often a broad statement of agency principles. Policy statements may be characterized by words such as “may”, “will”, or “should” and usually do not establish narrow rules or rigid procedures for conduct of a particular activity but provide a framework for understanding or developing of procedures and rules or regulations; however the actual words used may very well convey a very strict standard of behavior,

especially when such words as “shall” rather than “should” or “must” or “always” are used in certain portions of policy statements.

PRACTICABLE: Capable of being done, expected, executed or accomplished within the unavoidable constraints existing at the particular time and place.

PROCEDURE: A written directive which is a guideline for carrying out agency activities. They are very often instructions about a particular “task” and may be made mandatory through the use of “shall” rather than “should” or “must” rather than “may”. Procedures often allow some latitude and reasonable discretion in carrying out an activity; however, the use of the word “may” or “should” never allows “unbridled discretion”.

PROMPTLY: Without unnecessary delay.

PROPERLY: Efficiently, effectively, and in compliance with all pertinent directives; to achieve the intended result within the parameters of directives; up to standards; also safely, accurately, reliably or promptly.

RULES & REGULATIONS: A specific directive from which no deviation or exceptions are permitted.

SHOULD: “Should” requires that under reasonably normal circumstances, a certain behavior will result. The use of the word should does recognize that there will be occasional unspecified modifications due to unusual circumstances; however, such unspecified exceptions are always subject to later review and orders regarding similar situations in the future, as well as administrative judgments that the deviation from policy or procedure was not appropriate to the particular circumstances of the event or incident.

SPECIAL ORDER: Directives affecting only a specific segment of the organization or statements of policy or procedure regarding a specific circumstance or event that is of a temporary nature.

TRAINING BULLETIN: One form of authorized Divisional training; often used to clarify or reiterate proper use of directives or establish proper use or care of equipment or other materials related to police tasks or duties; also used to convey or explain law enforcement principles, statutes or ordinances, or other information such as Divisional issues, problems, programs, etc.

Springfield Police Division

Rules & Regulations

Number: 3.00
Subject: Administrative Authority
Effective: June 28th, 1989

3.00 ADMINISTRATIVE AUTHORITY

By State statute and City Charter, the Chief of Police is the Administrator of the Division of Police.

While the Chief is responsible for reporting to the (Acting) Director of Public Safety and ultimately to the City Commission, certain critical authority is vested by law in the office and person of the Chief; therefore, both by law and proper managerial philosophy, the authority of subordinate management personnel flows both through and from the Chief.

In contemporary policing just as in almost all other enterprises, many issues are left to the reasonable discretion of subordinate supervisors or even individual employees; however, the mere fact a specific course of action is not laid out in specific terms does not – and never can – allow unbridled “discretion”.

Authority which is not clearly delegated by Divisional directive or personal orders of the Chief cannot be exercised by any individual person of any rank; therefore, all employees are always required to understand that the absence of specific directions does not constitute permission to proceed in any fashion not clearly prohibited.

In the Course of making wise decisions in the absence of specific directions, all employees – especially supervisory employees – should proceed with a clear understanding of a proper contemporary philosophy of management (Administration).

This Chapter begins with an explanation of the generalities of proper managerial thought and action and ends with specific stipulations of proper behavior in some of the major, every-day concerns of all those who must get thins done with people.

If and when the glossary of terms in this manual or the definitions provided with any specific order or memo are not sufficient for any person to clearly understand the intent(s) of any directive, it is the obligation of the person who has the questions to seek full and proper explanation through the chain of command.

While all directives should be carefully considered and all words or terms used as intended, all police employees must remember that it is the proper intent of the directive which is truly important, not the overly legalistic or highly technical construction of words, labels, or terms.

Properly used, the written directives system will provide a good framework for the authorized tasks and methods involved in fulfilling our police mission to protect and to serve.

Springfield Police Division

Rules & Regulations

Number: 3.01
Subject: Administration
Effective: June 28th, 1989

3.01 WHAT IS ADMINISTRATION (MANAGEMENT)?

This section, which is an explanation of our general policy of Administration, summarizes contemporary concepts of Administration/Management. This summary of contemporary administrative thought is included because a basic understanding of such concepts is absolutely necessary to learning and carrying out effective managerial responsibilities and practices.

All learning of effective administrative techniques must begin with an understanding of what proper management really is. Techniques, no matter how effective in the narrow application, cannot be properly understood or utilized outside or apart from the accepted conceptual framework.

The manager who does not understand and operate within the contemporary theory of Administration cannot be highly productive in reaching community, organizational and employee goals.

Administrative process is a conceptual framework. It has as its heart clear and careful thinking and the ultimate welfare of the clientele (community), the organization, and the individuals within the organization.

The administrative process school of thought has dominated the scene for four decades, and its impact is discernible in the writings of the scholars and the administrative behavior of the practitioners. It has made significant contributions to the theory and practice of administration, some of which are as follows:

1. The process school of thought has provided a foundation of present-day education in administration.
2. The process school of thought considers administration as a process rather than an event or a cluster of techniques; and its concepts are being utilized by all types of enterprises, public or private, large or small, in their operation.
3. The process school of thought has contributed to the development of administration as a separate and distinct discipline that can be studied, taught, learned and practiced.
4. The process school of thought has led scholars and contemporary administrators to think of administration in terms of objectives, processes, and guiding principles instead of description of procedures, techniques, and methods. Thus it enables the administrator to change the varied types of enterprises without any loss in efficiency.

Some Weaknesses of the Administrative Process School

The Administrative process school of thought has lately been subjected to severe criticism.

1. One of the problems that constantly puzzles the administrators is how to secure maximum contribution of efforts from the employees toward the attainment of enterprise goals. The traditional process school of thought recommends motivational methods based on the concept of economic man. Research in organizational behavior has demonstrated the inadequacy of these measures as motivating devices because man does not always respond to economic stimuli (at least once past a certain point).

2. The process school of thought requires the administrator to seek the attainment of enterprise goals with maximum efficiency and at minimum cost. Because of its preoccupation with efficiency and elimination of waste, the administration often forgets its real purpose of service and becomes an end in itself. The traditional conceptual framework of the process school of thought does not include such concepts as human relations, public relations and employee satisfaction.

3. Administration cannot continue to operate in a world of its own creation; and, if it wants to be effective, it has no alternative but to readjust its conceptual framework to make it consistent with the realities of the changing society.

4. Being efficiency oriented, the process school of thought is meticulous in planning, rigorous in execution and exact in evaluation. Such an administration is not likely to provide an opportunity for the exercise of initiative, creativity and discretion on the part of the employees because they are required to co-ordinate their efforts according to the predetermined plan. The administrative process conceptual framework needs to be modified so that the individual worker is viewed as a human being with self-esteem, dignity, and pride and just as a cog in the wheel.

Prospects for the Future

Dissatisfaction with the weaknesses of the administrative process school of thought has impelled scholars and practitioners to look for a theory of administration in other directions. Therefore, some kind of synthesis in which the process school of thought would incorporate the needed and useful concepts from other schools of thought to eradicate its deficiencies and to expand the scope so as to make it inclusive portends the direction for the development of a new theory of administration. That a beginning has been made on these lines is evidenced by the inclusion of a number of concepts – e.g., employee satisfaction, public relations, decision making – within the conceptual framework of the process school of thought – as a core.

In summary, contemporary management absolutely requires many elements of the process school, especially planning and co-ordination, to achieve the objectives at a

minimum of cost; however, the “new school” adds some additional emphasis on the roles of employees and management which might be quickly stated as follows:

Administration (Management) is getting the intended work done with people, i.e., obtaining the goals and objectives of the organization at minimal cost while working together to reasonably meet client and employee goals and needs.

The Nature of Administration

The following observations can be made about the nature of administration:

1. Administration is a process consisting of a number of subprocesses: planning, organizing, staffing, directing, co-ordinating and controlling. Always remember, THERE IS A DIFFERENCE BETWEEN “CONTROL” AND “DIRECTION”.

2. Administration presupposes a formally organized group of people working together as members of an enterprise.

3. For administration to operate, the group of people must be working toward a specific objective or set of objectives.

4. Administration seeks to achieve the enterprise objectives by intelligently utilizing the efforts of the group of people, and its success is measured in terms of the accomplishment of predetermined objectives.

The Purpose of Administration

1. Administration has emerged out of the necessity of people to cooperate. Society has learned the value of cooperation from the realization that through collective effort we can accomplish what we individually cannot.

2. The division of work is necessitated by human limitation – the inability of the individual to be at two places at the same time, to do two things at the same time, to master more than a small fraction of the vast accumulation of knowledge and skill and to perform all tasks equally well (as people differ in nature, capacity and skill).

3. The logical method of dividing work among members of a group is according to their differing abilities. This results in efficient utilization of individuals with diverse capabilities and leads to specialization in skill.

4. Group effort has come to be an irrefutable fact of our time and an indispensable instrument for satisfying most of the human needs.

5. Who should guide the group effort? It is the administration which leads the group effort to fruition. Without administration the enterprise would disintegrate and dissolve, if it ever originates.

6. Administration is a means, not an end.

7. Goals of administration are the same as those of the Enterprise/ Organization.

8. Administration comes into being to serve the goals of the organization and cannot otherwise justify existence.

Goals – Objectives of Organization

1. Orderliness in activities performed.

2. Supply and intelligent utilization of human and material resources.

3. Elimination of waste and inefficiency.

4. Economy of operations.

5. Welfare of employees.

6. Satisfaction of clientele.

7. Anticipation and resolution of problems

8. Provision of guidance.

No enterprise can succeed in attaining its objective that does not employ effective administration to its service.

Springfield Police Division

Rules & Regulations

Number: 3.02
Subject: What Managers Do
Effective: June 28th, 1989

3.02 WHAT MANAGERS DO

I. Developing Purposes and Objectives

A. Developing goals and objectives is one of the basic functions of the manager.

B. Policy questions such as how to achieve goals, when, what priority, how well, etc., must be answered.

C. These questions must be answered at each level and for each organizational element.

II. Setting Frames of Reference

A. The administrative leader must be concerned with the sources and amount of the authority he or she has, the nature of relationships with others, the focus of operation and its size and proportion.

B. Proper attention must be paid to avoid difficulties in the future.

C. Be realistic.

III. Forecasting and Planning

A. This is a major management task of working out broad outlines of things needing to be done and methods for doing them.

B. Forecasting, the function of assessing the future, has an important role; and once made, plans (long and short range) must be prepared. Be proactive.

IV. Arranging for Financing

A. Material resources must be assured from the start.

B. The arranging for financing, public or private, is a major function of the manager. All managers must help to establish a proper budget.

V. Organizing

A. The manager's organizing responsibilities include the development of methods and procedures by which the work of the organization will be

carried on as well as the harmonizing and integrating of the individuals with whom he or she works.

VI. Obtaining and Developing Personnel

A. The manager must have a concern for such things as:

1. The shaping of individual jobs;

2. Determining the qualifications of those who will fill them;

3. Recruiting, testing, hiring, training and developing people, and assessing their individual contributions;

4. Must integrate goals of the individual and goals of the organization.

VII. Coordinating and Informing

A. Without the task of relating the work of one individual to another, there can be no joint effort.

B. One of the chief ingredients of an organization is accurate information.

VIII. Guiding and Leading

A. The manager must make many decisions, but also must:

1. Set goals;

2. Encourage and inspire;

3. Coach, train, support and help.

B. The most important decision he or she may take is how to usefully perform the leadership function.

IX. Surveying Performance; Auditing

A. It is always the responsibility of the manager to view the work of those associated with him and pass judgment upon it.

B. He or she must find out what is actually being done, finding out the facts and measuring them.

X. Testing and Evaluating

A. This is the function of determining whether what is being done is adequate, why more or better was not done and the factors that have influenced the situation.

B. This function calls upon both the research and problem-solving capacities of the manager.

XI. Adjusting and Integrating

A. The real test of a manager's decision-making capability occurs in the phase of operations where he or she is called upon to decide what to do when performance has not come up to plans, or where values are conflicting.

B. The integrative function is where the harmony of the group effort is at stake. The goals of our community must be integrated with personal goals, and both must be integrated into the goals of the organization.

XII. Insuring Proper External Relationships

A. External relationships include client relationships and also legislative, managerial and bureaucratic relationship.

B. This function is essential to the life of the organization.

Springfield Police Division

Rules & Regulations

Number: 3.03
Subject: Authority and Responsibility
Effective: June 28th, 1989

3.03

AUTHORITY COMMENSURATE WITH RESPONSIBILITY

One of the most basic tenets of police administration is that every member of the organization must possess sufficient authority to truly carry out all assigned or imputed responsibility.

Therefore, each employee of this Division must also be responsible for any matter to the extent of their authority.

It is a basic policy and practice of the Springfield Division of Police to always delegate authority commensurate with responsibility.

Springfield Police Division

Rules & Regulations

Number: 3.04
Subject: Accountability
Effective: June 28th, 1989

3.04

ACCOUNTABILITY FOR AUTHORITY AND RESPONSIBILITY

The policy to delegate authority commensurate with responsibility necessarily requires that the Springfield Police Division expects and requires each employee be held fully accountable for all delegated authority.

This policy specifically includes the failure to use authority as well as the improper use of authority.

Springfield Police Division

Rules & Regulations

Number: 3.05
Subject: Unity of Command
Effective: June 28th, 1989

3.05 UNITY OF COMMAND

The Springfield Division of Police follows the principle of Unity of Command. This principle of police administration establishes that it is important only one person be in complete command of each situation and that only one person be in direct command or supervision of each officer (or other employee).

Unity of Command may be violated by any supervisor taking independent command of an operation performed by several subordinates or when any subordinate receives orders from more than one supervisor.

Although it is important to remember the principle of Unity of Command whenever Divisional or other directives are formulated, it must be remembered that Unity of Command is not violated when any supervisor properly exercises the tasks or duties normally assigned to an absent supervisor or when it is reasonable to utilize “staff” authority or the authority of directives for specific tasks, duties, or police operations.

Springfield Police Division

Rules & Regulations

Number: 3.06
Subject: Command Protocol
Effective: June 28th, 1989

3.06

COMMAND PROTOCOL

Whenever two or more supervisors of equal rank are present at a scene or situation which requires a determination as to who is in charge, the issue shall be resolved as follows:

1. According to which Sub-Division, Section or Unit has primary responsibility for the scene, situation or matter;
2. If and when such determination cannot be clearly established, seniority in rank shall prevail.

Under reasonably normal circumstances, supervisors assigned to a Sub-Division other than the one which should have primary responsibility, should not assume command or issue any orders or instructions. Exceptions to this normal protocol are established by written directives of the Chief or by direct orders of the Chief.

COMMENTARY: Proper construction of this protocol requires detailed knowledge of all pertinent directives, the very basic concepts of authority commensurate with responsibility and delegation of authority, and Rule 7.07 in particular.

Springfield Police Division

Rules & Regulations

Number: 3.07
Subject: Information Management Systems
Effective: June 28th, 1989

3.07

INFORMATION MANAGEMENT SYSTEMS

The Springfield Division of Police has an extensive information management system. That system is extensively automated; however, the total management information system is properly defined as including all police records, data, or information of any type or format.

All police personnel, especially police managers, are trained and authorized to gather, record, and access such data or information as may be required for the proper performance of police business.

Proper and extensive use of the information management system and all other police records or information systems is not a prerogative, it is a duty.

All police employees are required to properly use police information systems within the limits of their personal authorizations. All police employees are required to ensure they do not cause or allow the dissemination or knowledge of data, information, or any police records beyond their personal authorizations or – for any purpose – outside the Divisional channels explicitly authorized for either “police information” or “restricted police information”.

All police employees are encouraged to properly access and use any information they are authorized to receive in attempts to recommend to Police Management improved methods or types of police services.

In addition to making recommendations for effective change based upon facts, all police managers are required to properly use all police records – for the purposes of accurately and consistently assisting and supervising all subordinates and for the purpose of effectively managing all police services delivery problems related to their supervisory assignments.

Springfield Police Division

Rules & Regulations

Number: 3.08
Subject: General Supervisory Responsibilities
Effective: June 28th, 1989

3.08 GENERAL SUPERVISORY RESPONSIBILITIES

All Supervisors must exhibit the qualities of leadership that the particular position in the chain of command requires.

We must all be aware of the many obligations or burdens of command. All must fulfill their share of the responsibility by demonstrating individual initiative and absolute self-reliance in meeting and accepting direct responsibility in all matters not covered by hard and fast rules or procedure.

Supervisors must remember that their ability and performance is measured in their own personal conduct and performance of duty, and in the conduct and performance of their subordinates.

If the performance of duty by subordinate employees is productive, their discipline is good, and their morale is high; this is a reflection of excellent supervision by the supervisor.

In order to accomplish the responsibilities or objectives of command, a supervisor must:

A. Promptly obey and transmit all orders or directives emanating from the Chief, Commanding Officers or immediate supervisors, in a clear, concise manner; thus ensuring uniform interpretation, proper execution and full compliance with these orders or directives by all subordinates.

1. Supervisory personnel shall be held responsible for any issuance of improper orders or improper decisions of any type. They may not issue any unlawful orders or orders that are in violation of the Rules, Regulation or Procedures Manual of the Division.

2. No one, except the Chief, can (even momentarily) alter, modify or suspend any Divisional Directive, current training, or well established and properly authorized practice.

3. The fact a particular situation, event, or problem is not clearly covered by specific directives does not allow open-ended discretion; therefore, all such decisions must be made with prudence and with reference to those directives which may be generally or partly applicable.

B. Appear at all times neatly attired, clean in person and equipment, and set an example for all subordinates to follow in attention to duty and by maintaining a dignified bearing and displaying a sober attitude, a courteous manner, and exhibiting industry, initiative, diligence, truthfulness and courage.

C. Insure that the chain of command is followed on all orders or directives from the Chief of Police, or other superior officer, or on all requests for assistance from other Sub-Divisions, except in an emergency situation where the time element renders this impractical in the proper performance of duty.

D. Promptly obtain a thorough current understanding of State Statutes, City Ordinances, Case Law, Department Rules, Regulations, Procedures and General and special Orders; both in their terminology and practical usage so that subordinates can be competently instructed and advised in the proper performance of duty and so legitimate and effective recommendations for change can be transmitted both to and from superior authority.

E. Sustain subordinates' particular courses of action when they are acting within their rights and obligations. If they are performing their duty incorrectly, then counsel or orally reprimand or censure them privately, not publicly or in the presence of other officers. However, a public counseling, censure or reprimand by a supervisor may be justified if some emergency situation requires an expeditious and proper performance of duty; and the subordinate employee being reprimanded is grossly in error in his duty performance.

F. Assist <u>upward</u> communication through the chain of command, including personal, professional recommendations to higher authority and forwarding through proper channels all written memos of subordinates. Supervisors may attach their personal, professional comments to any such communications.

G. See that all reports submitted by subordinates are complete, accurate, well written and that they conform with all reporting procedures.

1. If any of these reports reviewed are found to be improper or incomplete, they shall be referred in reverse order through the original channels for correction <u>and</u> an explanation of failure to conform.

H. Give particular attention to the morale and cooperation of officers of all ranks and non-sworn members of the Division.

I. Require subordinates demonstrate attitudes of respect and loyalty toward the Division, co-workers, and superior supervisors; and help them maintain an even temperament and disposition in the face of adverse conditions or situations.

J. Not normally perform any duties regularly assigned to a subordinate, when he or she is present and able to perform such duties.

K. Take a suitable course of action in any case involving a subordinate when it has been discovered that he or she is in error, has failed, misconducted or neglected duty or performance in any manner or violated any of the Rules, Regulations or Procedures of the Division.

L. Exercise authority without allowing any personal prejudices or biases to influence us in any manner or under any circumstances, and at no time obligate ourselves to any subordinate in such manner as to reasonably allow the subordinate to expect favored treatment from this supervisor.

M. Help correct subordinates and endeavor to assist them in becoming better employees by:

1. Carefully observing subordinates so that we can properly analyze their strengths and weaknesses, thus utilizing their strong points to the best advantage and helping strengthen their weak points.

N. Be a part of the Management Team; specific assignments or job descriptions must never be used to avoid the general responsibilities to perform such tasks or duties as are needed to assist the total effort of the Division. Supervisors are always expected to contribute ideas, recommendations, analyses and all other efforts which help the entire organization regardless of specific unit or position assignments.

All managers are always responsible for those concepts of authority and responsibility delineated by the description of <u>What</u> <u>Managers</u> <u>Do</u> (3.02).

Springfield Police Division

Rules & Regulations

Number: 3.08.1
Subject: Supervision and Training
Effective: June 28th, 1989

3.08.1 SUPERVISION AND TRAINING

One of the primary responsibilities of all supervisors is continued training of all subordinate employees. There are three primary areas or methods of supervisory training.

A. The most important training at the group or unit level is that which the supervisor provides on a one-to-one or personal basis.

Such training is a daily duty and is related to commending, correcting, suggesting or simply responding to daily work situations. Merely asking pertinent questions about job performance or such routine inquiries as, "What are you going to do today (and why)?" is, in fact, supervisory training.

There is usually more than one way to successfully perform most tasks or functions. The mere effort to ask intelligent questions and attempt to provide valid suggestions is not only training but a demonstration of concern and leadership.

Each supervisor needs to consistently seek, recommend or require valid alternatives for performing our police duties and for meeting organizational goals, objectives and responsibilities.

B. Another primary training method is roll-call training. Such training may be informal and nothing more than a brief discussion of a recent directive or of an issue or question which has been raised by one member of the group. The training may be provided by a group supervisor, by a Divisional instructor or by a member of the unit who has expertise in an area or recent training or experience in an area of concern. Short presentations of films or demonstrations of new techniques or equipment may also be a part of effective roll call or unit training.

C. The third primary area of supervisory responsibility for training is annual in-service training. Such training is the responsibility of each supervisor at least to the extent of identifying and recommending areas of performance which need improvement and of providing facts which both justify and help to define and develop such training.

Such recommendations may apply to individuals, small units or the entire Division. Each supervisor must be willing and able to teach classes during in-service training, particularly those which deal with their personal recommendations or areas of professional expertise.

Springfield Police Division

Rules & Regulations

Number: 4.00
Subject: Introduction to Agency Personnel
Effective: June 28th, 1989

4.00

INTRODUCTION: AGENCY PERSONNEL DESCRIPTIONS, COMMAND STRUCTURES AND DIRECTLY RELATED PROCESSES

This chapter contains all the Police Division descriptions for the various employee classifications assigned. In some cases, the descriptions are verbatim those of the City of Springfield. In other cases, usually sworn personnel, the descriptions conform to the generally briefer description or job summaries used by the city but have been expanded to give a more accurate “picture” of major elements of work actually performed as well as indications of the various priorities of the Division.

In addition, such major concerns as minimum standards of job skills and performances for sworn personnel, our philosophy and policies concerning employee training, educational pursuits and overall career development are presented in the context of the job descriptions.

The policies and procedures for employee performance evaluations and disciplinary procedures are also presented.

Springfield Police Division

Rules & Regulations

Number: 4.02
Subject: Job Description- Police Officer
Effective: June 28th, 1989

4.02 JOB DESCRIPTION
POLICE OFFICER

General Statement of Duties

Modern policing requires a list of tasks or duties which is so extensive as to fill hundreds of typed pages. It also requires both the willingness and ability to learn new methods or techniques. The general duties of police work involve the protection of life and property from unlawful attack as well as general services in protecting persons in jeopardy from any cause. The preservation of community safety and order, including the effective enforcement of laws and ordinances results in frequent contact with people in many varied situations.

Distinguishing Features of the Class

This is general duty police work consisting of work in an assigned area, investigations and report of criminal or other harmful situations or acts and all work which is otherwise assigned. Such work must be performed within the law and in proper compliance with Divisional rules or supervisory orders. A police officer is required to exercise both initiative and discretion when faced with emergency or complicated situations. This work involves an element of personal danger. A police officer may be assigned to work in uniform or in plain clothes, by vehicle or by foot patrol, and (with specialized training) to highly technical duties.

Examples of Work

A. Using courtesy and tact encourage voluntary obedience to laws or ordinance or with other community needs. Enforces State laws and City ordinances and all other pertinent public regulations.

B. Patrols an assigned area during a specified time period.

C. Makes investigations and reports of criminal or other public safety complaints or situations.

D. Investigates reports and deals with matters pertaining to juvenile offenders, victims or other minors needing police assistance.

E. Checks doors and windows and examines unoccupied or other premises for suspicious or unsafe conditions or circumstances.

F. Gives authorized advice or assistance in non-criminal matters.

G. Investigates suspicious persons or circumstances, and arrests persons found in violation of laws or ordinances.

H. Locates and seizes evidence or contraband according to law and procedures.

I. Testifies in court or other types of hearings.

J. Directs traffic; enforces traffic and parking laws; issues citations or makes arrests as appropriate; investigates and properly reports traffic collisions.

K. Accompanies or transports arrested persons to jail, court and so forth.

L. Attends fires or accidents as assigned and gives all necessary assistance or enforcement.

M. Watches for and locates stolen vehicles, missing persons, juvenile runaways, etc.

N. Takes necessary corrective action for both criminal and non-criminal matters.

O. Maintains order in crowds, at parades or other public functions or gatherings.

P. Operates police radios or other communications and information equipment.

Q. Operates police radar and related equipment.

R. Operates blood alcohol content measuring equipment.

S. As trained and required, takes photographs and gathers evidence at crime scenes, traffic collisions and so forth.

T. Helps to train recruit officers.

U. Operates cars or other motor vehicles as required, occasionally under emergency or other stressful conditions.

V. Occasionally uses force to defend the officer, another person or to make arrests as permitted by law and by policy.

W. Provides numerous other public services.

<u>Required Knowledge, Skills and Abilities</u>

A. Good social skills and manners, good general intelligence, and above average verbal and written communications skills. The ability to understand, learn and follow complex oral or written instructions, sometimes under emergency or other very stressful circumstances.

B. Excellent judgment in non-structured situations. The ability to make prudent decisions when particular situations are not completely covered by written directives.

C. Ability to operate motor vehicles in varied situations.

D. Good knowledge and application of first-aid methods.

E. Skill in the use and care of firearms and all other police weapons and tactics.

F. Excellent psychological and emotional condition and stability under critical, varied and stressful conditions.

G. Excellent powers of observations and memory.

H. Thorough knowledge of laws and ordinances and their proper application to community safety and order.

I. Above average ability to cope with complex or highly emotional situations firmly, courteously, tactfully and with respect for the rights of other.

J. Ability to analyze situations quickly, objectively and to correctly determine the proper course of action.

K. Above average ability to carry out both verbal and written instructions.

L. Excellent physical condition, with ability of strength and agility to carry out taxing duties over extended periods or under adverse conditions. Ability to physically perform hazardous or highly demanding duties without prior warning and often following long periods of duties which are not physically demanding. Ability to successfully complete all physical training required by assigned police schools or other training.

M. Ability to learn new duties or skills and otherwise adapt performance and knowledge as required by the Chief or by the City.

<u>Pre-Employment Requirements</u>

A. Graduation from high school or satisfactory equivalent.

B. Possession of a valid Ohio Driver's License.

C. Good moral character as related to the absence of conviction for serious offenses and other compliance with law and other standards of conduct pertinent to police employment.

D. Full Compliance with all physical and psychological standards.

Suggested Employment Standards

A. Graduation from high school, preferably supplemented by college level course work in policing or other social sciences.

B. At least two years of progressively responsible work experience, including considerable public contact work requiring mature judgment and responsibilities.

C. Some skill with a typewriter (keyboarding) would be helpful.

Springfield Police Division

Rules & Regulations

Number: 4.03
Subject: Job Description; Police Sergeant
Effective: June 28th, 1989

4.03 JOB DESCRIPTION FOR SERGEANT

The sergeant is the first level sworn supervisor of the Division. As the first level of supervision, the sergeant routinely assists performance of many duties of his or her subordinates as well as performing the functions of leadership, development, direction, command and control of subordinate officers.

The vast majority of Sergeants perform services of “unit” or “field” supervision; therefore, they are decision makers in situations which cannot be or should not be dealt with solely by subordinate officers. When in the field, sergeants are a critical component of proper delivery of police services.

Sergeants must be thoroughly versed in contemporary practices of first level supervision and knowledgeable in police administration theory and practices as applied to actual delivery of police services.

Sergeants are required to possess and demonstrate superior knowledge of all divisional directives and training, as well as unit level plans or orders. As decision makers, sergeants must have a superior knowledge of laws and ordinances pertinent to policing and must have the ability to direct and control subordinates in the proper application of both law and policy.

As first level supervisors, sergeants must demonstrate the ability to accurately relate and apply both laws and policies to both subordinates and private citizens. It is particularly important, as a representative of police management, that sergeants demonstrate considerable skill in human relations, community relations, inter-departmental relations and complaint and conflict management.

The sergeant reports to a lieutenant and, in the absence of a particular lieutenant, assumes authority and responsibility for a major function or for an entire shift of personnel.

While the duties of sergeant are largely supervisory, sergeants must frequently perform many basic police tasks or duties; and their proficiency must be such as to encourage the respect of subordinates and provide results worthy of a leadership role.

Typical Knowledge, Abilities and Skills Required

Some of the knowledge, abilities and skills required of the rank of Sergeant are as follows:

A. Thorough knowledge of contemporary police administration as applicable to first level supervision and, especially, thorough knowledge of current supervisory concepts, skills and practices;

B. Superior knowledge and ability in accurately explaining and properly applying all pertinent laws, ordinances, policies, procedures and other directives as well as pertinent case law and current principles of search, seizure, arrest and evidence in direct delivery of police services;

C. Thorough knowledge of Divisional records or reports as applied to incidents, facts and statistics relating to the general delivery of police services, and especially those services or tasks which the applicable shift or unit is expected to provide the community or the Division;

D. Ability to quickly, objectively and accurately determine a proper course of action for himself and for subordinates;

E. Ability to speak and write clearly, concisely, correctly and effectively;

F. Thorough ability to accurately understand, carry out, relay and enforce both oral and written instruction;

G. Ability to cope with both supervisory and general police situations firmly, courteously, tactfully and with respect for the rights, privileges and sensitivities of others;

H. Ability to adjust personal and unit work operations to meet changing and/or emergency situations and requirements while complying with Divisional Policies and other Directives with available resources and without unnecessary sacrifice of quality or quantity of work;

I. Ability to effectively require the maintenance of general and specific skills of all subordinates while setting a positive example as regards demeanor, appearance, conduct and police skills required of all officers;

J. Effectively and properly obey and transmit all orders of superior authority and ensure the full compliance of subordinates;

K. Effectively relay to superior authority the suggestions, concerns and complaints of all subordinate officers;

L. Ability to ensure subordinate officers perform as required by their assignments and other directives;

M. Above average ability to effectively handle or supervise emotionally stressful or other serious conflicts involving officers and/or private citizens

in a manner which tends to prevent or reduce emotional distress which can lead to violence to persons or property;

N. Effectively communicate with fellow supervisors, especially fellow sergeants assigned to the same shift or unit, so coordination of all efforts, especially improving the performance of subordinates, will be truly productive and with a minimum of personal friction or misunderstandings; and

O. Otherwise comply with standards, practices or directives of the Division and orders of the Sub-Division Commander and of the Chief of Police.

Typical Duties or Tasks

A. Directs and requires behavior in full compliance with Divisional directives and other lawful orders.

B. Prompt and proper preparation and submission of daily, project or other reports or memorandums;

C. Accurate transmission, and when appropriate, preparation of both general and specific assignments of subordinates;

D. Giving accurate police or related advice or information to private citizens or to subordinate officers;

E. Receiving, documenting and investigating citizen complaints;

F. Assisting to ensure sufficient numbers of subordinate personnel are actually present and available for duty;

G. Performing such police services or tasks as are reasonably necessary and appropriate to first level supervision;

H. Ensure only complete and otherwise proper reports are submitted by subordinates;

I. To the extent permitted by Directives, assist the Lieutenant to properly resolve or forward complaints, problems, conflicts or grievances concerning the appropriate Shift or unit;

J. At all times effectively and promptly inform the Lieutenant and/or other appropriate persons on all matters pertinent to situations concerning the appropriate Sub-Division, Shift or unit; this is especially important in areas of employee relations or performance as well as unusual or other important police enforcement situations;

K. When appropriate, the direct delivery of police services including all tasks or duties generally required for proper law enforcement or assistance to the public;

L. Within directives, giving instructions, orders or assignments to subordinates which contribute to equity and productivity of police services assigned to the Shift or unit;

M. Appropriately and effectively communicate all matters of concern to other command officers, shift, units or Sub-Divisions – especially those relieving the assignments of the shift or unit of personal responsibility; and

N. Such other tasks or duties as required by law, the Divisional Manual, or directives of the Sub-Division commander or of the Chief.

Springfield Police Division

Rules & Regulations

Number: 4.04
Subject: Job Description; Police Lieutenant
Effective: June 28th, 1989

4.04 DESCRIPTION FOR LIEUTENANT

The lieutenant is a police middle manager whose primary function is leadership, development, direction and control of subordinate supervisors and other officers. Lieutenants are charged with the authority and responsibility of entire shifts of a particular Sub-Division or other major functions as directed by the Chief or Sub-Division Commander. While the majority of Lieutenants serve in environments which require supervisory and time management skills for subordinates as well as themselves, some positions assigned to the rank of lieutenant are of a type which involve greater emphasis upon planning, research, communication and liaison rather than middle management of large numbers of subordinates.

Lieutenants report directly to the Captain of a particular Sub-Division. In the absence of the Sub-Division Commander, Lieutenants hold the authority and responsibility of the Captain to the full extent actually required by the particular situation.

Lieutenants must possess and demonstrate very thorough knowledge of contemporary police administration theory and practices and of contemporary supervisory concepts. They must have a superior knowledge of divisional directives and training, and they must direct and control full compliance of all subordinates. A superior knowledge of the criminal and traffic codes, rules and procedures of evidence, and all other laws or ordinances pertinent to police administrative or supervisory concerns is required of all lieutenants. Accurate representations and explanations of applications of such codes must be provided both subordinate officers and private citizens.

Lieutenants must be particularly skilled in both personal and community relations. They must be effective in dealing with both police officers and private citizens in a variety of stressful situations, some of which may require extensive skills in conflict management.

While the duties required of lieutenants are primarily managerial in nature, all basic police knowledge, training or skills normally required of subordinates must be maintained and proficiently performed at a level commensurate with a leadership role.

Typical Knowledge, Abilities and Skills Required:

Some of the knowledge, abilities and skills required of the rank of Lieutenant are as follows:

A. Thorough knowledge of contemporary police administration, especially as applicable to middle management and of current supervisory concepts, skills and practices;

B. Superior knowledge of and ability to accurately explain and apply all pertinent laws, ordinances, policies, procedures and directives as well as case law and the rules and procedures of evidence, interpreting proper applications in supervision and in direct delivery of police services;

C. Thorough knowledge of Divisional records or reports as applied to incidents, facts and statistics relating to the general delivery of police services and – especially – those services or tasks which the applicable shift or unit is expected to provide the community or the Division;

D. Above average ability to quickly, objectively and accurately determine a proper course of action for himself and for subordinates;

E. Above average ability to speak and write clearly, concisely, correctly and effectively;

F. Superior ability to accurately understand, carry out, relay and enforce both oral and written instructions;

G. Ability to cope with both supervisory and general police situations firmly, courteously, tactfully and with respect for the rights, privileges and sensitivities of others;

H. Above average ability to adjust personal and unit work operations to meet changing and/or emergency situations and requirements while complying with Divisional policies and other Directives with available resources and without unnecessary sacrifice of quality or quantity of work;

I. Ability to effectively require the maintenance of general and specific skills of all subordinates while setting a positive example as regards demeanor, appearance, conduct and police skills required of all officers;

J. Ability to effectively and properly obey and transmit all orders of superior authority and ensure the full compliance of subordinates;

K. Above average ability to effectively relay to superior supervisors the suggestions, concerns and complaints of all subordinates with presentations of pertinent facts or statistics and well-considered recommendations for improvement of personnel, services delivery and other directives or systems related to the missions, goals and objectives of individual units and of the Division;

L. Ability to ensure subordinate supervisors perform as required by their rank and assignment descriptions and other directives;

M. Above average ability to analyze, establish, communicate, carry out and assess (measure) shift or unit program objectives and performance goals;

N. Otherwise comply with standards, practices or directives of the Division and orders of the Sub-Division Commander and of the Chief of Police.

Typical Duties or Tasks

Some of the duties or tasks of the rank of lieutenant are as follows:

A. Directs and ensures full compliance with all Divisional directives and all other proper orders;

B. Prompt and effective preparation and submission of daily, project or other reports and memorandums;

C. Prepares and transmits both general and specific assignments of all subordinates;

D. Gives accurate police or related advice or information to private citizens;

E. Receives, documents and investigates citizen complaints;

F. Ensures sufficient numbers of subordinate personnel are actually present and available for duty on a daily or weekly basis;

G. Occasionally performs such “field” work as is reasonably necessary to supervise subordinate supervisors;

H. Ensures only complete and otherwise proper and effective reports are submitted by subordinates;

I. To the extent permitted by Divisional directives, properly resolve complaints, problems, conflicts or grievances concerning the appropriate shift or unit;

J. Keeps the Sub-Division Commander promptly, accurately and adequately informed on all matters concerning his or her duties and especially as regards the performance, counseling or reprimands of all subordinates;

K. When appropriate, the direct delivery of police services including all tasks or duties generally required for proper law enforcement or assistance to the public;

L. Makes assignments for subordinates that effectively and efficiently deal with the areas of concern for equity, efficiency and effectiveness of police services assigned the unit or shift;

M. Appropriately and effectively communicates all matters of concern to the Sub-Division Commander, other shifts, units or Sub-Divisions – especially those relieving the assignments of the shift or unit of personal responsibility;

N. Such other tasks or duties as required by law, the Divisional Manual or directives of the Sub-Division Commander or the Chief.

Springfield Police Division

Rules & Regulations

Number: 4.05
Subject: Job Description; Police Captain
Effective: June 28th, 1989

4.05 POLICE CAPTAIN

Captains are upper-level managers who report directly to the Chief of Police and are accountable to him for a particular major functional unit (Sub-Division), and all matters coming within their areas of authority and responsibility. Captains are, in many ways, assistants or deputies of the Chief. They participate in ultimate policy or procedure determination and interpret policy when necessary. In the absence of the Chief, a Captain is designated to perform all duties of the Chief to the extent actually necessary to the proper performance of their duties as the officer in charge of the Police Division.

Captains share some duties such as programming, staffing, and budgeting responsibilities with the Chief, particularly in terms of matters related to their assigned Sub-Divisions. Captains formulate and direct Sub-Division level procedures or other orders subject to the superior authority of the Chief. Captains also perform such additional duties as are delegated by the Chief.

Captains have the authority and responsibility for identifying, developing and attaining Sub-Division level goals and objectives; direction of program execution; development and direction of all subordinates, especially subordinate supervisors; coordinating administrative processes; fostering and maintaining productivity and cooperation of subordinates; and maintaining efficient and effective relationships between the various Sub-Divisions.

Captains share a major portion of the responsibility for personnel administration; therefore, they are accountable to the Chief for prevention, elimination or resolution of complaints or grievances of subordinate employees and the general public in all matters relating to a Sub-Division.

Typical Knowledge, Abilities and Skills Required:

A. Superior knowledge of contemporary police administration and adequate knowledge of modern principles or organizational behavior, human psychology, budgeting and financial or managerial accounting; thorough ability to develop and measure divisional and Sub-Divisional goals and objectives;

B. Superior knowledge of and ability to effectively explain and apply all pertinent laws, ordinances, policies, procedures and other directives as well as case law and the rules and procedures of evidence, directing proper applications in supervision and in direct delivery of police services;

C. Superior knowledge of Divisional records or reports as applied to issues, incidents, facts and statistics relating both to the general operations of the entire Division and – especially – those services or issues of the applicable Sub-Division;

D. Superior ability to quickly, objectively and accurately determine a proper course of action for himself and for all subordinates;

E. Thorough ability to speak and write clearly, concisely, correctly and effectively;

F. Superior ability to accurately and efficiently comprehend, carry out, relay and enforce both oral and written instructions;

G. Thorough ability to cope with both managerial and general police situations, firmly, tactfully, courteously and with respect for the rights, privileges and sensitivities of others;

H. Superior ability to adjust personal and unit work priorities and actual operations to meet changing and/or emergency situations and requirements while ensuring full compliance with all Divisional directives with available resources and without unnecessary sacrifice of quality or quantity of work;

I. Above average ability to work with persons and outside organizations, particularly the various authorities of City government;

J. Above average ability to serve as Chief during extended absences of the Chief;

K. Superior ability to effectively require the maintenance and demonstration of both general and specific skills of all subordinates;

L. Thorough ability to effectively and efficiently obey and transmit all proper orders of superior authority and ensure proper and full compliance of all subordinates;

M. Above average ability to develop and deliver information to external agencies and the general public/media;

N. Superior ability to identify, develop and factually and logically support and/or analyze proper alternatives for the delivery of police services;

O. Thorough ability to receive, analyze and adjust the grievances of all subordinates while utilizing and retaining the prerogatives of Management;

P. Thorough ability to relay to the Chief the suggestions, concerns, complaints, grievances and recommendations of all subordinates and of the general public, along with effective presentation and analysis of all pertinent facts, statistics and arguments, along with a clear

recommendation for decision and actions which is likely to be proper, effective and sustained by higher authority;

Q. Thorough ability to ensure subordinate supervisors perform as required;

R. Thorough ability to analyze, establish, communicate, carry out and measure Sub-Division or smaller unit programs, goals and performance objectives;

S. Otherwise comply with the standards, practices or directives of the Division and of the City.

Typical Duties or Tasks:

A. Directs and ensures full compliance with all directives of the Division, Chief and City;

B. Prompt and effective preparation and submission of daily, monthly or project reports and other communications to the Chief;

C. Preparation and implementation of Sub-Division orders or work plans within the guidance and approval of the Chief;

D. Preparation and transmittal of both general and, in some cases, specific assignments of and to subordinates;

E. Receipt, analysis and adjustment of the grievances of subordinates or of their unions;

F. Review, or in some cases, direction or actual conduct of the investigation, documentation and findings of citizen complaints with proper recommendations of the final decision of the Chief;

G. Ensure compliance of subordinates with all directives and training for proper employee performance and/or merit reviews;

H. In the absence of the Chief, performs his obligations, tasks or duties to the extent required;

I. Requires subordinate supervisors ensure sufficient numbers of personnel are actually present and available for duty at all times and places;

J. Full personal compliance with all Divisional directives, standards and training as an effective demonstration of personal ability, loyalty and compliance for all subordinate personnel; upon rare occasion, actually performs delivery of direct police services;

K. Keeping the Chief promptly, properly and accurately informed on all matters pertinent to the Sub-Division and the Division as a whole;

L. Makes assignment of subordinate supervisors and all other subordinates which are appropriate and effective in meeting the needs of both the Sub-Division and the entire Division;

M. Ensures communication with the office of the Chief is effectively two-directional; that is, that accurate and prompt communication is constantly and effectively facilitated in the best interests of the Division and of the City;

N. Requires and maintains effective, efficient and courteous communication and coordination with other Sub-Divisions and when appropriate with other City units or agencies;

O. Assists the Office of the Chief with the Divisional budget and prepares and promptly and effectively transmits the budget of the pertinent Sub-Division;

P. Such other tasks, duties or missions as are required by law, divisional directives or by the Chief.

Springfield Police Division

Rules & Regulations

Number: 4.06
Subject: Job Description; Police Chief
Effective: June 28th, 1989

4.06

CHIEF

The Chief is the Administrator of the Division of Police. As such, he must have both prior experience as a police manager as well as superior knowledge of all contemporary concepts of Police Administration.

In addition to the various authority and responsibility defined by Charter, Law, or Ordinance, the Chief is responsible for such other related duties as delegated by the (Acting) Director of Public Safety, or as required by the City Commission.

The job description for the Chief of Police is published by the City and amended as required.

The employment of the Chief is by appointment and removal by the City Manager, with the concurrence of the City Commission.

SPRINGFIELD, OHIO CITY CHARTER

SECTION 47:

…Except as otherwise provided herein, the civil service commission, and all matters pertaining to civil service of The City of Springfield, Ohio, shall be governed by the general laws of the state presently in effect, or hereafter enacted, which are applicable thereto. The positions of chief of police and fire chief in the city shall be in the unclassified service as that term is defined and with the same effect as is given such term in Section 124.11 of the Ohio Revised Code as presently enacted. The chief of Police and fire chief shall be appointed and may be removed by the City Manager, subject to the concurrence by a majority vote of the city commission.

Springfield Police Division

Policy

Number: 4.07
Subject: Job Performance Standards
Effective: May 1st, 1984
Revised September 1st, 1989

4.07 JOB PERFORMANCE STANDARDS

I. All sworn police officers appointed to the classified service must comply with minimum standards, achievements, performance or certifications and must successfully maintain all such standards, achievements, performance or certifications as follows:

A. During the probationary period:

1. Successful completion of the Basic Training Course of the Ohio Highway Patrol or similar OPOTC Certified Academy;

2. Successful completion of instruction and continued licensing as both a Basic and Senior BAC Operator;

3. Successful completion of recruit in-service education and training classes of the Springfield Police Division;

4. Successful completion and qualifications of both State and Divisional firearms proficiency training and standards;

5. Successful completion and certification in PR-24 Baton or subsequent police training;

6. Successful completion and certification in CPR Training;

7. Successful completion and certification in Modular First Aid or similar authorized training;

8. Successful completion and certification in Police Radar Operation Training;

9. Successful completion of Probationary Field Officer Training;

10. Successful compliance with height-weight and physical agility standards of the Springfield Police Division and the City;

11. Successfully maintain all other applicable standards of physical and mental health. Fully comply with all directives for physical or mental health examination or evaluation;

11. If required, certification and satisfactory performance as a Crime Scene Technician;

12. All additional certifications and standards as advised in writing by the Chief, specifically including but not limited to, satisfactory employee ratings or evaluations.

B. Following the probationary period:

1. All requirements for successful completion of the probationary period are to be maintained through the entire term of employment.

2. All present and future performance, achievements or certification for tasks or duties and all other orders as directed by the Chief or by the City.

II. All sworn officers in the classified service appointed prior to May 1, 1984, are required to comply with the minimum standards, achievements, performance or certifications and successfully maintain all such standards or performance or certification, specifically including but not limited to, satisfactory employee evaluations and specific standards as follows:

A. Successful completion of all assigned police, management, or duty-related technical education or training. This requirement is applicable regardless of whether the education/training is voluntary or compulsory.

B. If required, certification for:

1. Basic or Senior BAC operator

2. CPR

3. Modular First Aid or similar authorized training

4. Police Radar Operator

5. Police Instructor

6. Crime Scene Technician

7. NCIC/LEADS/NLETS Operator

8. Police Mobile or Base Radio Operator

9. Any other duties or functions governed by the State of Ohio Peace Officer Training Council, FCC or the Division.

10. All present and future job classification or performance standard directives of the Chief or of the City.

C. Maintenance of physical and mental health is required. The applicable standards are as follows:

1. Successful compliance with the physical agility test and standards of the Division/City.

2. Successful compliance with height/weight standards of the Division/City.

3. All officers must successfully maintain all other applicable standards of physical or mental health as directed by the Chief and fully comply with all directives for physical or mental health examination or evaluation.

III. Failure to obtain a required certification, license or document; failure to maintain a certification, license or document; or failure to abide by the rules, regulations, procedures or any other orders issued by the Chief of Police during employment with the Springfield Police Division is just cause for disciplinary action up to and including dismissal from the Springfield Police Division. Such dismissal for failure to comply with standards herein is not considered by the City to be cause for award of a disability pension.

Springfield Police Division

Policy

Number: 4.10.3
Subject: Job Description; Police Records Clerk
Effective: June 28th, 1989

4.10.3
POLICE RECORDS CLERK

NATURE OF WORK

This is specialized clerical work in the maintenance of police records and files and includes significant computer data entry responsibilities.

Work involves responsibility for the maintenance, distribution, and control of non-administrative law enforcement records and files. Work includes responsibility for the provision of general clerical support for division operations. Detailed instructions are received at the beginning of work and on subsequent new assignments; however, as experience is gained employees work with considerable independence within the framework of established policies and procedures. Work is performed under general supervision of a superior and is reviewed through conferences and reports for results obtained.

ILLUSTRATIVE EXAMPLES OF WORK (any one position may not include all of the specific duties listed, nor do the examples cover all the duties that may be performed.)

Sorts, assembles, files and indexes arrest records and offense, investigation, and accident records; controls and maintains records on the use and movement of file materials. Checks records for previous arrest; types lists for court use.

Codes and enters charges into computer; enters information in arrest, warrant and temporary protection orders; cancels and deletes arrest warrants of computer terminal.

Expunges hard copy and computer records based on court order.

Takes fingerprints for citizens requiring such service.

Waits on customers that are requesting copies of reports or filing complaints; logs in tickets and arrest.

Provides information and documentation to authorized persons and agencies related to background investigations and insurance claims.

Receives, opens, sorts, and distributes mail; performs front counter duties; provides general information to the public.

Performs related work as assigned.

REQUIREMENTS OF WORK

Graduation from high school and experience in general clerical work; or any equivalent combination of training and experience that provides the following knowledge, abilities, and skills:

Knowledge of modern office practices, procedures, and equipment.

Knowledge of business English, spelling and arithmetic.

Ability to understand and follow oral and written instructions.

Ability to learn assigned clerical tasks and to adhere to prescribed departmental procedures.

Ability to distinguish confidential material and apply division standards for security and privacy.

Ability to make routine arithmetical computations and tabulations accurately and with reasonable speed.

Ability to type 35 words per minute.

Ability to establish and maintain effective working relationships with other employees and the general public.

Skill in the operation of computerized data entry equipment and other standard office equipment.

Springfield Police Division

Policy

Number: 4.10.5
Subject: Job Description; Services Clerk
Effective: June 28th, 1989

4.10.5

POLICE SERVICES CLERK

NATURE OF WORK

This is specialized clerical and technical work in the intake of prisoners, securing evidence and property, and film processing.

Work involves constant contact with criminal suspects, convicted criminals, and persons who may be hostile or under the influence of controlled drug substances. Work is performed under the general supervision of command-level police department personnel and is reviewed for compliance with established procedures.

ILLUSTRATIVE EXAMPLES OF WORK (Any one position may not include all of the specific duties listed, nor do the examples cover all the duties that may be performed.)

Solicits and types arrest information from arresting officer; types court sheet and arrest cards.

Processes arrested persons; obtains information; takes palm and fingerprints; takes front and side-view color photographs of persons arrested; cuts and labels mug photos.

Contacts police Records Section for information of prior arrests.

Mixes chemicals to develop black and white film of crime scenes; operates photo enlarger; prints photos to be used as evidence in court; logs in chemicals to be used in the photographic development process.

Functions as property officer when assigned; receives property and evidence from police officers; completes receipt for property; stores items; enters property information into computer system; checks NCIC system for stolen firearms numbers; prepares computer printouts of property in storage.

Operates a computer terminal to check on wanted individuals.

Monitors television cameras for secured entrances to booking area; controls access buttons for entry and exit of secured doors.

Stocks crime lab van with evidence-collecting supplies.

Performs related work as assigned.

REQUIREMENTS OF WORK

Graduation from high school and experience in police clerical or corrections work; or any equivalent combination of training and experience that provides the following knowledge, abilities and skills:

Knowledge of modern office practices, procedures, and equipment.

Knowledge of business English, spelling and arithmetic.

Knowledge of standard police department procedures for processing arrested persons.

Ability to understand and follow oral and written instructions.

Ability to distinguish confidential material and apply department standards for security and privacy.

Ability to learn how to develop photographic film.

Ability to safely handle firearms, controlled substances, and other evidence in accordance with department procedures.

Ability to deal with persons who may be physically and/or verbally hostile.

Ability to work shift work.

Ability to type 35 words per minute.

Ability to establish and maintain effective working relationships with other employees and the general public.

Skill in the operation of computerized data entry equipment, photographic development equipment and other standard office equipment.

Springfield Police Division

Policy

Number: 4.20
Subject: Career Development
Effective: June 28th, 1989

4.20

CAREER DEVELOPMENT

To the extent practicable within the limits of personnel staffing and distribution, budget, City policy, and labor contracts, the Springfield Division of Police encourages or requires each employee to seek training, counseling, or other assistance in development of their careers with the Division and with the City.

Some of the major components of our career development policy are as follows:

(1) Mandatory in-service training, both annual and as needed for new assignments or new job/task requirements;

(2) Semi-annual or other performance evaluations;

(3) Merit salary increase reviews

(4) Voluntary training classes or seminars

(5) Availability of supervisory advice or other assistance in establishing or attaining personal career goals;

(6) In some cases, “preference” on certain civil service appointment examinations;

(7) The availability of college credits for some police training;

(8) Our policy of consideration of work scheduling inn regards to higher education.

While the Division seeks to provide assistance in career development and while all supervisors are required to assist all employees with such goals, it is necessary each person accept primary responsibility for their own goals.

Some of the best ways to fulfill that personal responsibility and to receive the benefits of such assistance are (a) seek additional training by volunteering for optional classes; (b) ask for assistance of immediate supervisors in identifying schools or other objectives which address personal goals; (c) Notifying the Chief of requests for future assignments and what has been done to prepare for them.

Springfield Police Division

Policy

Number: 4.30
Subject: Long Term Absences from Duty and Training
Effective: June 28th, 1989

4.30

LONG-TERM ABSENCES FROM DUTY AND TRAINING

Whenever any officer is absent from regular police duties and training for (1) more than 120 consecutive days, or (2) more than 180 days in any period of 360 consecutive days, he or she shall not be returned to full duty until after satisfactory completion of several hours of comprehensive examination and training.

Such examination and training shall be jointly conducted by the Services Sub-Division and the appropriate Sub-Division Commander.

This policy specifically includes (but is not limited to) matters as follows:

1. Handguns, police baton;

2. All “new” general orders or similar directives;

3. All “new” training bulletins;

4. Major Divisional Directives and Sub-Division orders or similar concerns.

Springfield Police Division

Policy

Number: 4.40
Subject: Advanced Education or Training
Effective: June 28th, 1989

4.40

ADVANCED EDUCATION OR TRAINING

The policy of the Division of Police is that advanced education or training in virtually any field reasonably related to contemporary police duties, functions or assignments is of benefit to both the individual and the Division; therefore, all members of the Division are encouraged to pursue such advanced education or training.

When members are attempting to acquire such advanced knowledge or skills, the Division is willing to make reasonable efforts to assist in terms of employee scheduling or assignments; however, it is extremely important – as with outside employment, business or financial interests – the needs of the Division remain the primary concern of both the employee and the Chief.

Members are cautioned and advised that all outside pursuits, including advanced education, should generally remain within those policies and guidelines regarding hours devoted and possible negative effects upon police duties as are stipulated for employment outside the Division. Classes, study and research should be limited to those times and numbers of hours which are not deemed by the Chief to interfere with any police duties, functions or assignments in any manner.

Members attempting to acquire knowledge or skills which are not deemed reasonably likely to directly benefit the Division shall also receive equitable consideration for such privileges as may be available to others; however, whenever any conflicts seem apparent or likely, greater consideration may be given those persons seeking abilities more directly applicable to basic police or police managerial duties.

Springfield Police Division

Policy

Number: 4.50
Subject: City Employee Performance Evaluations
Effective: June 28th, 1989

4.50

CITY EMPLOYEE PERFORMANCE EVALUATIONS

I. Performance Evaluations are completed when required by Civil Service Law or as required by the Personnel Department, as approved by the City Manager. They may also be completed upon the initiative of any appropriate supervisor.

A. In the Division of Police, Performance Evaluations are normally the responsibility of the Shift or Unit Commander and the Shift or Unit Commanders are evaluated by the appropriate Captain; however, the Chief of Police retains the final authority and responsibility for all performance evaluations and he may delegate some of those responsibilities to the appropriate Captain.

II. Guide to Performance Appraisal (2/1/85)

The following is a guide to assist supervisory and managerial personnel in appraising the performance of the subordinates. It is intended to provide direction and orientation for the supervisor when conducting the performance appraisal review and filling out the appraisal form.

THE FIRST STEPS: Obviously the first step is to gather information on the employee's performance during the last appraisal period. Sources you should review are:

1. The employee's job description.

2. Any job standards that may have been developed for the position.

3. The employee's performance goals work plan developed during the last appraisal.

4. The employee's record of critical incidents (i.e. examples of good performance and poor performance).

5. Other sources of documentation of the employee's performance as may be appropriate. Note: You may wish to discuss your information with your supervisor if you expect to be appraising a problem employee.

FILLING OUT THE FORM: Prior to the interview and after you have gathered your information you should fill out the appraisal form and have it ready at the interview. The form is fairly self-explanatory. The rating standards are:

1. EXCELLENT — Very unusual ability. Total work performance is definitely superior and well above the standards of performance required for the position.

2. GOOD — Individual usually performs above level of an average rating. Has achieved outstanding rating in some work areas but not complete consistency in all areas of work.

3. SATISFACTORY — This rating is for demonstrated performance which shows the employee is manifesting the knowledge and experience needed for success in his/her job based upon standards of performance. This performance is expected of a qualified employee.

4. POOR — Performance needs improvement in meeting job requirements based on standards of performance.

5. UNSATISFACTORY — This rating is for performance which fails to meet job requirements based on standards of performance.

Please note that under all ratings you should provide documentation of performance to support the rating.

HOW TO ASSIGN RATINGS: Review employee's performance in terms of performance goals developed for the employee in the last appraisal and/or any job standards you may have developed for the position. Assign a rating to each performance dimension that you feel reflects the individual's performance in this area. Base your rating on instances of good or poor performance.

In performing your ratings, be advised that the more you can document your rating, the stronger your position will be in the event of a challenge by the employee or his union. If you check off ratings without having documentation, you may have it modified in the event of a challenge. The more documentation you have, the less likely you will be open to charges of favoritism and subjectivity.

SOURCES OF DOCUMENTATION: The best source of documentation is the somparison you make between the individual's performance and the performance goal you developed with him or her during the last appraisal.

OVERALL RATING: After assigning ratings to the performance dimensions, you are to develop an overall rating for the individual. This is done by adding the ratings received on the performance dimensions.

EMPLOYEE STRENGTHS AND WEAKNESSES: After assigning a rating to a performance dimension you should list the employee strengths or weaknesses that contribute to that rating in the comment section. If it is a weakness that contributes to a rating, incorporate that weakness into the employee's goals and objectives for the upcoming rating period.

EMPLOYEE GOALS AND OBJECTIVES FOR THE UPCOMING RATING PERIOD: This is the most important section of the appraisal. It represents an important part of your element of control. In this section, you are to design a list of tasks that your subordinate is to accomplish in the upcoming period of time or year. This is the employee work plan. At the end of that year or period of time, you rate the employee on how much he has accomplished on the list of tasks. Needless to say, this makes your job much easier as you have something to measure or gauge the employee's performance against. Additionally, you are communicating to the employee what your expectations are at the beginning of the appraisal period. This removes the employee's argument that he did not know what was expected of him.

The list of tasks or performance goals should be drawn from: 1) the areas of needed development or employee weaknesses; 2) projects or tasks you want the employee to accomplish during the next appraisal period, and 3) the job standards you may have developed for the position.
Be sure to include plans for helping the employee with those tasks or projects. Also, the more specific and measurable you make these performance goals, the less doubt there will be over whether the employee has achieved them or not.

EMPLOYEE COMMENTS: In this section, allow the employee to express some of his views regarding the appraisal.

PROBATIONARY PERIOD: If this is a probationary appraisal, check the appropriate block.

EMPLOYEE BEING EVALUATED: In the space provided, allow the employee to sign the form. If he refuses to sign it, process the appraisal with the notation that he refused to sign it. Allow the employee 24 hours to affix a written statement regarding the appraisal. You may extend this period for up to 72 hours if the employee requests a longer period of time or if you feel it is necessary. Do not, however, give the appraisal to the employee.

RATING SUPERVISOR: Affix your signature (the rating supervisor) in this space.

REVIEWING SUPERVISOR: The reviewing supervisor signs this portion and makes remarks if appropriate.

WHAT HAPPENS NEXT? After completion, the form is forwarded to the Personnel Department. The appraisal is then placed in the employee's personnel file and becomes part of his/her permanent work record. This work record will be reviewed in the event of any disciplinary actions or other proceedings taken against the employee.

APPRAISALS AT THE END OF THE PROBATION PERIOD: At the end of the probationary period for new and newly-promoted employees, you are required to complete an appraisal on the employee prior to the employee's achieving permanent status. The appraisal procedure is the same as with a permanent employee. However, to insure a successful appraisal, you should develop performance goals for the employee when he/she comes on board. That way a number of conflicts and potential misunderstandings can be avoided. When the probationary appraisal is due, you can simply review how well the individual is coming along on the work plan to determine whether or not he/she should become a permanent employee.

TIPS TO MAKE THE APPRAISAL SMOOTHER

1. Advise the employee a day or two in advance that you are going to appraise his/her performance.

2. If you feel it is appropriate, give the employee a blank appraisal form for him to fill out on himself. That is, allow him to rate himself; then in the interview, compare your rating with his. You will find that employees are generally harder on themselves in their ratings.

3. Fill out the appraisal form and the performance goals ahead of time. If the employee offers a reason why an objective was not accomplished, be flexible enough to change your rating if he has a good reason. Also be prepared to listen to his suggestions for performance goals.

4. Conduct the interview in private and be prepared to spend at least an hour in the interview.

5. Be as specific as possible when designing performance goals for the upcoming rating period.

6. Keep a diary of the employee's performance throughout the year. Provide feedback on the individual's performance on a regular basis. This will greatly assist you in your ability to document your ratings.

7. Make a rough draft of the appraisal on a copy of the appraisal form prior to filling out the entire form.

8. Review the appraisal with your supervisor prior to reviewing it with the employee. This can avoid a situation where your supervisor has information about the employee that you don't, and as a result, your supervisor requires you to redo the appraisal incorporating the new information.

9. If the employee has not been under your supervision during the entire appraisal period you should contact the employee's previous supervisor. The previous supervisor may have pertinent information regarding the employee's performance or may have conducted an appraisal on the employee prior to your supervision.

TERMS USED ON THE FORM:

Most terms used on the evaluation are self-explanatory; however, the following is provided for clarification purposes.

1.	ATTENDANCE	Employee reports to work promptly and is ready to work on time. Does not misuse leave time, i.e., sick leave, injury leave, or other leave of absence.
2.	CREATIVITY	Employee is able to recognize innovative solutions

for work related situations. Can develop and implement new ideas to overcome problems encountered in work.

3. ORGANIZATIONAL SENSITIVITY

Employee is able to perceive the impact and implications of decisions on other components of the organization. Employee is able to understand the ramifications of his/her actions and the effect they may have on other units in the department or the City. Considerations may include understanding coordination with other departments and division and/or impact on public relations.

4. PERCEPTIVENESS AND ANALYSIS

Employee is able to quickly define a problem to notice details of the circumstances; sort out pertinent information, to foresee the consequences of various alternatives and to

Springfield Police Division

Policy

Number: 4.60
Subject: Supervision and Discipline
Effective: June 28th, 1989

4.60

SUPERVISION AND DISCIPLINE

Discipline is a basic and mandatory function of proper management. Without discipline there cannot be effective administration; however, we should keep in mind that the word discipline is positive as well as potentially negative.

The best way to establish positive discipline is through the leadership of personal positive example. The positive example of self-discipline includes demonstrations of personal commitment, skill, productivity, concern and cooperation. Demonstrations of helpfulness to fellow employees and the public we serve as well as frequent positive remarks concerning subordinate performance and attitudes are absolutely required to establish and maintain an atmosphere of positive discipline.

Showing interest in each individual by favorable comments as well as by constructive criticism, advice and assistance towards personal improvement is an important part of positive discipline. Each supervisor must identify, encourage and develop the personal motivation of each subordinate to productively perform as directed.

Clearly communicating administrative directives, concerns, plans and objectives is also required, if a supervisor is going to establish and maintain positive discipline.

Although positive discipline and effective management go hand-in-hand, it is not true that negative discipline (disciplinary action) is a sign of poor leadership. The nature of police authority and responsibility, the limitations of law and policy upon methods used to perform tasks or duties, and the simple fact no human being can be expected to always perform as required sometimes necessitates appropriate negative discipline.

The manager has responsibility to make fair and ethical as well as effective decisions in all matters of negative discipline; however, such decisions and actions must be made in a correct and properly documented manner.

Therefore, when disciplinary action becomes necessary, all supervisors must properly comply with the authorized disciplinary process.

Springfield Police Division

Policy

Number: 4.60.1
Subject: Guidelines in Disciplinary Actions
Effective: June 28th, 1989

4.60.1

GUIDELINES IN DISCIPLINARY ACTIONS

A reprimand is one tool a supervisor may use to correct an omission or dereliction of duty by a subordinate. In order to secure proper performance, some thought should be given to obtaining the maximum benefit from this type of disciplinary action. Therefore, these guidelines are for the supervisor to follow in administering this corrective discipline:

Follow up the orders to discover improper conduct or non-compliance to proper directives.

Analyze all factors involved to determine that the situation was properly the fault of the subordinate. If there was a failure on the part of a superior officer in giving an order, or some other factor that was beyond the control of the subordinate, his or her responsibility is much less.

Give the Subordinate a Chance to Explain. It is possible that there are extenuating circumstances; it may be found the employee acted properly, even though previous “facts” indicated the contrary.

Do Not Lose Your Temper. Do not take the infraction as a personal affront. To show anger when reprimanding can lead to resentment.

When Appropriate, Counsel Rather than Reprimand. However, repeated counseling of subordinates must cause reprimands to be issued.

Reprimand in Private – Not in Public. The object of the reprimand is to correct and adjust, not to punish the subordinate by ridicule or embarrassment.

Precede criticisms with good points and try to build upon the positive factors to correct the more negative.

Criticize constructively by avoiding sarcasm. Give reasons for the criticisms and ways to correct them. Keep the situation on a high level, and keep it practical.

Summarize the key points and let the subordinate know where he or she stands.

Finally, keep the reprimand in proper perspective in relationship to the importance of the job and the relative strengths of the subordinate. Repeated reprimands – even for different issues or actions – must be referred to higher authority.

Springfield Police Division

Policy

Number: 4.60.2
Subject: The Disciplinary Process
Effective: June 28th, 1989

4.60.2

THE DISCIPLINARY PROCESS

The nature of police authority and responsibility is such that any incident may justify a relatively severe disciplinary action.

Certain Rules or Directives of the Division are clearly indicated as particularly severe (major) violations; however, these indications do not limit managerial prerogatives or responsibilities as to appropriate actions for any given set of facts and circumstances.

The General Policy of the City is one of progressive discipline. The basic goal of progressive discipline is to require and assist an employee to improve performance before it becomes necessary to resort to severe penalties such as written reprimands and – especially – suspension or dismissal.

Another goal of the progressive system is to properly record an employee's failures of performance; warnings; assistance; employee willingness and efforts to improve performance; and to justify further disciplinary action, if necessary, especially the justifications for suspension, reduction in rank or grade or dismissal. An obvious goal is that disciplinary action progress in severity until the problem is eliminated.

All supervisory personnel have a basic job mandate to properly apply and document disciplinary measures.

The progressive process utilized by the Division of Police may be described as follows:

A. Employee Counseling

At the first sign of job performance deficiency or minor misconduct, it is the supervisor's duty to give clear notice of the errors or weaknesses and Division's level of expectations. The supervisor should, if appropriate, offer to arrange some form of assistance towards improving or correcting employee behavior. While a single or relatively rare employee counseling session is not a matter of discipline of record, the counseling supervisor must make a personal note of the informal conference and make sure other supervisors who must deal directly with the employee are aware of the incident(s) and counseling occurred.

There must be supervisory follow-up to determine the degree of improvement demonstrated by the employee. Substantial improvement should be noted, and the employee told of the supervisor's observations and continuing expectations of such conduct or performance.

Continued misconduct or performance deficiency by the same employee – even if for somewhat different problems – must lead to the next level of discipline.

Counseling actions and results should be noted on all performance or merit evaluations for the period of time pertinent to such counseling session(s).

B. Oral Reprimand

At the first sign of other than minor misconduct or performance deficiency, or after counseling has been appropriately utilized, it is a supervisor's duty to put the employee on notice that his or her conduct or performance is unsatisfactory and that vastly improved conduct or performance must be immediately noted by management.

Very clear instructions as to our expectations for the future must be given by the supervisor. If appropriate, the supervisor should offer or arrange remedial instruction, training or similar assistance; however, it must be very clear an oral reprimand is being issued and that similar behavior or insufficient performance as well as other types of misconduct during the next several months will probably result in more severe disciplinary action.

An oral reprimand is primarily a Sub-Division, shift or unit level action; however, such oral reprimands must – in brief form – be documented and notice forwarded to the Sub-Division Commander. Oral reprimands shall not be recorded in the employee's personnel file, but the appropriate Captain must be aware the conference occurred so he or she can check with the appropriate supervisors to learn of any improvement noted and so the Sub-Division Commander can ensure future lack of proper performance can be dealt with at the appropriate level.

Issues which lead to oral reprimands must be noted on any pertinent performance or merit evaluations; however, the actual fact of "reprimand" should not be recorded.

C. Written Reprimand

This level of recorded discipline is for the more serious violations of directives or for after the employee has been given proper notice behavior or performance is sub-standard and conduct or performance is still sub-standard.

If misconduct is relatively serious or if the employee continues to fail to fully conform to minor directives, ignore orders, fail to properly perform tasks or duties or otherwise fall short or orders or other job performance standards, a written reprimand is the proper action.

Written reprimands are always placed in the employee personnel file kept by the Office of the Chief; therefore, they must be well written and extremely clear as to the specific nature of the problem, the specific facts leading to the conclusion the reprimand is justified, and any prior counseling or reprimands regarding the same or similar issues.

The reprimand should include clear notice future failures of performance will probably lead to more severe action by the Division.

The employee is entitled to a clear copy of the entire written reprimand, and
it should be provided by the issuing supervisor if the employee acknowledges in writing (on the original) receipt of the copy.

Written reprimands may be issued by the Chief, an appropriate Sub-Division Commander or a Shift or Unit Commander (or supervisor designated to act in their absence). If a written reprimand is to be issued by or for a Lieutenant, a brief explanation must be provided the appropriate Captain before such is issued to an employee.

Obviously all written reprimands must be noted on performance or merit evaluations and result in a very low rating in the pertinent categories; however, the misconduct found to have occurred is what is documented, not the actual fact of reprimand.

D. Conferences, Directives, Further Reprimands, and Non-Scheduled Performance Evaluations

If the employee's performance continues to be unsatisfactory – for any reason – following one or more written reprimands, there should be a presumption more serious disciplinary action will be imposed.

At such a stage the supervisor should confer more frequently with the person to provide specific directives for improvement.

Such conferences must be summarized in writing by the supervisor and forwarded through the proper chain of command to be filed in the Divisional personnel records with the written reprimand(s).

The employee is entitled to copies of all additional written reprimands, pertinent directives and conference summaries on the same basis as for any written reprimand.

An appropriate supervisor may, at any time, request and complete a special performance evaluation report; and such an evaluation shall be clear, thorough and otherwise handled as a scheduled evaluation.

E. Suspension, Reduction in Rank or Grade, Dismissal

Supervisors have an absolute obligation to the Division, the city and the general public we are sworn to serve to recommend the more severe disciplinary actions whenever appropriate.

Some of the situations requiring such recommendations are as follows:

1. Serious infractions of Directives – especially those listed as major violations;

2. Repeated written reprimands for any reason;

3. Repeated misconduct or lack of satisfactory performance related to any single written reprimand;

4. Repeated poor performance evaluations;

5. Any other violation of police authority or responsibility which can be reasonable construed to warrant severe action.

Command Officers and other supervisors are necessarily left with a reasonable amount of latitude in making decisions concerning proper disciplinary proceedings; however, we should all remember supervisors are themselves rated for the quality of such decisions.

To the extent we are all subordinate to a person of greater public authority, we must learn from and follow critiques or orders regarding all such decisions as well as other matters of job performance.

Superior authority always retains the option to modify or revoke disciplinary actions of subordinates; however, if these guides and the general principles of supervision are correctly applied, changes should not be necessary.

In conclusion, contemporary management practices emphasize the avoidance of unnecessary disciplinary actions through use of assisting, training, counseling, directing and leading subordinate employees. Disciplinary actions are sometimes necessary; and when they are, all supervisors are charged with appropriate and proper utilization of disciplinary action and documentation.

There are several excellent texts or pamphlets with examples of proper documentation of reprimands and conferences. One which is approved by the City is the: [Supervisor's Guide to DOCUMENTATION AND FILE BUILDING FOR EMPLOYEE DISCIPLINE (Ruud & Woodford; Advisory Publishing)].

Springfield Police Division

Policy

Number: 5.00
Subject: Introduction to the Organization
Effective: June 28th, 1989

5.00 Introduction to the Organization

Although the specific organizational structure is stipulated elsewhere, there is a need for more information about the more important components of each of the major operations of this agency.

This Chapter establishes and explains the major organizational operations and their specific relationships within the major operational components.

The Springfield Division of Police has developed and established four major operational components (areas of major duties/concerns) within which are grouped all of the major operations of the Division.

Essentially, we have four major operational components within the Division of Police. Those major components are as follows:

(A) Divisional Administration;

(B) Uniform Patrol;

(C) Investigations;

(D) Staff Services.

Divisional Administration essentially consists of the Office of the Chief, which is personally staffed and directed by the Chief. One of the major duties or functions of Divisional Administration is the determination of the proper distribution and staffing of the various tasks or duties as well as of personnel throughout the major operational components of the Division.

Operationally, those major components or areas of concern – the personnel staffing levels; divisions of work within and among them; and their various managerial or command structures are assigned by the Chief of Police. Current, actual organizational structure and assignments may be found in current general or special orders, other directives, or authorized divisional training. The Divisional organization chart is in Chapter 2.00: Agency Administration.

Springfield Police Division

Policy

Number: 5.01
Subject: Uniform Patrol
Effective: June 28th, 1989

5.01

UNIFORM PATROL

Uniform Patrol is primary among all of the major operational components of the Division.

The term Uniform Patrol is highly descriptive of both the major functions assigned and the manner in which they are conducted. Virtually all of the tasks, duties, or functions of any municipal police organization – and especially those duties specifically assigned municipal law enforcement officers and organizations by Law, Charter, Ordinance, or Administrative Regulations – are conducted, in their entirety or in part, by Uniform Patrol.

Among the many duties assigned Uniform Patrol are:

1. Authorized responses to citizen calls for service; initial investigation of the vast majority of criminal complaints;

2. Directed Patrol to effectively resolve specific – especially continuing – community problems or complaints at specific times, or places, or committed by specific persons;

3. Routine (random or arbitrary) Patrol, primarily to see and be seen throughout the community in attempts to keep the peace and prevent or suppress criminal activity in general and reduce or control other hazards to persons or property;

4. Traffic Safety Enforcement to encourage “voluntary” compliance with laws or ordinances regarding vehicular and pedestrian safety;

5. Investigation and reporting of motor vehicle crashes and other traffic “accidents”;

6. Police-Community Relations;

7. Crime Prevention;

8. Special Operations such as parades, public gatherings, or crowd control;

9. Miscellaneous tasks or duties assigned by proper public authority.

While the preceding list is by no means complete, the importance of the list is primarily related to two over-riding principles or concerns:

1. The extensive and important duties assigned to Uniform Patrol include almost all of the basic reasons for establishing a municipal police organization and the authority and responsibility delegated to police officers by the people of this City and State;

2. Regardless of any employee's specific assignment to any subordinate section, unit, team, or project and regardless of whether an officer's current assignment is more specialized or more general, more supervisory or more direct, all personnel assigned to Uniform Patrol are expected and required to at all times properly perform such tasks and duties as are reasonably necessary and practicable to properly carry out the basic mission of the Police Division.

Springfield Police Division

Policy

Number: 5.02
Subject: Investigations
Effective: June 28th, 1989

5.02

Investigations

"Investigations" is another highly descriptive term used to indicate the primary role of another major area of concern of the Division of Police.

This component of the Division is responsible for investigation of all criminal complaints which are assigned for investigation. Cases eligible for assignment include complaints or incidents which cannot be completed by officers assigned to Uniform Patrol and other investigations such as criminal intelligence and information; controlled substances; vice, embezzlement or fraud.

Traditionally, Investigation divides work among units which mostly specialize in certain types of offenses or offenders. Examples of those types of units include units such as Crimes Against Persons; Crimes Against Property; Juvenile; Checks and Frauds; Criminal Intelligence, Drugs and Vice; and General Assignments.

Among the many duties assigned Investigations are:

1. Utilization of an effective and efficient case management system which commits available resources according to the degree of the offense and the probability of a case being cleared by arrest and prosecution;

2. Gathering criminal intelligence and information which leads to the prevention or suppression of criminal activity, especially the criminality of major offenders or organized criminal activities;

3. Effectively sharing criminal intelligence and information with other components of the Division, especially Uniform Patrol;

4. Maintaining effective liaison with other law enforcement agencies and cooperating with them in gathering and sharing of law enforcement information and the prosecution of criminal suspects;

5. Working with our courts and other elements of the criminal justice system in terms of final preparation of Division cases submitted for criminal prosecution;

6. Effective liaison with local courts and parole/probation authorities, especially as regards major offenders or organized criminal conspiracies;

7. Maintaining an effective liaison and recommendation system with local social services agencies, especially as regards neglected or abused children and juvenile offenders;

8. Regardless of personal assignment or degree of specialization, to work together with other members of the Division, especially Uniform Patrol to provide direct police services in response to citizen calls for service or assisting Uniform Officers with our basic Mission;

9. Miscellaneous police services as assigned by proper authority.

Springfield Police Division

Policy

Number: 5.03
Subject: Staff Services
Effective: June 28th, 1989

5.03

Staff Services

The major operational component of the Division is assigned tasks, duties, or functions which support the other major areas of concern in fulfilling all functions of the Division.

Some of the duties or functions assigned to Services are:

1. The Crime Laboratory;
2. Evidence Comparison and Criminal Identification;
3. Police Records;
4. Police Data Processing;
5. Property and Evidence storage, control and disposal;
6. Divisional training;
7. Jail Intake Center;
8. Research, Planning, and Policy Development;
9. Miscellaneous duties assigned by proper authority.

Springfield Police Division
Policy

Number: 5.04
Subject: Summary of Police Activities
Effective: June 28th, 1989

5.04

Summary of Police Activities

SPRINGFIELD POLICE DIVISION

I. UNIFORM PATROL
- Three shifts of District Patrol Units
- Traffic Enforcement
- Community Relations / Crime Prevention

A. Response to citizen complaints of alleged criminal conduct

Officer activities include: police advice; referrals to other agencies; police reports; investigation, follow-up, arrests or summonses, requesting warrants for arrest; directed or routine patrol assignments.

In addition, officer activities in this category include crime scene searches, collection and documentation of evidence and found or stolen property.

B. Response to allegations of traffic violations

Officer activities include checking or reports of illegal driving or parking; advice to offenders or complainants; arrest, summons or requests for warrants for arrest; as well as some random or fixed point radar operation or other safety violation enforcement activities. This activity also results in traffic crash reports and other police reporting.

C. Uniform Patrol Services

Officer activities include attempts at crime prevention and crime suppressing through apprehension of suspects and other activities such as checking building or vehicle security during both Random and Directed Patrol.

Specific neighborhood or community concerns, such as the Parks, E. Main St., vacations of residents, neighbor disputes, etc. are targeted as personnel hours are available.

D. Miscellaneous Public Safety Services

Officer responses to basically non-criminal public safety oriented

activities, such as assisting the Fire Division with fire and paramedic calls; handling noise or zoning complaints; and other neighborhood concerns; trash complaints; dog complaints; potholes in streets; traffic signal or sign outages; assisting the mentally deficient or emotionally distressed citizens of our City.

E. Traffic Enforcement

Officer activities of the Specialized Enforcement Unit include investigating serious injury and fatal accidents, hit and run accidents, and assistance and follow-up on other traffic matters as needed by the District Patrol Units.

This unit operates radar and conducts other traffic safety enforcement work as personnel are available.

There is one full-time parking control officer who issues tickets and gives assistance to motorists through instructions, advice, information, etc.

There is one full-time parking warrant service officer who serves warrants for unpaid parking citations and issues summonses or makes arrests as necessary.

There is one officer assigned to specialize in the control and removal of abandoned or other junk or unregistered automobiles.

F. Community Relations / Crime Prevention

Officers assigned to this function or unit conduct activities such as special patrol of Neighborhood Policing project areas; conduct classes or meetings for neighborhood crime watches; the Safety City Program in the schools; and is a clearing house for various public relations programs and activities; including the citizen officer complaint process.

II. INVESTIGATIONS

A. Investigation of major offenses requires numerous officer activities such as the review of all crime reports to determine if they should be directed to the Early Case Closure procedure or assigned for active investigation. Values of property reported stolen and/or recovered are reviewed and assigned.

B. Even when an arrest is made and case reported closed through apprehension of a suspect, most major cases require some follow-up by detectives and officer activities include interviews or interrogation of both victims and suspects as well as record checks, communications with other agencies and building of a case or trial file for the use of prosecutors in seeking indictments or at trial.

C. Inquiries from other agencies are often directed to Investigation for officer activities such as crimes or criminal intelligence records checks used in coordination with other law enforcement agencies. Liaison with other agencies is a frequent and necessary activity for the development, apprehension and prosecution of suspects involved in multi-jurisdictional offenses.

D. All missing persons and child abuse cases are assigned to Investigation and officer activities include interviews with victims, parents and suspects as well as coordination with other agencies to locate reported missing persons, especially children. Liaison and direct assistance with Children's Services is a frequent activity.

E. The collection of criminal intelligence and the sharing of information results in officer activities such as interviews, interrogations, surveillance, and development and control of police informants. Such information causes officer activities of special file maintenance and documentation and the sharing of information with other criminal justice agencies.

F. In attempts to suppress illegal acts such as controlled drugs, gambling, prostitution and illegal liquor sales, officers investigate reports of such illegal acts and coordinate information and activities both within this agency and with other agencies.

G. Warrants assigned to Investigation result in officer activities such as location of suspects and actual service of the warrants. In addition a frequent officer activity is assistance to private citizens wishing to file criminal charges.

III. STAFF SERVICES

A. The police telephone report writing system assigned to Police Services Clerks to divert over two thousand complaints from mobile officer response to telephone receipt and recording. This unit also assists Records personnel with some computer entry or records maintenance tasks related to the telephone reporting functions.

B. Other police services clerks conduct activities such as fingerprinting, personal information of suspects, and arrest record typing as well as photographing suspects and arrestees. The county-wide joint prisoner intake center is the primary location for most of these activities and these services are all provided to both the City Police and County Sheriff Department.

C. The Crime Laboratory, Property and Evidence System, Crime Scene Search and Criminal Identification Units are staffed by a mixture of sworn personnel who conduct activities such as crime scene search and coordination of searches with other units and agencies, collection, storage, recording, safekeeping and disposal of evidence and lost or stolen property.

Other specific activities include some fingerprinting duties, the analysis, classification, recording and computer entry of all suspect fingerprints and fingerprints found in crime scene searches; analysis of blood and other body fluids, hair, clothing, ballistics, drugs and all other matters of evidence for both the Police and the Sheriff as well as some agencies in surrounding counties.

Testifying in court is a frequent activity for all personnel performing these criminal identification and evidence functions.

D. The Police Records Room conducts activities such as the recording, typing, filing and retrieval of all police records systems as well as the criminal records of the Clark County Sheriff and the police payroll process. Use of the phones, computers, automated and non-automated files are frequent activities.

This unit also operates a public service counter, conducts stenography for victim or suspect interviews or interrogations and provides clerical support for other police units, the office of the Chief and inquiries from other city departments and other law enforcement agencies as well as for Springfield Municipal Court.

E. Training of all police personnel is a primary assignment of Staff Services and development and presentation of advanced recruit training, annual in-service training, and short-term training of police employees is planned, conducted, recorded and coordinated with other police units.

F. Research and planning of long-term projects such as E911, computer assisted dispatching, police techniques, management of resources, and use of contemporary technology is a primary function of staff services and activities such as reading; use of phones; travel; attendance at schools, conferences or seminars; and coordinating or writing recommendations and other reports to the Chief or City manager.

Liaison and assistance to the City Data Processing Dept. and the Police micro-graphics vendor are continuously conducted during preparation of such programs and after they are actually implemented.

IV. POLICE DIVISION ADMINISTRATION

The Chief and other personnel assigned to this function conduct activities such as overall direction of all police programs; the budget; liaison with all other agencies who work with the Division; and final planning, policy and program development, approval, implementation; as well as continuing management of all operations of the Division of Police.

Activities include the approval or writing of reports to City Government and all other agencies in contact with the Division; conferences, telephone calls and other coordination or decision-making dealing with all facets of police operations; direct management of the police complaint or internal affairs processes.

Springfield Police Division

Policy

Number: 5.05
Subject: Police Services Plan
Effective: June 28th, 1989

5.05

POLICE SERVICES PLAN

Because it is not possible, regardless of staffing level and other resources, to productively fulfill our mission without development and utilization of a rational, comprehensive and effective police services delivery plan and because we often have very limited resources with which we must work, it is necessary we have a Divisional system for coordinating and delivering services and a uniform manner of providing such police services.

The primary purpose of the Springfield Police Services program is to manage all police services to the community through one comprehensive, rational and mandatory system specifically authorized and administered by the Chief of Police.

The Springfield Police Services System seeks to continue to provide all police services previously provided to the community but only in the most rational, consistent, effective and efficient manner which can be devised and conducted with the available resources. Obviously, when total resources are diminished it will often become literally impossible to provide such services which are still viable without restricting or eliminating some other services. When such becomes necessary it is vital such decisions can be easily taught, supervised and otherwise consistently carried out.

The Springfield Police Services Plan is established upon fundamental tenets of a management of police services concept usually known as Differential Police Responses (DPR). DPR is essentially a system based upon several key principles of modern police management of services, especially citizen calls for such services.

One of the most important principles of our plan is a system of matching well-analyzed calls for service to the best feasible police responses. Another important principle is the prioritizing of all such authorized responses and the prioritizing of all activities carried out within the limits of each authorized police response.

One of the best ways of stating the fundamental principle of the Springfield Police Services System is as follows:

(A) We require careful and consistent analysis of all calls for service so as to accurately and consistently apply sworn personnel hours only to those calls, tasks or functions which both require and best utilize police officer skills.

(B) While the majority of the plan deals with Uniform Patrol Services, we have a Divisional plan within which this key principle must be used and coordinated with every major operation or concern of the Division of Police.

The authority and responsibility of subordinate supervisors for the proper management of police services is set forth by General Order and the current version of the plan (as amended or clarified by the Chief) must be kept properly indexed in the Chapter of the Manual established for all such orders.

Springfield Police Division

Policy & Procedure

Number: 6.00
Subject: Divisional Policies, Procedures, Practices, Processes, & Standards
Effective: June 28, 1989

INTRODUCTION

In order to discharge our various duties in an effective and expeditious manner, techniques and procedures employed in the accomplishment of these tasks must be proper and uniform.

All employees have an inherent right to know what is expected of them. For this reason they need well-defined written directives which will assist them then they adhere to the standards of conduct and action set forth.

All employees must realize that this Police Division exists for only one purpose and that is to “serve the public”. Among its primary functions are: the protection of life and property; the prevention of crime; the suppression of criminal activity; the apprehension and prosecution of offenders; the regulation of non-criminal conduct; and the preservation of public peace while respecting the rights and privileges of all persons.

These policies and practices must be fully and properly utilized at all times as the public has every right to expect to be treated in approximately the same manner regardless of which police employee is called upon to provide police services.

Police Officers are vested with power to enforce law and maintain order. Specific written guidelines confine this power within a framework of proper usage. The Divisional Manual provides this framework. That framework never anticipates or deals with all police situations; therefore, reasonable and prudent discretion is inherent in much of police work.

The absence of a specific written directive does not allow unlimited “discretion”. Employees are never relieved of the responsibility to conduct themselves lawfully; within all written or verbal directives; according to Divisional training; and with prudence.

Springfield Police Division

Policy & Procedure

Number: 6.01
Subject: Police Employee Demeanor
Effective: June 28, 1989

I. A. All police authority is a public trust. The reason we have a local Police division is to serve the best interests of our fellow citizens in a manner which is acceptable to them. As public servants, employees of the Division of Police are expected to display courteous, respectful, professional conduct to the greatest extent practicable in the police service.

B. All people have the right to expect equitable, responsible, interested and courteous encounters with all employees of the Division; therefore, it is necessary each of us conduct ourselves in such manner as to project positive and sustained efforts in pursuit of the best possible public service.

C. As we perform our duties, each of us must evaluate our own performance in terms of the reasonable expectations of the general public. While it is possible for excessive courtesy, in the sense of mechanical, overbearing or plainly unnecessary formality to create or foster problems for the individual officer and for the Division, good-faith efforts at courtesy will rarely be taken negatively. However, failure to treat all persons as well as, or better than, is usually the case during delivery of other types of service in our community will negatively reflect upon both the employee and the Division.

D. Communication, both verbal and non-verbal, is the essential element in any contact between the general public and an employee of the Division of Police. We must be aware particular words, types of speech, gestures, phrases, cultural slang, body positions and body movements may convey undesirable messages. Although a particular form of communication may not be offensive to an employee as an individual, or even a substantial number of the general populace, each of us needs to constantly evaluate our own performance in terms of learning how to avoid communication which may be considered overly familiar, rude, disinterested, overbearing or demeaning to others. Each employee must make every reasonable effort to understand and to demonstrate responsible communication with regard to personal or cultural interpretations, needs, fears and prejudices which may be found in ourselves and in others.

E. Positive efforts must be made to indicate each of us is interested in each citizen's criminal complaints, civil problems or other requests for assistance and advice. Such conduct includes, but is not limited to, standing when a citizen is standing and properly parking and exiting a police vehicle when a person is standing outside the vehicle and

attempting to communicate a problem or seeking information or advice. We should also make every reasonable effort to avoid unnecessary defensive stances, unnecessarily aggressive postures and demonstrations of lack of concern such as slouching or walking away from someone while they are seeking legitimate information or advice.

F. Certainly, the police service is one of the most difficult occupations in which to maintain completely courteous communications. At times, police services can thrust employees into volatile or extremely dangerous situations. While we realize it is not always possible to demonstrate the courteous demeanor which is required in other contacts with our fellow citizens, we can do our best to avoid unnecessary discourtesy; and we must establish a positive courteous demeanor as soon as a particular situation permits.

Springfield Police Division

Policy & Procedure

Number: 6.02
Subject: Citizen Complaints
Revised: September 1st, 2019

6.02.01 Objective

The truest measure of the professionalism of a police department is the confidence that the community it serves, and its employees, have in the department s integrity. An effective complaint policy & procedure is therefore necessary to fairly investigate and address all complaints regarding police services, in order to preserve that integrity.

6.02.02 Policy

The Springfield Police Division is committed to fair investigation and resolution of all alleged complaints of employee misconduct. In addition the knowledge gained from such investigations will be used to improve the quality of police services, in our community.

6.02.03 Procedure for Accepting Complaints

Complaints are received twenty-four hours a day, seven days a week. Complainants are not required to make documented complaints in person; the telephone is acceptable to initiate any complaint. The Uniform Patrol Shift Commander, or designee, will generally accept all complaints. They are to indicate the date and time the complaint was received along with their signature, on the form of the complaint, and provide a copy to the complainant, if requested.

6.02.04 Acceptance of Untimely Complaints

Complaints alleging misconduct more than sixty (60) days prior to the receipt of an initial complaint will be briefly documented, and properly forwarded. As a matter of general policy, such excessively old complaints will not be investigated or resolved through administrative means.

6.02.05 Initial Investigation of Complaints

The supervisor receiving the complaint will conduct a preliminary investigation. If the supervisor is able to identify the cause of the complaint and resolve the issue, with the complainant, he or she will do so. In either case the complaint will be properly documented on a complaint form and forwarded to the Professional Standards Unit.

6.02.06 Investigation of Complaints

Completed complaint forms are forwarded to the Professional Standards Unit, given a control number, and assigned to a member of that unit for investigation. In cases where criminal misconduct or excessive use of force with serious physical harm are alleged, the Chief may direct that the investigation be handled as an Internal Affairs Investigation.

6.02.07 Notification

The investigator will notify the Officer(s) involved, their Lieutenant(s), and Captain(s) by providing them with a copy of the complaint as required by the collective bargaining agreement.

6.02.08 Internal Affairs Investigations

The Chief will assign Internal Affairs Investigations at his discretion. Normally a Lieutenant and a Sergeant will be assigned to conduct Internal Affairs Investigations.

6.02.09 Previously Addressed Complaints

When the Professional Standards Unit receives complaints that were previously investigated by a supervisor they will be reviewed, given a control number, and logged for record keeping purposes. They will not generally be re-opened for investigation. Complaints may be re-opened by the Professional Standards Unit, with written approval of their Sub-Division Commander. A copy of the written approval shall be provided to the involved employee.

6.2.10 Complaints Involving Arrests

In cases where citizens file complaints against officers who have arrested them the investigation may be suspended, at the direction of the Chief, until the criminal court proceedings are complete.

6.2.11 Complaint Validity and Discipline

The Professional Standards Unit will investigate and determine the validity of all assigned complaints. When any complaint is Sustained the Professional Standards Unit investigator(s) will confer with the supervisor(s) of the involved employee(s), to discuss recommendations for discipline. The final report will include recommendations for discipline.

6.2.12 Timeliness of Investigations

The Professional Standards Unit will notify involved officers that an investigation is being conducted, within three to five working days of receiving the complaint. This notification must include a copy of the original complaint along with a listing of the issues being investigated. Investigations involving employees of the department will be prompt, and a disposition will be within thirty working days of the assignment of the complaint. If requested in writing, prior to the end of this thirty-day period, the Chief may grant a written extension of the time limit.

6.2.13 Cooperation of the Complainant and/or Witnesses

If a complaint investigation remains incomplete or inconclusive due solely to a lack of necessary cooperation by alleged complainants or witnesses, the original investigation shall be suspended after thirty (30) days. If the necessary cooperation or information is still lacking after sixty (60) days, the complaint shall be summarized and closed. Closed complaints shall not be re-opened for any administrative action, except by written direction of the Chief, with a copy to the involved employee(s).

6.2.14 Complaint Disposition

Upon completion of an investigation, the person assigned to investigate will make a conclusion of fact for each allegation from among the following dispositions:

.1 Unfounded:

The evidence shows that the allegation was false, did not occur, or did occur but was lawful and in accordance with current policies.

.2 Inconclusive:

The alleged complaint is not supported by the facts gathered during the investigation, or there is insufficient evidence to make a determination of fact.

.3 Sustained:

The facts gathered during the investigation support the allegation(s), of the complaint, that the actions of the employee were not consistent with departmental procedures, or law. (Copies of all sustained complaints will be kept in the involved employee s personnel file.)

6.2.15 Final Disposition- Employees

Within five (5) working days following receipt of a completed investigation, and/or the conclusion of a Chief s conference, the involved employee will be notified of the results of the investigation and whether or not disciplinary action is to be pursued.

6.2.16 Final Disposition- Complainants

Upon completion of the investigation by the Professional Standards Unit, and notification of the involved employee, the complainant will be sent a letter indicating the results of the investigation. The involved employee will be given a copy of this letter. No mention of any disciplinary action taken will be made. The Professional Standards Unit Sub-Division Commander and the Chief will sign the letter, indicating concurrence with the investigation s results.

6.2.17 Professional Integrity during Investigations

All investigations are to be conducted with the degree of thoroughness and professionalism expected in other investigations conducted by the Division.

.1 All members receiving or investigating complaints must be careful of their own demeanor.

.2 No members of the Division will make comments to a complainant or witness about the validity of a complaint; just indicate the matter will be investigated.

.3 Members must be careful to avoid the appearance of coercing any complainant, witness or officer, especially as regards resolution of any complaint.

.4 Supervisor's performance evaluations will always reflect comparative performance in the receipt, documenting, securing, investigation, reporting and forwarding of complaints and recommendations.

6.2.18 Internal Affairs Investigations

Internal Affairs Investigations do not fall under Policy and Procedure 6.02 Citizen's Complaints. Internal Affairs Investigations are assigned, and investigated, at the discretion of the Chief of Police.

Springfield Police Division

Policy

Number: 6.03
Subject: Promises or Assurances of Police Services
Revised: June 28th, 1989

In their efforts to assure crime victims or other persons requesting police assistance of our concern for their complaints or requests, employees tend to promise or indicate a personal contact by another police employee.

Unfortunately, these attempts to enhance public relations often have a negative effect. In addition, specific promises of protection of persons or property may be beyond our capabilities and may create just cause for legal action against the employee making such a guarantee. Therefore, officers or civilian employees (other than communications operators) are not permitted to promise, state or otherwise indicate any personal contact or other response by any police employee other than themselves or direct subordinates. Members who make "promises" of the responses of themselves or direct subordinates shall be held strictly accountable for such responses.

This prohibition includes but is not limited to situations as follows:

A. All employees are hereby advised not to promise or indicate we will surely be able to protect someone from specific types of harm or that a specific response will be make at a specific time or place; we cannot make any such guarantees. We can only try to help prevent or solve a problem or complaint.

B. Do not tell people they can go to headquarters and get property or evidence returned without first telephoning the property clerk for an appointment. [If standard hours for non-scheduled release of property are established, only the proper day/time may be given to the public.]

C. Do not tell people they can come to headquarters and look through recovered bikes without first telephoning the property clerk for an appointment. [If standard hours for viewing bikes are established, only the proper day/time may be given.]

D. Do not tell people a detective will contact them.

E. Do not tell people that crime scene or laboratory personnel will begin or complete work by a certain time or date (unless the appropriate person has been contacted and authorized such a statement).

F. Do not tell people we will conduct a follow-up investigation.

G. Do not tell someone they can get a copy of a report or a photograph or record check other than at the correct times or without mentioning the fee for such services or the fact written permission to receive such documents may be required.

Springfield Police Division

Procedure

Number: 6.04
Subject: Access to Public Information
Revised: Wednesday, November 14, 2007

1. The Springfield Police Division recognizes police matters, especially in regards to criminal investigations, reports, arrests, or detentions, are a matter of public interest. The public has the right and need to access public information. The purpose of this policy is to facilitate the release of public information through the proper channels.

   A. Public Information will be released in accordance with the Ohio Revised Code and the City of Springfield Public Records Policy.

   B. All doubts about what should or should not be released shall be referred through proper channels to the Office of the Chief.

2. Media Releases

   A. Information (which is subject to release) from any divisional report, arrest card, or police document shall be released to the media and public as follows:

      1) By the Chief or his designee.

      2) By the Commander of the appropriate Sub-Division.

      3) By the Shift Commander.

      4) By subpoena, court, or administrative order.

      5) By records personnel with a request for public information form and any appropriate fees.

      6) By an appointed public information officer.

      7) By the supervisor in command of a crime scene.

   B. The supervisor in command of a crime scene may release to the public or media only information as follows:

      1) The nature of the reported type of incident.

      2) Whether any person is in custody or presently being actively sought or pursued.

      3) Any other information, which cannot jeopardize a proper investigation.

         a. Personal opinions, which may compromise investigations, arrests, or court cases, shall be avoided.

C. Public Information to be Released by OIC

Information which is to be released by a Shift Commander or Acting Shift Commander is as follows:

1) Day, date and time of alleged incident.

2) Type of alleged incident.

3) Complainant s name and address unless alleged victim is a minor or the alleged offense is a sexual assault.

   a. It is recognized the media may have a legal right to the name and address of a complainant or reporting party, however, this Division does not require or authorize the OIC to release such information in any manner except the standard practice of permitting legitimate representatives of the media routine inspection of incident reports at the Uniform Patrol Office.

4) Current status of police response, i.e., investigation, arrests made:

   a. Name, address and current charges filed

      1. If the suspect is a minor, the name shall not be released to the press by the OIC.

   b. General description of suspects listed on a report who have not yet been apprehended.

D. Members who are hereby authorized to release such information may do so verbally or in writing, however, in cases which reasonably appear to be extreme, unusual, or controversial, written news releases are very strongly recommended. In such cases a complete copy of the release should be forwarded to the Sub-Division Commander, who should provide such information to the Office of the Chief.

E. Members of the media who have had their credentials accepted by the Chief shall be permitted to review all incident or offense reports in the records section front counter area.

F. Under no circumstances will any person not a member of the Division or the appropriate prosecutor s office be permitted to:

1) Remove any incident or offense report from the designated area.\

2) Read any arrest card.

3) Read any court statement or affidavit.

4) Read any inter-office communication.

5) Copy any police document by any process other than personal written notes.

6) The media may have a right to read some court documents; however, such releases are the obligation of the Police Records Section or of the Court.

G. Any and all requests for review or copies of police documents, other than incident reports, must be referred to:

1) Records.

2) The appropriate Sub-Division Commander.

3) The Office of the Chief.

3. Information Not Available

The information which must never be released to the public or to the news media is as follows:

A. Opinions related to character, reputation, credibility, or anticipated testimony of an accused person of any possible witness.

B. Unusual methods of perpetrating a crime, which might be used to identify or convict a suspect.

C. Admissions, confessions, statements or alibis attributable to any accused person.

D. Any information concerning actual or possible informants.

E. The performance, results or refusal of any suspect to take any test or participate in a line- up or similar investigative proceeding.

F. Evidence found at a scene or in any way relating to a possible identification or prosecution.

G. The possibility of a plea of guilty to any related charge.

H. Opinions concerning evidence or arguments in any case regardless of whether a trial is anticipated.

I. Names or addresses of any person not yet apprehended and charged.

J. The contents of any apparent suicide note.

K. The picture of any person related to an investigation, especially the alleged offender, shall never be released without the prior explicit authorization of the Chief of Police or his designee.

L. The name or address of any person killed or in critical condition shall not be released until after next of kin have been properly notified or until all reasonable attempts have been exhausted. The Sub-Division Commander and/or the Chief should be consulted, prior to release of names or addresses, whenever next of kin have not been notified within 24 hours.

4. Media Access to Crime Scenes or Serious Incident Areas

A. Media representatives should be allowed reasonable access to general areas of serious incidents or crime scenes.

B. In the event of a crime or major incident, police security lines are established for purposes of evidence conservation, interview of potential witnesses and crowd control or other police duties.

1) Depending upon the tactical situation and the possibilities of jeopardizing police or related operations, media members should be allowed to enter controlled areas after display of current news media credentials.

2) Members of the media do not have authority to be within a crime scene or similar area which is secured to preserve evidence or at any specific location where their presence probably jeopardizes any police or related public safety operations.

3) After a crime scene has been completely processed, we no longer have any authority in that area and only the owner, legal occupant, or their lawful agents may grant permission to the news media to enter any privately owned structures or property to gather the news.

4) The officer in charge of any scene may not grant authorization for media personnel to enter areas restricted because of hazards. Media personnel shall be warned we cannot let them past a line or into a certain area because of the hazards and because we cannot accept any responsibility for the safety of their persons or property

5) To the extent such is practicable, a reasonably secure area should be established for the media to receive and disseminate public information.

5. Media Access to the Public Safety/Police Building

A. Media personnel are permitted to enter the records section front counter area.

1) Media personnel may request access to the Office of the Chief.

2) Media personnel may request entrance to any other area.

3) Media representatives may not enter any work area other than a designated media work area without prior explicit permission of an appropriate supervisor.

B. Members of the media may not interview any on-duty member or conduct any interviews or information gathering in any area of the police facility except as clearly permitted by this policy or with the prior explicit permission of the officer in charge of any sub-division.

C. Violations of this policy shall be grounds for restrictions upon individuals, however, no person, business, or agency shall be prevented from properly receiving valid public information.

D. Mutual Cooperation

1) Both the news media and the police must work together to serve the public interest.

2) The routine access to public information about the occurrences of crime or other public safety incidents is clearly outlined by this policy.

3) Administrative, personnel, and all other business matters of the Division are the sole responsibility and prerogative of the Chief or his designee. Nothing in this policy allows any such matters to be discussed or released in any manner, whether with or without permission of any supervisor not explicitly designated by the Chief.

4) It is understood that all statements made by members of this Division may be published, repeated or otherwise used by the media unless there are clear prior assurances to the contrary or unless punishable by criminal or civil laws or sanctions.

5) No member of the media will be given preferential treatment, however, the Division or its members cannot be expected to notify all news media prior to any release of information.

6. Definition

Ohio Law currently requires that virtually all records kept by a police agency, whether by law or custom, are public records. All public information in police records are open to inspection by any person during normal business hours and such information will be provided in the form of copies if requested at the cost incurred by the agency.

Public records information includes but is not limited to incident reports, crash reports, waivers, arrest reports, criminal arrest and disposition records, dispatch logs, Uniform Patrol daily reports, personnel forms, and inter-offices to the extent they are substitutes for a normal report and contain only normal crime, arrest, or personnel complaint information.

7. Confidential Information

Please note that the basic facts, allegations, information concerning any police matters, cases, or investigations are almost always matters of public record. Certain police information can remain confidential provided we show the release of such information is protected under the public records exemptions.

8. Guidelines

The following guidelines are for use in determining how requests for access to public information shall be handled by all police personnel:

A. All requests for copies of any police public records will be handled only by the Records Section or Office of the Chief during normal business hours.

B. Nothing in this order changes the practice of allowing authorized media representatives to read reports in the Uniform Patrol incident report folders.

C. Requests by all other persons to examine any public record will be referred to the Records Section during normal business hours.

D. If the request involves any public record relating to any police personnel or administrative records, such requests will be referred only to the Office of the Chief during normal business hours.

E. Whenever there is any legitimate doubt whether any person should be given any information from any public record, they shall be referred either to the Records Section for normal requests or to the Office of the Chief for personnel or administrative records requests.

F. The normal business hours of the Records Section are 9:00 AM to 4:30PM, Monday, Tuesday, Thursday & Friday, and Wednesdays from 9:00 AM to 1:00 PM, excluding holidays. The normal business hours for the Office of the Chief are 8:00AM to 4:00 PM, Monday through Friday, excluding holidays.

G. Shift or Unit Supervisors are hereby permitted to release brief public information verbally if that information is subject to public disclosure and the records containing that information are properly under their immediate control at the time of that request.

H. If the Shift or Unit Supervisors or any other police employees decline to release any information or if they are sincerely uncertain whether the information is subject to the public records law, the person making the request shall be referred to the Records Supervisor or the Office of the Chief of Police.

Springfield Police Division

Policy & Procedure

Number: 6.05
Subject: Recruitment
Revised: August 8, 2016
Renumbered: Renumbered from Chapter 31 to 6.05 on August 1, 2019

CALEA Standard 31, Recruitment

This directive consists of the following numbered sections:

6.05 Recruitment

Administrative Practices and Procedures

1.1 Agency Role

A. The Springfield Police Division through the Personnel Director will initiate and maintain an active recruitment campaign to attract qualified applicants for actual or forecasted agency vacancies.

B. The recruitment program will be conducted in a manner that is consistent with Equal Employment Opportunity (EEO) regulations.

C. The major recruiting activities for all City of Springfield employees are vested with and under the direction of the Personnel Department. However, both the Police and Personnel Departments realize there are many aspects of the recruiting process, which require the active involvement of both departments to achieve the maximum benefits.

1.2 Recruitment Assignments

A. All personnel assigned to recruiting duties will be trained in personnel matters, especially equal employment opportunity and affirmative action issues as they affect the management and operation of the division.

B. Recruiter training will be a mutual effort by the Police Division and Personnel Department. This training will be done as needed, dependent upon recruitment levels needed for the current year. The training will cover the following topics:

    1. The division's recruitment needs and commitments.

    2. The division's career opportunities, salaries, benefits, and training.

    3. Federal and state compliance guidelines, as well as EEO and Civil Service compliance guidance.

4. The community and its needs (including demographic data, community organizations, educational institutions).

5. Cultural awareness in different ethnic groups and subcultures.

6. The different components of the screening and selection process (i.e., background investigation, written examinations, oral interviews, physical agility tests).

7. Recruitment programs utilized by other jurisdictions.

8. Characteristics that may disqualify candidates.

9. Medical requirements

Equal Employment Opportunity and Recruitment

1.2.1 Work Force Analysis

A. The City of Springfield has historically committed itself to be fair and impartial in all relations with employees and applicants for employment, and to conduct all aspects of the employment process without regard to race, color, religion, gender, age, national origin, sexual orientation or ethnic heritage.

B. The Springfield Police Division strives to approximate, within its sworn ranks, the demographic composition of the local workforce. This is done to properly represent the population of our community to help ensure better service to the citizens of the City of Springfield.

1.2.2 Recruitment Plan

A. The recruitment plan includes the following elements:

1. Statement of measurable objectives: Objectives and the plan in general, should be written so that they can be easily understood and followed.

2. Plan of action to achieve the objectives identified: the plan of action should include an analysis of demographics and geographic features of the City of Springfield, as well as special knowledge of past recruitment efforts of similar agencies of the region.

3. Procedures to periodically evaluate the progress toward objectives and revise/reissue the plan.

4. An evaluation plan: the recruitment plan shall be reviewed, evaluated, and update at least once every three years.

1.2.3 Equal Employment Opportunity Plan

A. The City of Springfield Affirmative Action Plan contains all elements required by equal employment opportunity (EEO) guidelines.

B. The EEO plan assures equal opportunity for employment to minorities and women. This commitment is reflected by the city's history of employing minorities and women.

C. The City of Springfield City Manager and Chief of Police are committed to ensuring that all individuals shall be given equal opportunity for employment, regardless of race, sex, creed, color, age, religion, national origin, sexual orientation or physical impairment. As a part of this equal employment opportunity effort, the Springfield Police Division abides by City of Springfield Policies.

Job Announcements and Publicity

1.3.1 Job Announcements

A. Posting job announcements for all positions within the Springfield Police Division is the responsibility of the Civil Service Commission. The Personnel Department will promulgate job announcements that will include statements of the following items:

   1. Class title for which applications are being solicited.

   2. Compensation information of the class.

   3. Duties, responsibilities and minimum qualification requirements of the class.

   4. Time and place of scheduled examination.

   5. Period during which applications will be filed with the Personnel Department.

B. Testing Advertisements: Entry-level job vacancies are advertised through the City of Springfield’s Web site.

C. Equal Opportunity Employer Advertisements: All City of Springfield employment applications and recruitment announcements will contain the phrase "Equal Opportunity Employer".

D. Adequate Application Notice: Notice of the City's need for applicants will be publicized at least ten days prior to the official application-filing deadline.

1.3.2 Posting Locations

A. The Police Division will seek recruitment assistance, referrals and advice from community organizations and key leaders. The division also recognizes the positive value of such information and solicits this input on a continuing basis.

B. The flow of information may be facilitated by both formal and informal contact with community organizations in which many divisional personnel are actively involved.

C. The Police Division, working with the Personnel Department, shall make job announcements available for all positions in the Police Division to community service organizations.

D. Community service organizations are in contact with individuals who are likely subjects for recruitment. Additionally, the division will achieve broader dissemination and greater exposure of recruitment information.

E. A list of organizations receiving job announcements will be developed and updated by the Personnel Department.

1.3.3 Maintaining Applicant Contact

A. The Human Resource Department will be responsible to see that contact is maintained with applicants from the initial application to final employment decision.

B. Coordination of all applicant contacts will be shared with the Human Resource Department. Generally, the contacts will include the following:

   1. Acknowledged receipt of all employment application

   2. Periodically informing applicants of the status of their applications

   3. Documentation and logging of all applicant contacts.

1.3.4 Application Rejection

Applications for positions within the Springfield Police Division will not be rejected because of omissions or errors that can be corrected or rectified to the division's satisfaction prior to the testing or interview process.

Springfield Police Division

Policy & Procedure

Number: 6.06.3.8
Subject: In-Car Audio Video Recording Equipment
Revised: April 1st, 2016
Renumbered: Renumbered from Chapter 41, 08012019

CALEA Standard 41, Patrol

This directive consists of the following numbered sections:

6.06.3.8 In-Car Audio-Video Recording Equipment

A. POLICY

It is the policy of the Springfield Police Division to use in-car data capture systems to provide accurate documentation of events, actions, conditions, and statements made during law enforcement activities. In- Car video enhances our ability to review probable cause for arrest, arrest procedures, suspect/officer interaction, provides valuable officer training and establishes an impartial witness to officer/citizen contacts. The use of the in-car data capture system shall be in accordance with statutory and case law.

B. PROCEDURE

1. IN-CAR DIGITAL VIDEO RECORDING (DVR) EQUIPMENT

   a. The division has equipped marked patrol cars with in-car digital audio/video recording (DVR) systems. It is preferred that all cars with functional DVR systems be assigned to Officers engaged in patrol operations, and that those cars be assigned before cars without DVR systems are assigned. If an officer's assigned cruiser DVR system is out of order, out of service, or not functioning properly, the officer will advise their immediate supervisor of the issue, and be assigned another cruiser with a functioning DVR system, if available. The DVR MUST be used to record all:

      1) Vehicle/traffic stops
      2) Pursuits
      3) Emergency Runs
      4) Transports - Prisoners, Mental Health Patients, and Citizens
      5) Recording of any other situation is at the officer's discretion

b. At the conclusion of a required recording event, officers shall classify the incident and record the assigned case number when prompted in the Title field.

c. Each officer shall inspect and test the DVR equipment as a part of their routine vehicle inspection at the start of their shift to ensure that the system is working properly. In situations where the officer reports a problem with a DVR system to a supervisor; the problem shall be recorded on the Radio/In-car Camera Repair form and submitted to the Administrative Lieutenant for action.

d. Officers assigned to a cruiser equipped with an in-car camera and wireless mic will be required to use the wireless mic. The wireless mic, along with the camera, will be tested by activating the DVR system and recording the officer's name and unit number and then reviewing the recording to confirm that the system is operating properly. The officer(s) will record their unit number in the Title field to classify the test recording.

e. If operating as a two-unit crew, the officer with the wireless mic will be designated as the contact officer in order to best ensure that the audio portion of an encounter is recorded.

f. The DVR will automatically engage when specific triggers have occurred. These include instances when the emergency overhead lights are activated, the shotgun unlock button has been activated, cruiser speed reaches or exceeds 60 MPH, and during a cruiser impact/accident.

g. Officers, when it is safe and practical, will ensure that the in-car video recording equipment is activated and remains operational for the duration of all required recording situations.

    1) The in-car video recording equipment can also be activated manually inside the cruiser or remotely by use of the wireless mic.

    2) Officers are prohibited from stopping a recording during a required recording event.

    3) Officers are prohibited from tampering with any DVR equipment in any way that would make it inoperable.

h. The DVR may be manually deactivated during non-enforcement activities, such as protecting accident scenes from other vehicular traffic, traffic posts, parades, etc. However, the system does not allow deactivation for recordings initiated by the 60 MPH speed trigger, until the vehicle speed falls below the 60 MPH threshold.

i. An officer will not stop recording a required recording event at the request of anyone, except at the direction of a supervisor.

j. In the spirit of transparency, and in keeping with the Division's Mission Statement, it is generally held that officers should inform person(s) who may inquire if audio and video equipment is being used that they are subject to being recorded. However, it is understood that there may be investigative reasons why officers may not wish to divulge this information. In these situations, it is left up to the officer's discretion as to how much information is shared reference these devices and their use. These decisions must be guided by, and in compliance with, current laws and legal practices.

2. DATA STORAGE, RETENTION AND ACCESS

a. The following guidelines will be implemented for the storage, retention and access of recorded data.

b. All recorded data is automatically downloaded at headquarters onto the local server.

c. Data will be held for the period set by the public records retention schedule.

d. The Administrative Lieutenant will have access to the stored data and will possess the ability to record selected data to a DVD or other storage medium.

e. Recordings of criminal evidentiary value, such as from an OVI arrest or a vehicle pursuit should be requested on the In-Car Camera Video Request form and submitted to the Administrative Lieutenant, who will copy and forward the recording to the appropriate personnel. These recordings will be retained as long as the adjudication/litigation process is continuing concerning the event that was recorded and in compliance with the established records retention schedule.

f. All in-car video recordings are and shall remain the property of the City of Springfield Police Department and shall not be duplicated or released outside the department without the proper authorization of the Chief of Police or their designee, with the exception of routine copies made for prosecution, requested subject to motion for discovery, or required by court order or subpoena, all of which will be facilitated by the Administrative Lieutenant.

3. REQUESTS FOR PUBLIC RECORDS

a. Requests for copies of DVR data must be submitted through the Administrative Lieutenant. The request should contain the date and time of the incident and the location where the incident occurred. The Administrative Lieutenant will then determine if the request is legitimate, reasonable and/or releasable.

b. Any public record/media request for data that has criminal or administrative value will be assessed by the Administrative Lieutenant and/or the Law Department for review prior to being released.

Springfield Police Division

Policy & Procedure

Number: 6.07.2.13
Subject: Critical Incident Investigations Involving Officers
Revised: April 1st, 2016
Renumbered: Renumbered from Chapter 42, 08012019

CALEA Standard 42, Investigations

This directive consists of the following numbered sections:

6.07.2.13 Critical Incident Investigations Involving Officers

A. Purpose

1. It is the purpose of this policy to provide guidelines for the investigation of officer involved shootings or incidents resulting in the death or serious injury of person possible resulting from police actions.

B. Policy

1. It is the policy of the Springfield Police Division that officer-involved shooting incidents and incidents resulting in serious injury or death be investigated with the utmost thoroughness, professionalism and impartiality to determine if officer actions conform to the law and departmental guidelines and directives. The Springfield Police Division will provide necessary assistance to officers involved in these type incidents.

C. Procedures for officers involved at the scene of a shooting or other incident resulting in the death or serious injury of a person resulting from the actions or involvement of a member of the Springfield Police Division, shall take those measures that are reasonably possible and appropriate to protect their safety, the safety of others, and to preserve evidence essential to the investigation of the incident. This includes but is not limited to the following:

1. Officer on scene responsibilities:

a. Officers involved in an on-duty shooting may be asked certain questions without waiting for a representative. The information sought immediately after an OIS is intended to aid in locating injured persons, securing weapons and evidence to prevent tampering or destruction, and apprehending suspects who pose a continuing danger to the community

b. Ensure that the threats to officer safety and the safety to others are addressed.

c. Secure and separate suspects.

d. Relay information on fleeing suspects to communications and other field units and work with them to establish a containment area.

e. Request a supervisor, additional backup, emergency medical service, and any other assistance immediately required.

f. If injured, administer emergency first aid to oneself if possible, then administer basic medical aid to suspects and others as necessary, pending arrival of emergency medical assistance.

g. Secure any suspect weapons as evidence.

1. Do not open, reload, remove shell casings or in any other manner alter the weapons involved other than taking those steps required to make the weapon and scene safe. (After the scene is secure)

h. As time and capabilities permit before supervisory and other assistance arrives:

1. Secure the area, establish a perimeter with crime scene tape and limit access to authorized personnel necessary to investigate the incident and assist the injured.

2. Survey the area for relevant facts, individuals who are present and who departs/departed the scene, witnesses, potential suspects and suspect vehicles.

3. Protect evidence from loss, destruction or damage that is likely to occur before assistance can arrive.

4. Ensure that evidentiary items are not moved, note original location and position of persons, weapons, and other relevant objects and evidence.

5. Record the names, addresses and phone number of all witnesses and other persons present at the scene and request that they remain on hand in order to make a brief statement whether or not they saw the incident.

6. Upon arrival of the on-scene supervisor, the involved officer(s) shall give the supervisor a brief initial statement advising of the circumstances involved in the incident, location of the officer(s), suspect(s) and the type of force deployed.

2. Supervisory responsibilities at the scene:

a. Officers involved in an on-duty shooting may be asked certain questions without waiting for a representative. The information sought immediately after an OIS is intended to aid in locating injured persons, securing weapons and evidence to prevent tampering or destruction, and apprehending suspects who pose a continuing danger to the community.

b. Ensure that the immediate area and suspects are detained. Expand the scene if necessary.

c. Determine the condition of the officer(s), suspect(s) and third parties.

d. Obtain an initial brief statement from the officer(s) involved advising of the circumstances involved in the incident, location of the officer(s) and suspect(s), and the type of force deployed.

e. Allow support officers to transport the involved officer(s) to Police Headquarters, or other appropriate facility.

f. If the officer has been seriously injured in the incident:

    1. Ensure that an officer accompanies and remains with the officer at the hospital.

    2. Ensure that a Supervisor or the Officer in Charge, when possible notifies the officer's next of kin in person.

    3. Ensure that they are assigned transportation to the hospital or other location where they are needed as soon as possible.

    4. Do not release any information to the media. The Chief of Police will authorize all media releases.

    5. Request the Crime Scene Unit to the scene.

g. If applicable, secure the officer(s) weapons as evidence. This shall be done in as discreet manner as possible and away from the immediate scene. The weapon shall be replaced as soon as reasonably practical, preferably immediately upon removal of the weapon.

h. To the extent necessary, ensure notifications are made, to other agency personnel, to include:

    1. Officer in Charge

    2. Investigations- Crimes Against Persons Unit

    3. Coroner's Office (if needed)

    4. Request the Crime Scene Unit to the scene.

i. Establish a command post, if necessary.

j. Appoint an officer to make a chronological record of activities at the scene, to include: person's present, actions taken by police personnel and the identity of any personnel who entered the incident/crime scene, to include emergency medical and fire personnel.

k. Establish a media staging area away from the perimeter.

l. Begin the following:

1. Locate the suspect's weapon(s) ammunition and expended cartridges.

2. Collect information about the suspect, including name, physical description, and other pertinent information.

3. Locate and secure as evidence any clothing that may have been removed from the suspect by emergency medical personnel or others.

4. If officer(s) involved are not present, determine, if possible, the original position of the officer(s) and the suspect(s) at the time of the shooting or response to resistance.

3. Investigation responsibilities:

a. Investigation of officer-involved shootings/use of deadly force shall be the responsibility of the Crimes Against Persons Unit.

b. Ensure that tasks itemized in sections C, 1 and 2 of this policy have been adequately addressed.

1. Take measures necessary to ensure that any deficiencies in completing tasks are immediately remedied.

c. Receive a general briefing by the on-scene supervisor regarding the circumstances surrounding the shooting/use of deadly force.

d. As soon as the Crime Scene Unit personnel arrive on scene, contact the involved officer(s) and have them brought back to the scene if no longer present. Conduct a walk-through with the primary shooting or response to resistance officer(s). Ask questions regarding the officer’s injuries, the positioning of the officer(s) and suspect(s), relevant evidence, such as the direction and possible number of shots fired and any other pertinent questions regarding physical evidence. The only time the walk-through will not be conducted is if the shooting officer(s) are physically unable to do so. Information from the walk-through is not to be used for the filing of criminal charges.

1. The only personnel permitted on the walk-through:

a. Involved officer(s)

b. F.O.P./I.U.P.A Attorney/Representative

c. Crimes Against Persons Sergeant

d. Primary Investigating Detective

e. Crime Scene Unit Sergeant.

e. After the walk-through, have the involved officer(s) meet with the Crime Scene Unit so that the Crime Scene Unit personnel can photograph the officer(s) and their weapon(s); collect their weapon(s), if applicable.

f. Notify the Prosecutor's Office

g. Obtain taped statements from the suspects.

h. Ensure that notification is provided to next-of-kin of injured or deceased suspects.

i. Locate and identify witnesses and conduct initial audio/video-recorded interviews. Audio/video record interviews with fire department personnel, emergency medical service providers and other first responders to the scene.

j. Conduct separate recorded interviews with each witness officer involved.

1. Witness officers do not have the right to counsel prior to answering questions.

k. Conduct scheduled audio/video recorded formal interviews with primary involved officer(s) within 7-14 days of incident.

1. Advise the officer(s) not to discuss the incident with anyone except a personal attorney or attorney representing the city, union representative, family member, health care professional, outside agency investigator specifically assigned to investigate the incident, or departmental investigator until the conclusion of the preliminary investigation.

2. When conducting an interview be cognizant of signs of posttraumatic stress, to include time and space distortions, confusion, hearing and visual distortion and emotional impairment, including shock. If these signs are present or at the request of the officer, the investigator may defer the interview.

3. Investigators will make every attempt to calm the involved officer(s) and assist them in coping with the psychological strain of the incident.

l. Where an officer has died, the Officer in Charge shall ensure that procedures established for line-of-duty deaths and death notifications are followed.

m. Contact the medical examiner and attend the autopsy of officer and/or suspect. Determine entrance and exit wounds, estimates of the shooter's position, the presence of controlled substances in the decedent's blood, or other related evidence.

n. Obtain search warrants as necessary for searches of vehicles containers, and homes.

4. Crime scene unit responsibilities:

a. Take photographs of the involved officer(s) dressed as they were at the time of the incident, i.e. if they were not wearing their hat, they should not be photographed in it. The photos should be taken of the officer on all sides. The photos should document any injuries, torn uniform parts, etc.

b. The CSU Sergeant will remove the officer’s firearm, or take possession of the weapon they used during the incident.

c. Cause photographs to be taken of the weapon, its serial number, magazine(s), and live rounds still remaining.

d. The officer shall be provided a replacement weapon when practical after collection of his/her weapon. Firearms shall be taken from officers in a discrete manner.

e. Ensure that the property is turned in to the Property Room.

f. Ensure that photographs are taken of the suspect(s); including: their clothing and any injuries they may have sustained.

g. If the officer had any physical contact with the suspect, the officer’s uniform parts may need to be collected. Make arrangements to get replacement clothing for the officer.

5. Chief of Police responsibilities:

a. The Chief of Police will determine the appropriate time to release the names of involved parties to the media. The Chief of Police may request the Bureau of Criminal Identification and Investigation, or any other appropriate investigatory agency, to conduct an independent investigation of all incidents resulting in the death of an officer or citizen, resulting from or in the performance of their duties.

b. The Chief of Police shall cause an internal affairs investigation to be initiated by the Professional Standards Unit for incidents resulting in death or serious injury of an officer or citizen, resulting from or in the performance of the officer's duties. The Chief of Police may require a Critical Incident Debriefing upon completion of the investigation. The debriefing may include all officers involved with the incident.

c. The employee's sub-division commander or designee shall make contact with all involved officers to explain the Employee Assistance Programs (EAP) that are available to the employee.

6. Post-shooting trauma:

a. Sworn and non-sworn division members shall be familiar with and follow the provisions established by the Springfield Police Division in post-shooting response to deadly force emotional trauma in police personnel.

1. The Investigations Commander shall ensure that those involved in the incident are allowed to contact family members as soon as practical after the incident. In the event the officer is injured and unable to contact family members, the Investigations Commander or designee shall ensure that immediate family members are notified in person as soon as reasonably practical after the incident.

2. The name of the officer(s) involved in the incident shall not be released until authorized by the Chief of Police.

b. All personnel should be familiar with available mental health services and avail themselves of these services following officer involved critical incidents.

1. Section 502 - Health Counseling Program / Employee Assistance Program (EAP)

a. The City of Springfield is concerned about employees whose lives are affected by health and personal problems. The purpose of the Health Counseling Program is to offer assistance to employees in solving health and personal problems. If you have a personal problem that is affecting your work, attendance, health, family or social life, you can get help. Assistance is provided for excessive drinking, drug misuse or other personal and behavioral problems. The program can provide assistance to any employee who is experiencing a health or personal problem or who has a family member with a problem.

Discussion will be strictly confidential and will not be reflected in personnel records. You or your family may contact the Personnel Department or go through your health insurance carrier for assistance. Only a minimum of information will be necessary to make the referral to the proper agency. In most cases, your health insurance will pay for the assistance.)

c. The Chief of Police shall place an employee involved in an incident resulting in death or serious injury on administrative leave or remove him/her from their current assignment consistent with the department's "Response to Resistance Order."

Springfield Police Division

Policy & Procedure

Number: 6.08, Section 1
Subject: Emergency Operation of Police Vehicles
Revised: June 28th, 1989

A. State law sets forth the scope of privilege and proper operation regarding police vehicles responding to apparent emergencies. As elsewhere set forth, officers shall obey State and local laws, ordinances and regulations.

1. This especially includes the requirements of constant continuous operation of required warning devices.

2. All applicable laws are primary requirements of procedure.

B. A situation generally permitting emergency operation of police vehicles is hereby defined as follows:

1. A reasonable belief human life is in imminent jeopardy of loss or serious physical harm.

2. A reasonable belief substantial property is in imminent jeopardy of loss or severe damage.

3. A felony is reported to be in progress, or

a. A felony is reasonably believed imminent, or

b. A felony was reported to be very recently completed and offenders believed still in the area will probably escape apprehension is response is delayed.

c. An "alarm" of any type – without additional information – does not give rise to a reasonable belief a serious threat to life or property or felony is imminent, occurring, or very recently completed.

4. If ordered by Communications or a Supervisor.

5. In lawful pursuit of an offender or suspect.

C. The situations which generally permit emergency operation of vehicles do not necessarily require or even justify such response or pursuit; an officer must use prudence initiating, continuing, and terminating such emergency responses.

D. Whenever an officer self-initiates emergency operation of a vehicle, Communications must be immediately notified. Any emergency operation not clearly required by Section I, B, 4 is self-initiated.

1. The exception is operation of emergency warning devices in a routine vehicle stop for traffic violations or other arrests or investigation, if the term pursuit is not truly applicable.

2. Officers must promptly cease emergency operation of vehicles whenever instructed to do so by Communications or by a Supervisor.

E. Officers must remember the reason emergency operation of vehicles is permitted to promote the public safety and welfare; therefore, all relevant factors must be considered and continually assessed in a prudent manner. Some of the factors which must be used in proper judgment in such situations are as follows:

1. Likely nature of the specific crime or situation.

2. Apparent changes in the safe condition of the police vehicle during the pursuit and the functioning of its emergency warning devices.

   a. If all devices required by law are not properly operating/operated according to law, emergency driving is prohibited.

   b. Conditions of the area(s) of emergency operation.

      1) Streets/street conditions.

      2) Traffic volume.

      3) Weather.

      4) Number of other emergency vehicles in the area.

      5) Traffic signals or devices

      6) Present physical/mental condition of the officer driving.

      7) Actual ability of the officer driving under the circumstances.

      8) Actual current conduct of the suspect or offender.

3. The Divisional pursuit policy and all other pertinent training, orders or directives.

4. If other public safety personnel are already at the scene, an emergency response is probably not required and should not be initiated or continued without substantial cause to believe such is really necessary.

Springfield Police Division

Policy & Procedure

Number: 6.08, Section 2
Subject: Pursuit of Motor Vehicles, Section 2
Revised: July 11th, 2011

CALEA Standard 41.2.2 Pursuit of Motor Vehicles

This directive consists of the following numbered sections:

6.08 Pursuit of Motor Vehicles

A. POLICY- Vehicular pursuit of fleeing suspects can present a danger to the lives of the public, officers, and suspects involved in the pursuit. It is the responsibility of the agency to assist officers in the safe performance of their duties. To fulfill these obligations, it shall be the policy of the Springfield Police Division to regulate the manner in which vehicular pursuits are undertaken and performed.

B. DEFINITIONS

1. AUTHORIZED EMERGENCY VEHICLE- a marked vehicle of this agency equipped with operable emergency equipment (lights and sirens) as designated by state law, or a properly equipped unmarked investigative vehicle.

2. COMMITTED PATROL UNIT- a unit that has been specifically assigned to the pursuit, or another call.

3. PRIMARY UNIT- the police vehicle that initiates a pursuit or any unit that assumes control of the pursuit.

4. REASONABLE ARTICULABLE SUSPICION-

a. More than a hunch.

b. Based on the officer's training, knowledge and experience,

c. And, the facts, circumstances, and inferences of the specific event.

d. The officer reasonably suspects that criminal conduct has occurred, is occurring or is about to occur, and the person(s) being stopped is the person involved in that conduct.

e. The officer must be able to articulate the specific facts circumstances and inferences that form the basis of the officer's suspicion.

5. SECONDARY UNIT (Back-Up)- any police vehicle, which becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

6. TERMINATION OF A VEHICULAR PURSUIT, is defined as-

a. Turning off emergency lights and siren.

b. Resuming normal posted speeds and compliance with traffic laws.

c. Acknowledging that the pursuit has been terminated, over the radio, to dispatch.

7. UNCOMMITTED PATROL UNITS- units that are not assigned to the pursuit, and are not assigned to any other call.

8. VEHICULAR PURSUIT- an active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.

C. LEGAL REQUIREMENTS IN POLICE PURSUIT

1. Ohio Revised Code § 2744.02 (B)(1)(a) A political subdivision is liable for the negligent operation of any motor vehicle by its employees upon the public roads, highways or streets when the employees are engaged within the scope of their employment and authority. However, one full defense to such liability is when a member of the municipal corporation police division is operating a motor vehicle "while responding to any emergency call and the operation of the vehicle did not constitute willful or wanton misconduct."

2. Under 2744.01 (A) "Emergency call" means: a call to duty, including, but not limited to, communications from citizens, police dispatches, and personal observations by peace officers of inherently dangerous situations that demand an immediate response on the part of a peace officer.

3. Ohio Revised Code § 4511.24 The prima-facie speed limitations set forth in section 4511.21 of the Revised Code do not apply to emergency vehicles or public safety vehicles when they are responding to emergency calls and are

equipped with and displaying at least one flashing, rotating, or oscillating light visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle and when the drivers thereof sound audible signals by bell, siren, or exhaust whistle. This section does not relieve the driver of an emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons using the street or highway.

4. Because of the danger that vehicular pursuits entail, a pursuit can be viewed as a use of force. Therefore, Officers must evaluate whether, in light of all the relevant circumstances, initiation and continuation of a pursuit is reasonable.

D. THE DECISION TO PURSUE

1. Officers and Supervisors must be able to articulate their reasoning for engaging in a pursuit.

2. Springfield police officers are permitted to become involved in pursuits when it is considered reasonable in light of the facts and circumstances as then known to the officer that the suspect would pose a clear and present threat to law enforcement and others if the suspect is not apprehended immediately.

3. Felonies that occur as a direct result of the pursuit itself (e.g. Fleeing and Eluding) are not justification for continuing a pursuit.

E. EVALUATING THE CIRCUMSTANCES

1. The responsibility for the decision to engage in a pursuit rests with the individual officer. Before engaging in and during a pursuit, an officer will consider the following factors-

   a. The seriousness of the criminal conduct that the target of the pursuit is believed to have committed.

   b. The danger that the pursuit presents to the officers and citizens.

   c. The location of the pursuit. (i.e. - such as school zones, on residential streets, business districts, highways, or off- road.)

   d. The likelihood of apprehension by means of the pursuit.

   e. The traffic conditions such as;

      1) Traffic volume

      2) Speed of traffic

3) Direction of traffic (going the wrong way on one-way street is highly discouraged)

4) Presence of Pedestrian Traffic

f. The weather conditions.

g. The conditions of the police vehicle and the vehicle that is fleeing.

h. The availability of immediate assistance.

i. The familiarity of the officer with the area roads and road conditions.

j. The time of day and lighting conditions.

k. The likelihood of apprehension if the pursuit is abandoned.

2. Officers and Supervisors must continuously balance the need to apprehend the suspect with the risk of injury to the general public and re-evaluate the reasons for and the conditions of the pursuit as they receive new information and circumstances change.

F. PURSUIT PROCEDURE- When a vehicular pursuit is initiated, the following procedures will be implemented:

1. OFFICER RESPONSIBILITY:

a. Immediately notify dispatch of the pursuit.

b. Advise dispatch of the reason for the pursuit.

c. Advise dispatch of the location and direction of the pursuit.

d. Advise dispatch of the vehicle description and if possible the driver.

e. Advise dispatch of the speeds during the pursuit.

f. Advise dispatch of traffic violations as they occur, if possible.

g. If the pursuit is terminated, immediately acknowledge the order to terminate over the radio.

h. The officer operating the primary vehicle should be relieved of the responsibility of radio communication by his/her passenger officer.

i. If the primary vehicle has no passenger officer, the secondary vehicle's driver or passenger should complete this task.

j. Any pursuing officer has the right to terminate a pursuit, at any time.

1) A Springfield Police officer will never receive a formal disciplinary action for terminating a pursuit if the officer articulates reasonable judgment concerning the hazards of the pursuit and the safety of any person, specifically including the officer.

k. All instructions relayed by radio and all instructions of any supervisor must receive immediate and complete compliance.

1) Officers will be held accountable for their decision to continue a pursuit.

2. DISPATCH RESPONSIBILITY:

a. Immediately notify the Officer in Charge and the Street Supervisor that a pursuit has been initiated.

b. Monitor pursuit, including inquiring on speeds of pursuit and status of involved crews.

c. Notify other jurisdictions/initiate radio patch when appropriate. No officer shall continue a pursuit after having lost radio communications with other officers.

3. PROHIBITED ACTS

a. No officer shall continue a pursuit after having been directed to discontinue the pursuit by a supervisor.

b. No police officer will enter into a vehicular pursuit with non-sworn persons in the cruiser. This includes prisoners, witnesses, civilian employees, etc. Other sworn law enforcement personnel (i.e. Parole/Probation Officers, DEA, FBI, etc….) are an exception.

c. <u>Unless deadly force is authorized, no officer is permitted to intentionally strike a suspect fleeing on foot with a motor vehicle.</u>

d. No officer shall participate in a pursuit of a motorcycle for minor traffic violations if the officer knows the motorcycle's registration number or the identity of the operator.

e. Vehicles other than authorized police vehicles may NOT participate in any pursuit.

4. STREET SUPERVISOR RESPONSIBILITY:

   a. Acknowledge notification of the pursuit by dispatch.

   b. Direct and manage the pursuit until its conclusion including, but not limited to-

      1) Authorize the number of units that can participate in the pursuit.

      2) If a crime scene possibly exists, dispatch a unit to the scene in order to gain any information that may identify the fleeing suspect.

      3) Respond to the area of the pursuit in order to observe road conditions, speeds of the vehicles involved, other traffic in the area and any other factors pertinent to continuing or canceling the pursuit.

      4) Direct responding crews not involved in the pursuit as primary/backup to parallel the pursuit and establish location of deployment of Stop Sticks, if applicable.

      5) Terminate the pursuit if not in compliance with the policy, or if conditions suggest that risk of serious physical harm to persons or property outweighs the need to apprehend the offender.

      6) Only a Springfield Police supervisor may authorize crews continuing a pursuit outside of the Springfield city limits. The supervisor must indicate which crews will remain in the pursuit. Any crews not indicated must terminate their pursuit at that time.

      7) The supervisor may want to consider sending a K-9 unit to the area of a pursuit, preferably in a support role, in anticipation that the pursuit will end with a foot chase.

      8) The supervisor has the authority to cancel all units not deemed necessary to the pursuit and/or to order termination of the pursuit altogether.

   c. Initiate and complete a Pursuit Review, documented on an inter-office, and route it through the appropriate channels.

5. OFFICER IN CHARGE AND OTHER ON-DUTY SUPERVISORS

   a. All police supervisors have a duty to monitor and to reasonably modify or terminate pursuits.

b. The Officer-in-Charge (OIC) is responsible for finalizing and making sure that the post pursuit review is completed. The OIC must include a summary of the findings and forward the report through the chain of command. The OIC is the Lieutenant, Acting Lieutenant or Sergeant serving as the OIC.

6. NUMBER OF UNITS AND THEIR TASKS

a. A pursuit normally must not involve more than the primary unit and one secondary unit. The supervisor may authorize additional units as deemed necessary after evaluating-

b. The nature of the offense.

c. The number of suspects and possible weapons involved.

d. Whether the participating units have more than one officer.

e. Whether clear and articulated facts would warrant additional units including the involved units requesting additional officers.

f. It is the responsibility of all secondary/backup units to identify themselves to dispatch as soon as possible.

g. A backup unit becomes the primary pursuit vehicle if the original unit is forced to stop or slow down due to mechanical or other problems.

7. UNCOMMITTED PATROL UNITS

a. Uncommitted patrol units are units that have not been authorized to participate in the pursuit, by a supervisor and/or may be assigned to another call.

b. Uncommitted patrol units may not engage in any pursuit that already has a primary or secondary unit unless authorized by the supervisor, or a supervisor of a higher rank, who is monitoring the pursuit.

c. Uncommitted patrol units will not make an emergency response towards an active pursuit.

1) Only the assigned Secondary Unit (Back-Up) should respond in an emergency status

2) Generally, this is whoever is closer.

d. Uncommitted patrol units in the area may move toward the vicinity of the pursuit while obeying all traffic laws and not engaging emergency equipment.

e. At no time will uncommitted units caravan or parallel the pursuit, *without explicit permission of a supervisor.*

f. All uncommitted units should remain aware of the direction and progress of the pursuit, but will not actively participate.

8. TACTICAL CONSIDERATIONS

a. Offensive Tactics-

1) Attempts to slow, stop, or change direction of a suspect vehicle by driving or stopping or pausing alongside, in front of, across the path of, or very near to any such vehicle are generally prohibited; and such should not occur without prior explicit supervisory permission for the specific situation. Any such tactic will result in careful and detailed review by administrative authority and may result in severe disciplinary action if any improper conduct is determined to have occurred.

2) "Ramming" of any suspect vehicle is generally prohibited and must never occur unless the situation involves extremely dangerous suspects and a Springfield police supervisor with extensive knowledge of the total situation has previously and explicitly authorized the highly dangerous tactic. Any such tactic will result in careful and detailed review by administrative authority and may result in severe disciplinary action if any improper conduct is determined to have occurred.

3) Passing - There shall be no attempt by officers to pass other units involved in the pursuit unless the passing officer receives specific permission from the primary unit or the supervisor.

4) Fixed roadblocks will never be initiated without the prior explicit permission of the Chief (or Acting Chief) of Police.

b. Disabling Devices - Disabling devices shall be employed whenever possible to immobilize a pursued vehicle. (See section (H.) Use of Tire Deflation Devices.)

c. Shooting at or From a Moving Vehicle - is generally prohibited and must not occur unless deadly force is authorized and, it is reasonably necessary and could not reasonably be avoided by officer conduct, including – but not limited to – modifying or terminating a pursuit.

9. TERMINATION OF A VEHICULAR PURSUIT

a. The pursuing officer(s), an immediate supervisor, or any Police supervisor can terminate the pursuit at any time.

b. If the pursuing officer loses sight of the fleeing vehicle or the officer determines that the risks are too great, they will terminate the pursuit.

c. If radio contact with Dispatch is lost, the officer will terminate the pursuit unless discontinuing the pursuit would pose a clear and present threat of loss of life to law enforcement officers and/or others.

10. QUALIFIED PURSUIT VEHICLES

a. Only marked police vehicles, or properly equipped investigative vehicles, equipped with functioning audible and visual emergency equipment (siren and emergency lights visible from at least three directions) will participate in emergency runs or vehicle pursuits.

b. The police vans and SUV's, or any vehicles not normally assigned to patrol officer duties are not intended as high-speed response or pursuit vehicles. Therefore, officers driving these vehicles should avoid becoming involved in a pursuit whenever possible, and should terminate a pursuit at the earliest opportunity, specifically including when any other public safety vehicle joins active pursuit.

c. The supervisor may become involved in the pursuit, using audio and visual emergency equipment, as the third car for the purpose of ensuring compliance with the pursuit policy. (The supervisor vehicle is not considered a pursuing vehicle, but is acting in a supervisory or administrative capacity.)

d. Police officers in unmarked police vehicles without the properly equipped siren and emergency lights, who observe the necessary criteria for a pursuit to develop, may attempt to maintain surveillance until a marked vehicle, properly equipped, intervenes and only if the surveillance can be conducted safely.

11. PURSUITS FROM OTHER JURISDICTIONS AND MISCELLANEOUS EMERGENCY OPERATION

a. In the event of a pursuit from an outside agency into Springfield, the same guidelines for pursuits outlined in this procedure will apply to Division personnel.

b. Dispatch will notify the Street Supervisor that a pursuit is entering the city, and the reason for the pursuit.

c. The Street Supervisor will direct and manage SPD personnel with regard to the pursuit.

d. Dispatch will broadcast the pursuit and its progress.

e. Officers will not become involved in another agency's pursuit unless specifically authorized by a supervisor.

f. The outside agency will remain responsible for the pursuit and serve as the primary unit.

g. If an outside agency has two or more vehicles in pursuit, we will not assist in the pursuit of the fleeing vehicle.

h. SPD officers will not make an emergency response towards an active pursuit in order to become a secondary unit in the pursuit, unless authorized by a supervisor.

i. SPD officers in the area may move toward the vicinity of the pursuit while obeying all traffic laws and not engaging emergency equipment.

j. A Springfield Police Division supervisor should respond to the scene of any pursuit by another agency that ends in the City of Springfield.

12. USE OF TIRE DEFLATION DEVICES

a. Authorization- the decision to deploy stop sticks can be made by an officer engaged in the pursuit. This decision can always be changed at the direction of any supervisor. Stop sticks shall only be deployed by officers who have received the appropriate training as determined by the Training Section. The use of stop sticks is not considered use of deadly force and is encouraged as a means of terminating vehicle pursuits.

b. Deployment-

1) Use Tire Deflation Devices only to stop vehicles with four or more tires. Do not use Tire Deflation Devices to stop all-terrain vehicles.

2) If it is unsafe, do not pass the suspect vehicle to deploy tire deflation devices ahead of the pursuit.

c. Deploy Tire Deflation Devices using extreme caution, in the following manner-

1) From cover, such as a guardrail or cruiser, in an area that allows for safety, maneuverability, and the ability to take evasive action to avoid contact with the suspect vehicle.

2) On paved surfaces.

3) Ensure the cord is not wrapped around any part of the body.

4) As soon as practical, advise dispatch and other pursuit vehicles exactly when and where the device(s) are being positioned.

5) Use extreme caution when removing tire deflation devices from the road.

6) Remove the device from the road immediately after the suspect vehicle strikes it.

7) Preserve as evidence the portion struck by the vehicle.

d. Officers may use tire deflation equipment issued by the Police Division as a pursuit prevention measure for stationary vehicles. They may be used in the following situations-

1) Driver license/DUI checkpoints;

2) Suspect surveillance;

3) Drug raids;

4) Search warrant service;

5) Arrest warrant service; and

6) Other situations where the movement of a stationary vehicle must be prevented.

7) Officers should place one in front of a front tire and one behind a rear tire

8) A single device may be used if the vehicle's direction of travel is certain.

9) Officers may place tire deflation devices at their discretion in stationary vehicle situations; however, their supervisor shall be notified of the deployment.

G. POST PURSUIT REVIEW

1. A street supervisor will be responsible for conducting the review. In the event of more than one street supervisor being involved, the Officer-in-Charge will designate this responsibility.

2. All officers involved in the pursuit will submit to the reviewing supervisor a detailed inter-office that includes, at a minimum, the following-

   a. Time and Date the pursuit was initiated.

   b. Time and Date the pursuit ended.

   c. Describe the reason for the pursuit, in detail.

   d. Road, weather, and lighting conditions, speeds, route, fleeing driver actions, etc.

   e. How the pursuit was terminated.

   f. Injuries to suspects and/or officers.

   g. Involved officers shall provide the supervisor with any other documentation the supervisor deems necessary.

3. The Supervisor will prepare a narrative description of the event, to be forwarded through the chain of command their Lieutenant, Captain, and the Chief of Police.

   a. The Officer-in-Charge's memo to the Chief of Police shall include a critical review of the entire pursuit and the events leading up to the pursuit.

      1) The OIC's report will include any/all digital video or audio recordings of the event.

      2) If the OIC is unable to access these items at the time of the report, the OIC will send an Inter-Office Communication to the Administrative Lieutenant requesting that they be forwarded to the Chief of Police as soon as possible.

   b. In the event that Stop Sticks are deployed, and destroyed, a copy of the Supervisor's memo will be forwarded to the Uniform Patrol Administrative Lieutenant, along with the destroyed Stop Sticks, so they can be replaced.

   c. Supervisors shall ensure that all required reports are completed, prior to the end of the involved officer(s) shift.

4. The Officer in Charge **will** notify the Uniform Patrol Commander and the Chief of Police when, during a vehicle pursuit, a crash occurs causing:

   a. Serious injuries to a police officer.

   b. Injuries to any occupant of the pursued vehicle, which requires admission to a hospital.

   c. Serious injuries to a third party.

   d. Extraordinary property damage (other than the suspect owned vehicle).

   e. Death.

5. All Post-Pursuit Reviews will be evaluated annually by the Chief of Police, or his designee, to conduct a documented, analysis of the reviews.

6. Traffic crash reports (OH-1's) will be completed in all cases where there was a crash that occurred during the pursuit except in cases were it can be proven that the offender acted intentionally to cause a crash. In those cases an Incident Report shall be completed.

Springfield Police Division

Policy

Number: 6.09
Subject: Traumatic Incidents and Crisis Reactions
Revised: June 28th, 1989

I. Trauma Defined: Trauma may be defined as an emotional/psychological shock which may produce lasting injury.

Crisis Reaction Defined: Crisis reaction may be defined as the results of an uncontrolled overload of stressors. While we need to look specifically at traumatic incidents because police managers have often been unsure of their responsibility and authority in such matters, we must remember that this policy is not limited to any specific occurrence but must be used as a guide in situations which could lead a prudent person to believe that past trauma or stressors are underlying current negative behavior or symptoms.

II. Some of the sources of trauma or crisis reaction invoking situations in many individuals are as follows:

A. Serious traffic crashes;

B. Officer involved shootings;

C. Personal domestic problems or “trouble at home”;

D. Any serious or “near miss” injuries to officers, especially “partners” or friends;

E. The death of a loved one or close friend or “partner”;

F. Seeing too much death;

G. Human degradation and man’s inhumanity to man;

H. Discovering feelings about self that are ugly, undesirable and foreign;

I. A severe overload of calls or dispatches, domestic quarrels, fights between friends or neighbors, calls involving deadly weapons or assaults upon officers.

III. Management Authority and Responsibility

A. Ultimately the responsibility for any human being rests with that person; however, management has a responsibility and (therefore) the authority to deal appropriately with subordinates in such situations.

B. Whenever any supervisor knows, or should know, any subordinate is probably suffering from some highly negative results of either long-term exposure to police stressors (crisis reaction) or recent trauma which is likely to result or has resulted in undesirable behavior, traits, symptoms, or in emotional or physical suffering, it is the supervisor's responsibility to intervene in an appropriate manner.

If the subordinate employee is assigned to another supervisor, our duty is usually limited to clearly and promptly informing an appropriate supervisor of our concerns and the reason for them. In some cases it may be appropriate to take some direct supportive action, whether it be personal or professional. In no case is it appropriate to take no action.

C. With the exception of some time-proven "do's" and "don'ts" concerning officer involved shootings or similar traumatic incidents, there is generally no single formula or prescription for properly and effectively dealing with specific people in specific situations; however, there are general recommendations and certain options available to police supervisors.

The most important guide is to effectively demonstrate concern and compassion toward the particular person of concern.

IV. Authorized Action

A. It is permissible to call the person into a private conference, "take a break", and convey your concerns;

B. It is permissible to temporarily (during that day's shift) assign the person to another task, work site or duty;

C. It is permissible to give authorization for sick hours, personal or vacation time which would not ordinarily be given;

D. It is permissible to recommend Peer Counseling or more professional counseling assistance;

E. In extreme situations supervisors may (and should) order use of sick, personal or vacation hours. The employee may utilize the grievance procedure if he or she wishes; the supervisor's decision is still in effect and must be obeyed.

V. Administrative Follow-Up

A. Shoulds:

1. You should be available and accessible;

2. You should evaluate carefully before actively intruding upon the officer involved in the incident;

3. You should be reassuring but not unrealistic;

4. You should encourage the expression of feelings;

5. You should attempt in an unobtrusive way to initiate conversation about the incident;

6. You should be neutral in your comments;

7. You should encourage contact with a Peer Helper or other trained person.

B. Should Nots:

1. You should not quote unfair or prejudicial media reports or newspaper articles;

2. You should not block an officer's feelings;

3. You should not judge an officer's comments or feelings;

4. You should not come up with guilt solutions;

5. You should not assume that you know what's bothering an officer – unless you've been there, don't ever say "I know how you feel."

Springfield Police Division

Policy & Procedure

Number: 6.10
Subject: Emergency Relief from Normal Police Duties
Revised: June 28th, 1989

1. Upon rare occasions, police personnel may develop behavioral or other emotional difficulties, or the appearance of such difficulties, which seem to render the employee unfit for normal duties and which reasonably require immediate managerial action.

   A. If the Chief/Acting Chief is not then at headquarters and immediately available for a conference, the appropriate Sub-Division Commander, or (in his absence) the Officer in Charge of Headquarters, should first determine whether alternatives such as immediate managerial counseling or ordered use of sick or personal/vacation leave are probably inappropriate to the situation.

   B. If the situation is reasonably extreme and if other alternatives are reasonably judged inappropriate, the Command Officer should order the employee of concern to immediately leave the premises, remain available at his or her residence for the remainder of the previously assigned tours of duty and not perform any police duties or functions, other than those required by this policy or upon further orders specifically authorized by the Chief.

   C. Such orders should be essentially in the following form:

      You are relieved of all normal police duties, you are assigned to your residence for the remainder of your tours of duty, and you shall not perform any other police duties or functions, other than reporting crimes or persons needing assistance, until after your required conference with the Chief or further orders authorized by the Chief, and you must immediately surrender all City-authorized weapons.

   D. Any employee receiving such orders is hereby advised and required to report to the office of the Chief at 0900 hours on the next working day of the Chief/Acting Chief and not depart until receiving and following further orders.

      1) Should such action be taken, the Command Officer responsible for the decision must promptly submit a detailed written explanation of the incident and the orders given.

      2) In addition, the responsible Command Officer must report to the Office of the Chief at 0830 hours the Chief's next working day.

2. Such emergency relief from duty does not constitute a suspension of employment, may not (depending upon specific circumstances) result in loss of regular compensation, and does not relieve the employee of any basic obligation of employment or of the obligation to follow such orders and the requirements of this provision of Divisional Policy and Procedure.

3. Such action shall not be regarded or recorded as a disciplinary action; however, the Chief may, after the mandatory conference with the employee, determine some form of disciplinary action is appropriate.

Springfield Police Division

Policy & Procedure

Number: 6.11
Subject: Staffing and Distribution of Personnel
Revised: June 28th, 1989

Proper Standards and Practices for Determining Effective Staffing and Distribution of Sworn Personnel are as follows:

I. Staffing of Personnel

A. The Division allocates personnel to organizational components in accordance with workload assessments.

COMMENTARY: Basing the allocation of personnel on workload demands is a significant influence in the improvement of the efficiency and effectiveness of the agency. The Division should attempt to prevent over or under-staffing by ensuring that the personnel strength of an organizational component is consistent with the workload. The nature or number of tasks as well as their complexity, location, or time required for completion are some of the factors influencing workload demands. The process of allocating personnel to each organizational component also permits the agency to determine the overall number of personnel required to meet its needs and fulfill its objectives.

B. The allocation of personnel to the patrol component is based on a workload assessment containing an analysis including the following, at a minimum:

- number of incidents handled by patrol personnel during a specified period;
- average time required to handle an incident at the patrol level (or measurement of a sampling of cases);
- calculation of the percent of time, on the average, that should be available to the patrol officer for handling incidents during a specified period (such as an eight-hour shift); and
- time lost through days off, holidays, and other leave, compared to the total time required for each patrol assignment.

COMMENTARY: The workload assessment system should include an outline of the calculations required and any source documents, factors, personnel, and/or equipment necessary to accomplish the task.

C. At least annually, the Division calculates the assignments/availability factor for patrol personnel.

COMMENTARY: The assignment/availability factor is useful in calculating the number of personnel required to carry out various assignments. The assignment/ availability factor is a ratio representing the total potential person-days available (the number of patrol personnel multiplied by 365 days) as compared to the actual person-days available for assignment (potential person-days less time lost through days off, leave, holidays, training, etc.)

D. At least annually, the agency uses an automated or computer-assisted system for allocating and distributing patrol personnel.

COMMENTARY: We use automated or computer-assisted systems that are designed to assist agencies in determining the number of patrol units to have on duty by time of day and day of week as well as the number and size of each patrol beat. Most models were developed in association with law enforcement agencies. The Division should carefully assess its needs and resources to determine the appropriate system for its service area.

E. At least annually, the agency reassesses the allocation of personnel.

COMMENTARY: Allocation of personnel should be in accordance with current workload demands. Because of fluctuations in workloads, the Division should reassess, at least annually, the workload demands of each organizational component.

II. Distribution of Personnel

A. Division personnel allocated to an organizational component are distributed in accordance with workload assessments.

COMMENTARY: The intent of the standard is to encourage the equalization of individual workloads within each organizational component. The analysis should specify all incidents and factors used in each workload assessment as well as indicate any time and location factors necessary to complete a task or serve its clientele.

B. At least annually, the Division reassesses the distribution of personnel.

COMMENTARY: Distribution of personnel should be in accordance with current workload demands. Because of fluctuations in workloads, the Division should reassess, at least annually, the workload demands of each organizational component. An exception to this standard concerns the reassessment of patrol personnel distribution, which should be reassessed quarterly.

C. For purposes of the distribution of patrol personnel, the Division maintains maps of its service area organized into identified reporting areas.

COMMENTARY: To facilitate the collection and analysis of information relating to crimes and services as well as the geographic distribution of patrol personnel, the agency has established a system of reporting areas. The

boundaries of reporting areas may follow census tracts, which could be subdivided, if necessary, to achieve two reporting areas for each 1,000 population. Because the reporting areas are designed to enhance the development of patrol beats, they should consider natural boundaries, arterial streets, railroad tracks, bridges, freeways, etc.

COMMENTARY: The Division should record a reporting area identifier in connection with every incident and should consider recording by reporting area number any other workload factors that influence personnel distribution studies.

D. At least annually, the Division tabulates incidents by reporting areas.

COMMENTARY: Distribution of personnel should be in accordance with workload demands. Such a tabulation allows the Division to reassess the demands for service and also enables it to reassess the relative importance of workload distribution factors. Tabulations may be based on a sample of incidents.

E. Patrol personnel are distributed in accordance with temporal and geographic distribution of incidents.

COMMENTARY: The proportional distribution of patrol personnel is one of the primary means of improving the Division's efficiency and effectiveness. Proportional distribution should take into account incident, locations, and variance in workload. It should recognize "temporal" concerns such as the hour of the day and day of the week when incidents occur.

To ensure the system is used correctly, a directive should establish procedures for the implementation and ongoing operation of the system. The directive should also specify any source documents, incidents, factors, personnel, and/or equipment necessary to accomplish the task. Procedural guidelines should be established, and detailed information on the need for proportional distribution of personnel and the goals and objectives of the system should be provided.

F. The Division identifies workload according to shift periods.

COMMENTARY: The intent of the standard is to require the Division to determine the percentage of the patrol workload on each shift.

G. The Division collects and analyzes data on the hourly distribution of incidents.

COMMENTARY: The distribution of personnel within shift hours may be affected by hourly workload variances. This will require an analysis of the hourly distribution of incidents and factors needing a law enforcement response. This information is also important in management decisions relative to utilization of patrol officers.

H. The number of patrol beats on each shift is proportionate to the workload occurring on each shift.

COMMENTARY: As the workload for officers fluctuates according to shift, so should the number and size of patrol beats. By adjusting the number of beats according to shift, the agency facilitates the geographic distribution of patrol personnel.

I. The boundaries of each patrol beat are based on a grouping of reporting areas.

COMMENTARY: By grouping individual reporting areas into beats, the Division can equalize its workload more easily.

J. The Division reassesses, at least quarterly, the distribution of patrol personnel.

COMMENTARY: Every three months the Division should reassess and revise, when necessary, the distribution of patrol personnel. Time and location demands for service as well as shift hours and beat configurations should be analyzed by the patrol force distribution method to determine if any revisions are necessary.

Springfield Police Division

Policy & Procedure

Number: 6.12
Subject: Effective Staffing of Uniform Patrol Shifts
Revised: June 28th, 1989

I. Objective

A. Throughout the history of both public and police administration, scheduling of personnel has been a concern which has been inadequately served by any single factor or formula yet devised and properly researched.

B. There isn't any formula or plan which will assure either citizen or officer safety; however, management still has both the responsibility and the authority to establish certain staffing levels within the principles of good administrative practice and the limitations of human and financial resources.

II. Effective Staffing/Minimum Levels

A. A primary concern of any regular or acting Shift Commander is providing both a sufficient number of district patrol personnel to reasonably allow adequate service to the community and to support reasonable working conditions for officers.

B. Data collected by the Division can be used to demonstrate both seasonal and daily variations in numbers and types of calls for police services. Demands for service definitely change from shift to shift, hour to hour, according to season, day of the week and numerous other categories of measure.

C. While management must be expected to use both personal and collective experience to properly assess a given day or week, the normal effective staffing levels of the Uniform Patrol shifts shall be as follows:

1. First shift: Eight (8)

2. Second Shift: Six (6)

3. Third Shift: Nine (9)

4. Supplemental or Tactical: As determined for a given goal or objective.

III. Establishing and Maintaining Effective Staffing Levels

A. The Shift Commander shall be responsible for scheduling and maintaining adequate personnel on a given shift. This does not mean the shift should be reduced to the number established by this policy.

B. The Shift Commander's decision as to the effective staffing level for a given shift must be based upon both long-term and short-term experience in reasonably projecting the needs of the given shift and in actual numbers of officers reporting as scheduled.

C. Scheduling of time off (vacations, holidays, etc.) will be made on the basis of maintaining an effective staffing level for the shift. Such scheduling of personnel will normally be the effective staffing level plus one additional officer. During particularly "high-need" periods (weekend nights, "warm weather", etc.) the scheduling should be the effective level plus two additional officers.

D. The Shift Commander has the authority and responsibility to make reasonable efforts to see such time off as is available is fairly and equitably distributed.

IV. Increasing Staffing Levels

A. Should the Shift Commander reasonably determine greater than the normal effective staffing level must be scheduled for a given shift, such staff scheduling shall be proper.

B. Should the staffing level require an increase for a given shift, the Shift Commander shall proceed as follows:

1. The Shift Commander has the authority and responsibility to hold over any or all personnel from a previous or overlapping shift whenever any apparent "emergency" or extreme or unusual situation seems to require same. While minimally effective staffing is not normally an emergency or similar extreme situation, the particular circumstances, such as severe shortages of personnel reporting to work, many back-logged dispatches, or an unusually important or dangerous situation in progress or soon anticipated may constitute such a necessity.

a. There is no prerogative to decline a "hold-over" order issued by any Shift Commander or acting Shift Commander.

b. The Shift Commander also has authority to permit two officers to work over onto a following shift for other than emergency situations, provided the need is reasonably demonstrated and documented.

2. While the Shift Commander may do so, this policy does not require the normal effective level be maintained at any time following roll call.

3. If it is necessary to call in personnel during a shift, the OIC shall first cancel previously approved leave requests other than emergency leaves or leaves of five or more days. If insufficient numbers of personnel are thus obtained, the call-in order shall be as follows:

   a. Off-duty officers of the Patrol Sub-Division who are eligible for compensation at time and one half;

   b. Off-duty personnel of the other Sub-Divisions who are eligible for time and one half, if their Sub-Division Commander first approves;

   c. Uniform Patrol Officers eligible for double-time compensation;

   d. If the Chief previously concurs, all days off of all types may be cancelled until sufficient numbers of officers report to work.

4. If more than two officers must be called in, the prior approval of the Sub-Division Commander or of the Chief must be obtained.

5. With the exception of natural disasters or civil emergencies, officers (excluding court time) should not be permitted or required to work more than twelve (12) consecutive hours or more than sixteen (16) total hours in any period of twenty-four (24) consecutive hours.

V. List of Volunteers

A. A list of volunteers for routine overtime may be established. If such a list is established, the Shift Commander shall use such list before contacting personnel not on the list.

1. Those on the list must personally report as required and failure to do so shall result in the officer not receiving any such requests for the next thirty (30) days. Officers who violate this requirement more than once in any calendar year shall be dropped from the list for one hundred eighty (180) days.

VI. Overtime Required

A. Should sufficient volunteers for any overtime assignments not be obtained within the time span reasonably required by the Shift Commander, he or she has full authority and responsibility to order (compel) such overtime work as is reasonably appropriate and in proper conformance with this policy, even though no “emergency” or extreme or unusual situation exists.

Springfield Police Division

General Order

Number: 39
Subject: Holdover and Overtime Procedure
Revised: September 27th, 1991

This order is an amendment to 6.12, IV B. Any and all conflicts between this order and the former orders makes the previous holdover language null and void to the extent of the conflicts.

A holdover is an order to respond to dispatches or other police duties which are given to the officer after the scheduled ending time of the officer's previously assigned shift or hours.

Dispatches issued prior to the previously stated end time of an officer's assigned shift or duty hours do not constitute a holdover.

Dispatches or other duties of priority one (emergency) at or after an officer's previously scheduled ending time do not constitute a matter to be handled by the selection of the holdover procedure.

Holdover Procedure

When the OIC finds it reasonably necessary to hold over one or more officers because of any factors which allow such an order, the OIC shall make reasonable attempts to seek volunteers.

If because of a lack of time, other important duties or an insufficient number of volunteers, the OIC resorts to compulsory holdover the decision as to who is held over will be as follows:

1. Each OIC will maintain a list of offices assigned to the shift in order of least to greatest seniority of all officers who have actually completed their FTO training.

2. Whenever an officer, beginning with the least senior, is held over for one or more hours, that fact will be noted next to the officer's name.

3. Each compulsory holdover will begin with the presently working officer with the least seniority who is next on the list after the name of an officer where it is indicated he or she has recently received a holdover order.

   That is, each compulsory holdover of one or more hours is recorded and then that person is removed from consideration for compulsory holdover until all on the lists have the same number of compulsory holdovers (in which case the next compulsory holdover begins with the least senior non-probationary officer.)

Emergency Overtime/Call-In

A call-in is an order to report to work properly uniformed and equipped to perform all assigned police duties.

An emergency overtime/call-in order is an order to work when the OIC determines such is reasonably necessary to increase the numbers of officers working due to insufficient officers to maintain the minimum effective staffing level, answer a back-log of dispatches, or to handle serious police problems.

For all such required overtime, the overtime shall be assigned by proceeding through the roster of officers who have actually completed their FTO training listed from least to most seniority. All officers assigned to Uniform Patrol Services will be called before an officer assigned to another sub-division is called.

Non-Emergency Overtime

That overtime which is reasonably known to be required more than 24 hours in advance of the regularly scheduled beginning of the shift to be worked will be handled by first requesting volunteers eligible for time and one-half and then by proceeding through the Division Roster of officers who have actually completed their FTO training and assigning overtime as follows:

(A) Off-duty officers of the Patrol Sub-Division who are not on authorized leave and who are eligible for compensation at time and one-half.

(B) Off-duty officers of the other Sub-Divisions who are not on authorized leave and are eligible for duty at time and one-half.

(C) Uniform Patrol Services officers not on authorized leave and eligible for double-time compensation.

(D) Off-duty officers of other Sub-Divisions who are not on authorized leave and are eligible for double-time compensation.

(E) If the Chief or his designee previously concurs, all days off of all types may be cancelled until sufficient numbers of officers report to work.

When assigning non-emergency OT, OIC's will make reasonable efforts to avoid assigning an officer in such manner as to schedule less than 8 consecutive hours from the anticipated end of the OT assignment until the beginning of an officer's regularly scheduled duty hours.

The effective date of this General Order is September 27, 1991.

SIGNATURE
Roger L. Evans, Chief of Police

39. GENERAL ORDER

AMMENDMENT TO POLICY 6.12

Uniform Patrol Overtime Distribution Procedure

The purpose of this procedure is to distribute overtime occurring in the Uniform Patrol Sub-Division in a consistent and uniform manner.

I. When submitting their semi-annual shift preference, supervisors and patrol officers will also make a notation indicating their desire to be placed on an overtime list for that six-month period.

a) Officers can place their name on the overtime list for one, two, or all three shifts.
b) Anytime during the six-month period, officers can request to have their name removed from any or all of the overtime lists.
c) During each six-month period, officers who chose not to place their name on an overtime list can request to have their name added to an overtime list, however, they will be placed at the bottom of the rotation, regardless of seniority.

II. Once completed, overtime lists will be distributed to all three shift commanders.

a) On each list, volunteers for overtime assignments will be listed by departmental seniority.
b) These lists will be utilized for both "call-in" and "holdover" situations.

III. In situations where overtime is planned in advance, shift commanders/ supervisors will give first preference to officers currently assigned to their shift who are off-duty on the particular day that overtime exists. This procedure will be followed regardless of how many overtime assignments an officer receives who is regularly assigned to that particular shift.

a) If there is more than one officer assigned to the particular shift that is off-duty and willing to work the overtime assignment, these assignments will be rotated, beginning with the officer with the most departmental seniority.

b) If there are no officers available using this procedure, the shift commander/supervisor, will revert to the overtime list for their shift.

IV. Anytime an officer that is on the overtime list is not able to be contacted, or declines the overtime offer; the date and time of refusal, as well as the supervisors initials will be noted on the list and that officer will go to the bottom of the rotation.

V. Anytime an officer on the overtime list accepts the overtime assignment, the assigning supervisor will note the date, time, and number of hours worked and will initial the entry.

VI. In situations where overtime is created due to personnel calling off sick on that particular day, the oncoming Shift Commander will have the discretion to call someone in from his own shift that is on the overtime list, or hold someone over from the preceding shift who is on the overtime list and later calling in someone from the next shift who is on the overtime list.

a) In sick call off situations, when determining whether to call someone in who is off-duty or holding someone over from the previous shift, supervisors should exercise discretion in which method to use by considering timeliness, calls for service and overall efficiency.
b) When an on-duty supervisor receives a sick call-in from an officer on the next shift, and that supervisor has knowledge that the call-off will create an overtime issue, the on duty supervisor <u>should</u> make an attempt to fill the overtime by referring to the overtime list of the oncoming shift commander, if a reasonable amount of time exists.
    - For this purpose, 2 hours will normally be considered reasonable.
    - Each Shift Commander should leave their "Overtime List" in a common area, accessible to supervisors from other shifts.

VII. For clarification, the term "officer" in this General Order includes both Patrol Officers and Supervisors.

Effective Date: March 8, 2010

By order of: Stephen P. Moody
Chief of Police

Springfield Police Division

Policy & Procedure

Number: 6.13.1
Subject: LEADS Entries of Missing Persons
Issued: March 20, 2008

I. Adult Missing Person. Any person twenty-two years of age or older who is absent from where they are suppose to be and meets one of the following:

   A. The individual has a physical or mental disability.

   B. The individual is missing under circumstances indicating their safety may be in question.

   C. The individual is missing under circumstances indicating the disappearance was not voluntary.

II. An incident report is required for any individual reported as an adult missing person under the above definition in Section I. The incident report must include a statement by the reporting party which describes either A, B, or C in Section 1. The statement must also include the relationship between the reporting party and the adult missing person. Officers are required to determine based on individual circumstances of each case whether or not foul play or suspicious circumstances exist. The policy for the Springfield Police Division is LEADS entries for adult missing persons should be made as soon as possible. LEADS entries under Ohio House Bill 571 are required to be made no later than as follows:

   A. If foul play is suspected, the information contained in the incident report must be entered into LEADS within seven (7) days.

   B. If no foul play exists and the subject has not returned, the information contained in the incident report must be entered into LEADS within thirty- (30) days.

   C. If no foul play was indicated initially but evidence of such becomes known before the end of the seven day period, the information contained in the incident report must be entered into LEADS before the end of the seven (7) day period.

   D. If no foul play was indicated initially but evidence of such becomes known after the seven-day period, the information contained in the incident report must be entered into LEADS within forty-eight (48) hours.

III. Missing Persons 21 and under. An incident report is required for any person 21 and under who is reported missing. This includes but is not limited to a person who is absent from where they are supposed or expected to be. The policy of the Springfield Police Division is LEADS entries for persons 21 and under should be made immediately.

Springfield Police Division

Policy

Number: 6.13
Subject: Incident or Offense Reports Required
Revised: Monday, March 19, 2018

The policy of the Division for responding to citizen complaints by completing an incident report is as follows:

A. Whenever a criminal violation is plausible, criminal offenses (including attempts) reported by private citizens or businesses/associations are to be reported by proper completion of the applicable report.

   1. This requirement always includes all possible felony, all offenses defined by statute as crimes of theft, or of criminal damaging or of violence.

   2. The exceptions are limited to situations such as those where the only applicable charges would be simple trespasses, or disorderly conduct, simple theft of food stamps or any welfare or public assistance coupons or vouchers, or similar very minor offenses. Allegations of vice, drug, or organized crime offenses are reported by inter-office communications.

   3. If there is good and substantial cause not to use the standard form when an alleged offense is brought to the attention of an officer, an inter-office memo detailing the incident and the impossibility of using the proper form must be promptly submitted.

B. All missing persons, especially minors, must be properly reported.

   1. Officers of the Springfield Police Division shall read, and follow, the directives outlined in the Ohio Revised Code sections 2901.30 Missing Juveniles and 2901.41 Missing Persons (Adults), as amended.

   2. Missing juvenile reports shall be taken when reported.

   3. As a general rule missing adult reports shall be accepted unless there is a readily apparent overriding reason not to write the report. In those cases the reporting officer will consult with a supervisor and document, in an inter-office communication, all of the pertinent facts and details as to why no report was completed.

   4. Any officer receiving notifcation that a missing person has returned must promptly complete a report detailing the return, and the circumstances surrounding it. Dispatch must then be notified so the missing person can be removed from NWS and LEADS.

C. All animal bites – except those excluded by the Health Department Directive – coming to our attention must be properly investigated and reported.

D. All damages to City property must be reported.

E. All serious injuries to persons, even if accidental and all deaths of persons from whatever apparent cause must be reported.

   1. In the cases of exceptionally violent or persistent suicide attempts, a police supervisor may require an incident report, property submission and follow-up. (6-9-10)

   2. All overdoses and all apparent attempted suicides are included in this requirement.

F. All injuries to officers/members while on duty or engaged in police duties must be promptly reported on an Incident Form.

G. All injuries or mere allegation of injuries to suspects resisting arrest or during custody of any member must always be promptly reported on an inter-office memorandum form.

H. All uses of force involving the intentional or unintentional impact (blow) upon any person by or with any object, any body part, or other thing during any police action or mission, or while any member is on duty or in uniform, must be promptly reported in writing, through the chain of command, to the Office of the Chief.

Springfield Police Division

Policy & Procedure

Number: 6.14
Subject: Parking Garage
Revised: June 28th, 1989

Parking of privately owned vehicles (POV's) in the Safety Building Garage shall be as follows:

A. It is permissible to drive a POV into the parking garage to discharge or pick up a passenger or heavy or bulky items.

B. Police employees are not permitted to park any POV in the parking garage without prior explicit permission of the Chief.

   1. The Officer in Charge will enforce this order.

C. The parking garage has been properly painted and signed, and several spaces have been designated for Visitor Parking.

   1. Visitor parking is generally limited to fifteen (15) minutes.

   2. If any off-duty police employee has business in the building, it will be permissible for him/her to park a POV in one of the designated visitor parking spaces, with a <u>fifteen</u> (<u>15</u>) <u>minute</u> <u>limit</u>.

   3. All visitors, including off-duty police employees, are required to register with the Officer in Charge, who shall enforce this order.

Springfield Police Division

Policy & Procedure

Number: 6.15
Subject: Safety Building Keys/Key Cards
Revised: June 28th, 1989

Members of the Springfield Police Division, needing access to various parts of the building, are formally issued keys/key cards to their areas of responsibility.

Since security and safety are a primary concern, we must provide for certain procedures concerning keys so issued.

1. Lost keys/key cards must be immediately reported in writing.

2. No duplicate keys/key cards may be made without permission of the Chief.

3. No keys/key cards may be provided or loaned to anyone other than clearly authorized personnel.

4. All keys/key cards must be returned to the Chief's Office upon termination of employment or upon transfer to an assignment which does not require those keys/key cards.

5. Master keys/key cards shall not be permitted without written authorization of the Chief.

Springfield Police Division

Policy & Procedure

Number: 6.16
Subject: Personal Privacy Expectations in Police Facilities or Vehicles
Revised: June 28th, 1989

A. All police employees are at all times expected to reasonably respect the privacy of the assigned work areas, mail, telephones, papers, vehicles, drawers or files of other members, subject only to the needs of the Division when police or City tasks or duties are properly performed.

B. However, all city facilities, vehicles, mails, telephones, desks, files, storage areas or equipment are always subject to the reasonable entry, access or inspection of competent authority.

C. The only personal and private areas not subject to unannounced entry or inspection by competent authority are lockers specifically assigned to members and secured by personally provided locks.

1. Such lockers may be required to be opened for inspection by direct order of the Chief of Police, if such is reasonably necessary to a Divisional investigation.

2. The Division and the city are <u>not</u> responsible for any personal property stored anywhere in a police facility or vehicle (specifically including assigned lockers) or for personal locks.

Springfield Police Division

Policy & Procedure

Number: 6.17
Subject: Conditions of Outside Employment
Effective June 28th, 1989
Revised: September 1st, 2019

All members must submit written requests for permission through proper channels and in approved form to the Chief of Police prior to engaging in any outside employment or business. Members may not accept any such employment without prior written authorization of the Chief. This requirement is waived for any limited function of employment such as short-term traffic or crowd control when the member has less than 24 hours notice the job is available, provided the member leaves a detailed memo explaining the urgency of starting such work without a permit and submits the officer permission form to the Chief prior to beginning any such work. However, the Chief may notify the member to terminate such work and the member must promptly comply.

A. Engaging in off-duty employment shall be subject to the following limitations:

1. Such employment shall not in any manner or degree interfere or in any way "compromise" or conflict with the member's employment with the Division.

2. Members shall not engage in any employment or business which would require that they sell, prepare or deliver alcoholic beverages for sale.

3. Members shall not engage in or acquire or retain a financial interest in any business or employment involving investigation work outside of the Division. Investigation work includes, but is not limited to, private detectives, insurance company investigations, collection or credit company or similar investigations, or as an investigator for an attorney or a bail bond agency.

4. Excluding bad checks, members shall not engage in any employment or business involving the collection of debts owed to a person or to a business other that their own; and in personal business there shall be no use of police files or access or privilege as regards any criminal or traffic histories or records.

5. Members shall not engage in any employment or business that might render the member unavailable during an emergency, physically or mentally affect the member to the point their performance may be affected, require that any special considerations be given to scheduling of the member's regular duty hours, or bring the Division into disrepute or impair the operation or efficiency of the Division or member.

6. Members should not perform off-duty work for more than four (4) hours a day on days they perform regularly assigned duties of the Division.

Members should not work more than twelve hours a day off duty on their days off. Members performing work in excess of these guides may be presumed to be negatively affecting their performance of Divisional duties.

B. Until written notice to the contrary, members shall be permitted to work security or police-related jobs for private employers, both in and out of uniform. This type of off-duty employment is subject to the preceding limitations in addition to the following:

1. Probationary members shall not engage in any type of off-duty employment, especially security or police-related off-duty employment.

~~2. Members in uniform shall wear an armband on the upper left arm of their outermost garment. The armband must be plainly visible and made of black or dark blue material with gold letters stating "PRIVATE DUTY". The procurement of the armband is the responsibility of the individual member.~~ DELETED. REDUNDANT. 09012019

2. Members shall not engage in any employment involving private security work for an establishment that serves alcoholic beverages; however, the Chief may authorize such work for <u>limited</u> social or community events or functions.

3. Members working security or police-related jobs for private employers shall not, out of uniform, identify themselves as police officers of the City of Springfield while performing duties within the scope of their private employment, nor shall they file any affidavits with the use of any police title or authority.

   a. Members shall work such jobs in uniform <u>only</u> if explicitly authorized by the Chief.

4. Members must <u>first meet and confer</u> with the City prosecutor and <u>then request a warrant</u> for any complaint regarding <u>bad</u> <u>checks</u>.

C. Members engaged in off-duty employment are subject to the Rules, Regulations and Procedures of the Division in addition to all Divisional General Orders, Policies and Directives.

D. Members engaging in outside employment shall be considered to be employees of the private firm or individual that hires them while they are working for that firm or individual.

1. Members shall be responsible for the completion of the form supplied by the Division regarding employment agreements between the City and the officer and the firm or individual and the City before permission will be granted to work outside the Division. The employee and the intended employer must assume the criminal and civil liability for acts which are primarily those of the employer or for his benefit. This includes, but is not

limited to, tax payments, worker's compensation and injury to any person, including the employee.

E. The Chief's decision on the issuance, denial, or termination of a permit to work outside the Division is final; there is no higher authority within City government for such permission for outside employment.

1. At the point any such permitted employment is terminated, suspended, or otherwise not performed for more than 30 days, all requirements of the Division must again be fulfilled prior to engaging in such employment.

2. Members who have received (in explicit written form) the Chief's permission to work for any specific employer or specific type of employment which may be in violation of this Directive may continue such employment in so long as it is never suspended or terminated for more than 30 days and all conduct remains within the intent of this Directive and additional direct orders regarding such employment.

3. All members working <u>any</u> off-duty jobs must annually resubmit a request for authorization to continue such employment. Unless directed to the contrary, such reapplication must be properly performed during January of each calendar year.

COMMENTARY: In the past officers of the Division have obtained off-duty security jobs be either submitting their name to be included on the Police Division organized and administrated "Extra Job" list and then by being assigned weekly to various jobs or by individually contracting with private employers for this type of service. The Division has generally permitted this type of employment to be performed in either a uniform or in plain clothes.

Due to various problems and concerns that have surfaced, there has arisen a need to modify this program.

Officers will still be permitted to work this type of job on their off-duty time, with prior permission from the Chief of Police; but the methods for obtaining such work are hereby altered.

Officers desiring this type of employment may either contract their services individually to a private employer, or ask the Division to include them on an "available for referral" list. The Police Division will no longer assign officers to jobs of this type or require or suggest certain levels or types of compensation.

It is understood that an officer working such a job off-duty will be an employee of the contracting form or individual and will be under the control of that firm or individual within the scope of the duties the officer has contracted to perform with certain limitations. These limitations are that the officer shall continue to be required to adhere to Divisional Rules, Regulations, Procedures, General Orders and Directives.

It is the position of the City, the Police Division and the Chief of Police that the city will not be responsible for injuries or liabilities sustained by the officer within the scope of this type of off-duty employment.

Officers desiring to have their name added to the “Availability” list previously mentioned need only submit one Application for Off-Duty Employment stating that their prospective employer will be the “Available for Private Security” list. Should an officer on the list contract services to a firm or individual contacted through the list or otherwise, on a permanent or long-term basis, he or she will be required to submit individual applications.

The failure of an officer to adhere to Divisional Rules, Regulations, Procedures, General Orders or Directives can result in suspension or revocation of an off-duty work permit and/or the denial of issuance of one in addition to any disciplinary action taken.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
January 7, 1994

To:
All Personnel

Subject: Permission to continue or begin outside Employment

Policy 6.17 requires every police employee to properly receive the permission of the Chief to begin or to continue outside employment at least once per year and whenever previously authorized outside employment is not actually worked in excess of 30 days.

This year all requests to continue previously authorized employment must be received by the office of the Chief no later than February 8, 1994.

Officers who wish to be eligible to receive referrals for very short-term basic security or traffic control work must submit the "Employee Application for Off-Duty Employment Permit" with the "prospective employer" filled in as "available for referral."

Any police employee who wishes to continue previously authorized outside employment or to begin new employment must submit all three forms (Application; Off-duty Employment, Part I – Officer; and Off-duty Employment, Part II – Employer) properly completed and signed so that they are received by me no later than February 8.

All requests for new outside employment must have all 3 forms properly completed and submitted to the office of the Chief at least 5 regular business days before the intended first day of such employment and no such work may be conducted until a written work permit has been issued.

Since the employee and employer forms are all purpose forms, employers may disregard the reference to not identifying one's self as an SPD officer if the application clearly states the work is in uniform and the work permit is issued.

All three forms will be issued to each subdivision and in "emergency" employees are permitted to make copies of the forms included in each Division Manual.

By Order of:

SIGNATURE

Roger L. Evans
Chief of Police

Springfield Police Division

Policy & Procedure

Number: 6.17F
Subject: Parking Garage
Revised: June 28th, 1989

PROPER FORMS

FOR OFF-DUTY EMPLOYMENT OR BUSINESS

In this section are examples of the proper forms to be used when procuring off-duty employment.

Springfield, Ohio, Police Division
Off-Duty Officer Employment Agreement
(Part I – Officer)

I, _____, am applying, as required, to the Chief of Police,
(Name and Rank of Officer)
City of Springfield, Ohio, for authorization to work outside the Division on a part-time basis. My prospective employer is _____ and my specific duties
(Name of Firm or Individual)
for this employer will be _____

_____

_____

I have read all current Divisional Directives that apply to off-duty employment. I understand, and agree, that during the periods I am employed outside of the Police Division I will be an employee of the named employer within the scope of the specific duties I have outlined above.

I further understand, and agree, that I am not to identify myself as a Springfield Police Officer nor may I exercise any police authority while engaged in such employment, with the exception of cases involving felonies or crimes that I observe and that happen outside the normal scope of my outlined duties.

It is also understood and agreed by me that the Police Division and the City of Springfield will not be responsible for any compensation to me for duties I perform within the scope of my private employment. "Compensation" as used here refers to, but is not limited to, overtime pays (court time, etc.) and Workman's Compensation or injury leave. I understand that, should I violate any Directive of the Police Division regarding off-duty employment or fail to abide by this agreement, my permit to work for the pertinent employer shall be considered void.

_____
Date Signature of Officer

_____ _____
Witness Chief of Police

Springfield, Ohio, Police Division

Employee Application for Off-Duty Employment Permit

Date _____

Name
_____

Prospective Employer
_____

Address
_____

Telephone Number
_____

Type of Business
_____

Outline below the specific duties that you will be expected to perform:

FOR DEPARTMENT USE ONLY

Off-Duty Officer ( ) Part I – Officer Date _____

Employment Agreement Completed ( ) Part II – Employer Date _____

P E R M I T

Approved by Chief ( ) Yes

( ) No
Signed _____
Chief of Police

Remarks:
_____
_____
_____
_____

Springfield, Ohio, Police Division

Off-Duty Officer Employment Agreement

(Part II – Employer)

I, _____, wish to hire _____ to
(Name of Firm or Individual) (Name of Officer)
work for me on a part-time basis. This officer's specific duties for me will be: _____

_____

_____

_____

I understand, and agree, that while the officer is on my payroll he will be considered my employee and not an employee of the Springfield Police Division. I also understand, and agree, that while the officer is employed by me, I am responsible for any compensation for duties he or she performs for me (company/employer) within the scope of the outlined duties. "Compensation" as used here refers to, but is not limited to, pay, court appearance pay, when applicable, and Workman's Compensation.

I further understand that while the officer is in my employ he is not to identify to anyone he is a Springfield Police Officer and that he or she is not allowed to exercise any police authority except in cases involving felonies or serious crimes that he or she may observe happen outside the normal scope of outlined duties. In such cases he or she then reverts to an employee of the Springfield Police Division.

It is also understood and agreed by me that, although the officer is employed by me from time to time, he or she is still governed by certain Rules and Regulations of the Springfield Police Division and may not violate them for any reason.

It is also understood the officer is strongly discouraged from working more than four (4) hours off-duty on any day that he or she also works at the Police Division and is generally prohibited from working more than twelve (12) hours on off-duty days. I understand exceeding such hourly limits is likely to result in termination of employment with me.

_____ _____
Date Prospective Employer

_____
Witness

Springfield Police Division

Policy & Procedure

Number: 6.18
Subject: Domestic Violence Response
Revised: June 28th, 1989

Objectives: We are committed to doing what we can to prevent or reduce domestic violence in our community; therefore, our policy is to investigate, make lawful arrests, enhance and support prosecution, and provide or facilitate other services which may prevent or reduce such violence.

The State of Ohio provides Officers and victims with the means to prevent or reduce domestic violence and among the most important are the statutes regarding domestic violence, criminal and civil protection orders, and violations of protection orders. Proper and effective domestic violence investigations and criminal enforcement are a priority of our City and of our agency.

I. Authorized Responses

The only proper response to any domestic dispute is as follows:

A. Arrive at the scene without unnecessary delay and then approach and enter the immediate site of the dispute with reasonable professional regard for the safety of victims, officers and others;

B. Make authorized attempts to maintain or restore sufficient order so that:

1. Any immediate threat to any person is substantially reduced or eliminated.

2. Officers can reasonably assess the degree of injury and seek required medical attention;

3. Separate the alleged victims and offenders, conduct separate interviews and seek a written statement from the apparent victims;

4. Secure and document the scene;

5. Conduct a proper investigation;

6. Seize and seek forfeiture of any deadly weapons involved in any portion of any offense;

7. Inform the parties of their rights, obligations, related social services, and other information required by law or policy;

8. Make arrests according to law and this policy;

9. Properly complete and file required reports or other communications regarding the event.

II. Investigations

A. When investigating any case it is important officers no overlook important information or any crimes of any type due to becoming too focused upon a single issue.

1. In all domestic dispute situations (especially those involving children, elderly, or disabled persons) officers must do their best to ensure other offenses or dangerous situations (some of which may be much more serious than the immediate domestic dispute or violence) are not neglected;

2. The entire situation must be properly investigated, documented, and reported as applicable;

3. Whenever there is probable cause, any and all appropriate arrests should be made;

4. If an arrest is made, a tape recording of the telephone calls related to the incident should be requested.

B. Because all cases of domestic disputes may involve domestic violence and because domestic violence enforcement is a priority, a primary purpose of all police investigations is to determine if probable cause to arrest exists and, if so, to secure and document evidence which will result in a successful prosecution.

1. The incident and arrest reports must record all required information and all of the available evidence, especially:

a. Documentation of the crime scene, the actual appearance of the alleged victims and offenders, and of all injuries;

b. The reported actions of the suspects and the other factors used to determine probable cause;

c. All weapons allegedly involved in the incident;

d. Evidence or contraband seized;

e. Documentation of verbal statements, written statements of any person, and photographs of the victim and of the crime scene;

f. Reports of previous domestic violence and injuries involving the victims and the suspects;

g. All apparent witnesses whether interviewed or not.

2. The evidentiary value of appropriate photographs which document key factors of the case can be very important in proving the crime of domestic violence. Pictures are strongly recommended when there are signs of injury such as noticeable bruising, swelling, lacerations, etc.

a. If practicable, all such photographs should be taken before the victim has taken any measures to clean wounds, or wash away evidence such as blood, or change torn or disarrayed clothing, etc.;

b. Appropriate photographs of the crime scene are recommended if there is evidence such as overturned furniture, broken glass, damage to a wall, phone damaged, and so forth.

C. Regardless of whether an arrest is made, officers must provide all reported victims all information required by law or by our policies (which includes but is not limited to):

1. Victims of crimes information, including all required names, badge numbers, business telephone numbers, and, if feasible, the police case number;

2. The availability of, and method for filing, criminal charges;

3. The right to, and the method for requesting, a TPO if charges are filed;

4. The right to, and the method for requesting a CPO (or an anti-stalking protection order) if charges are not filed or as a follow-up after expiration of a TPO;

5. The fact that protection orders can be ended or modified only by the court and all violators are subject to arrest;

6. The likelihood of the suspect being released upon bail or personal recognizance as well as helping the victim articulate personal security plans should the suspect return or make other contacts;

7. The available social support services, including victim counseling, legal advocacy and, especially emergency protective shelter.

D. Whenever officers file applicable criminal charges, <u>and the victim is unable to promptly</u> file for a TPO, the investigating officers shall request the court issue a TPO on behalf of the victim.

III. <u>Arrests</u>

A. Arrests shall be made whenever officers have probable cause to believe there has been a violation of any law applicable to Felonious Assault; Aggravated Assault; felony Domestic Violence; felony violation of any protection order;

1. In all such cases, at least the applicable charge with the highest potential penalty shall be filed;

2. This requirement always includes the felonious or aggravated assault of the unborn of another, even if the unborn is not the putative child of the suspect.

B. Arrests should be made whenever:

1. An assault, attempted assault, or a threat of violence occurs in the presence of any officer, or

2. Probable cause for any offense of violence exists, or

3. There is probable cause to believe any protection order of any state has been violated.

In addition, arresting officers should clearly say the State is prosecuting – not the victim.

C. Whenever probable cause exists, it is extremely important the "primary aggressor" be arrested and, if feasible, incarcerated in lieu of bail. State law requires the primary aggressor be determined through consideration of specific information:

1. Any history of domestic violence or other acts of violence by any involved person;

2. Whether the alleged violence was caused by a person acting in self defense;

3. Each person's fear of physical harm, if any, resulting from the other person's threatened use of force against any person or resulting from the other person's use or history of the use of force against any person, and reasonableness of that fear;

4. The comparative severity of any injuries suffered by the persons involved in the alleged offense.

Note: proper application of this statutory test should almost always result in proper identification of the "primary aggressor"; however, inability to identify a primary aggressor is not cause to fail to make arrests whenever probable cause exists.

D. If there is probable cause for an arrest, the arrest decision must be made without any consideration of:

1. The expressed or implied preferences of the victims;

2. Whether the victim has signed a statement of probable cause, complaint, or police report;

3. Past victim behavior regarding any reduction or dropping of charges;

4. Whether there is jail or detention home space available.

E. When enforcing a protection order, Officers will lawfully detain a suspect while checking with Communications, Records, or the issuing Court to reasonably determine we have an apparently valid copy on file, that it has been recorded as served, and that suspect behavior has probably violated one or more terms of the order.

1. Whenever <u>any</u> protection order is “valid on its face”, arrests should be made whenever we have reasonable cause to believe it has been served and that a violation has occurred;

2. Whenever any protection order is valid on its face but we do not have reasonable cause to believe it has been served, it is our duty to immediately serve that order upon the subject of the order, document such service, and enforce it from the moment it is served;

3. Whenever we learn any protection order is valid upon its face but we do not have a copy on file with our Records Section, it is our duty to promptly make a complete copy and ensure it is sent to Records with a memo documenting the reason is has been forwarded and any police actions taken.

F. In all cases of domestic violence or violations of protection orders, the highest potential penalty criminal charges which apply shall be filed;

1. If the potential penalties are equal, charges of domestic violence or violation of a protection order shall be filed;

2. If there is probable cause for only a misdemeanor domestic violence or protection order violation, officers shall file those charges rather than others with an equal or lesser potential penalty.

G. Arrests <u>should</u> <u>not</u> be made whenever:

1. Any alleged or apparent “assault” is more likely than not a lawful act of self defense or defense of another;

2. There is good and sufficient cause to believe any <u>statement</u> <u>of</u> <u>probable</u> <u>cause</u> <u>is</u> <u>false</u>;

3. The apparent primary aggressor makes claims of assault which cannot otherwise be demonstrated to have occurred;

4. Officers have investigated the case and the person does not claim to be a victim of domestic violence until after an announcement that person is being arrested.

H. When a suspect who should be arrested is not promptly arrested at the scene of any alleged offense, officers will make or attempt to cause a reasonable search for the suspect and if the suspect is not located, shall promptly file for a warrant and make prompt efforts to ensure other officers are informed of the intent to arrest and the charges filed.

I. Subject to proper application of this and other orders, the investigating officers have limited professional discretion regarding arrests; however:

1. Whenever probable cause exists, a failure to file proper charges against any person may be considered to be a violation of this order and any violation of this order may be considered cause for the more severe disciplinary actions;

2. Whenever probable cause exists, any failure to file the most proper criminal charges or seek a protection order against a suspected "primary aggressor" will create a presumption of a major violation of this or other applicable orders and that only the more severe disciplinary actions should be considered;

3. Any violation of any statutes relating to domestic violence or protection orders may be considered cause for the more severe disciplinary actions.

IV. Required Reports and Communications

A. Both law and policy require accurate and properly detailed reports, which include, but are not necessarily limited to:

1. The state domestic dispute form (which is required whenever we respond to any domestic dispute, even when no domestic violence has occurred);

2. All other applicable reports required by law or by policy, which includes, but is not necessarily limited to:

a. Domestic violence incident report (required whenever any reported offense of violence is plausible);

b. Violation of a protection order or condition of pre-trial release incident report;

c. Arrest reports;

d. Written statements from victims which include the frequency and severity of prior incidents and which also include the number of previous times police have been notified of any offense of violence or any protection order violation, involving the same victim and suspects and, if known, the disposition of such incidents;

e. Property or evidence received reports (with special emphasis upon requesting forfeiture of any weapons involved in any domestic assault or threats);

f. If probable cause for an arrest exists but the officers decline to initiate a prosecution or a TPO, a detailed explanation of exactly why such decision was made must be included in the narrative of the applicable domestic violence incident report.

B. Other reports or communications will often be necessary to get evidence saved or analyzed or to properly inform other police units; supervisor; courts; prosecutors; city or county agencies; or as required by other orders or training.

Springfield Police Division

Policy

Number: 6.19
Subject: Traffic Enforcement
Revised: June 28th, 1989

I. A. A very important part of the Mission of the Division of Police is equitable and effective traffic safety enforcement.

B. Generally a specialized enforcement unit leads to greater effectiveness in traffic safety efforts; however, traffic safety is – literally – everyone's job. This personal responsibility for productive enforcement is hereby assigned not only to traffic specialists, but to the generalists assigned to District Patrol; therefore to the Supervisors of all Patrol Shifts.

C. The basic enforcement policy of this Division is fair, equitable, effective and reasonably uniform enforcement of all traffic laws and regulation, especially hazardous moving violations. HMV's are hereby defined as any violation which may result in assessment of points by the BMV.

D. The overall goal of traffic enforcement is reduction or prevention of personal injury, property damage and total numbers of traffic crashes by enforcement of traffic laws leading to and complemented by voluntary compliance of the public.

II. A. Traffic enforcement action may be properly defined as any appropriate contact with an apparent violator which may be regarded as likely to encourage safer driving by the violator. An appropriate contact is one which is within law and policy and considers the nature of the circumstances at that particular time and place, particularly in terms of the observed behavior of the violator.

1. For the more serious violations, especially those allowing assessment of the greater numbers of points or allowing penalties of greater than those for minor misdemeanors, appropriate enforcement is almost always a citation or arrest.

a. However, an enforcement action is also a stop for a "friendly warning".

b. If a warning is issued, it is particularly imperative officers avoid being reasonably determined as ridiculing or scolding and alleged violator.

c. Conduct or language which can be reasonably determined as likely to cause an alleged violator to feel like he or she is being treated, lectured or scolded as though some might

deal with a child is particularly prohibited in any officer/violator contact.

2. Warnings in lieu of citations should be properly documented on the officer's daily report. Any action, including a warning, is preferable to no action whenever an officer observes an apparent violation of any type and a stop and contact is proper, reasonable safe and practicable.

B. The first duty of the officer engaged in an enforcement action is to know and properly relate and apply the law.

1. The second responsibility is to be sure you can, in fact, document a violation by the suspect.

2. If there is any legitimate, reasonable doubt in the officer's mind, a citation definitely should not be issued, and it may be preferable no enforcement action of any type be taken.

C. The decision to take an appropriate enforcement action rests squarely upon the officer. Expertise, dedication to public service and safety, and willingness to make difficult decisions are basic requirements of law enforcement personnel.

1. There are no truly absolute rules regarding decisions to arrest, cite or warn.

2. Obviously the policies of the Division – especially this traffic enforcement policy – must be correctly applied. Supervisory guidance or orders of a supervisor at the scene must also be part of such decisions; however, decisions regarding enforcement actions in specific situations are primarily those of the officer.

Springfield Police Division

Policy

Number: 6.21
Subject: Traffic Accident Investigations
Revised: June 28th, 1989

I. Objective

A. One of the major goals of the Division is the prompt professional investigation and reporting of traffic crashes.

B. Unless directed to the contrary, all such reports must be complete and submitted prior to going off duty.

II. Parameters for Traffic Accident Investigations/Reports

A. The Policy of this Division regarding which traffic crashes are investigated and reported is as follows:

1. Any traffic crash occurring on public streets, alleys or highways;

2. Any leaving the scene of an accident, whether on public or private property;

3. Any accident involving a vehicle owned by the City, whether on public or private property;

4. Any accident of City property;

5. Any traffic crash on private property which involves any (1) violation of the traffic code of the State or City (such as DWI; no license; under suspension; drag racing; leaving the scene; etc.), or (2) extensive property damage, or (3) any personal injury.

a. Other private property crash investigations shall be limited to dispatching an officer to the scene and assuring those involved properly exchange information.

6. Officers should, at all times and places, assure persons involved exchange appropriate information.

7. This policy may be suspended by order of the Patrol Sub-Division Commander, or in his absence, the Shift Commander, only when it is not practicable, even with call-in of personnel and long delays in service, to investigate and report all such accidents.

a. In such an emergency situation, we shall always investigate all injury collisions and go to the scene of all other collisions to provide for exchanges of information, to fill out a brief “no report” form and to be reasonably sure no person needs or wants medical assistance.

b. In such an emergency the Supervisor responsible for the temporary suspension of normal traffic crash investigation shall leave a prompt and very detailed written analysis of the situation and decision through all appropriate channels to the Chief.

III. Enforcement

A. One end product of an investigation is the citation or arrest of one or more of the persons involved. If after proper investigation there is sufficient admissible evidence to charge one or more persons, the charge(s) should be filed.

B. If there is insufficient evidence obtained through a proper investigation, a Street Supervisor must be called to the scene and provided a clear explanation why no charges can or should be filed.

1. If the Supervisor concurs with the preliminary decision of the officer, no charges shall be filed.

C. Weather or “street conditions” are not normally a valid reason or excuse not to file a proper charge after an accident investigation; however, in the most severe extremes which sometimes occur in our City, an officer may – with the prior concurrence of a Supervisor with personal knowledge of the scene and circumstances – decide no citation is appropriate.

IV. Accidents Involving Division Members and/or Divisional Vehicles.

A. If any City vehicles or any on-duty member is involved in any traffic accident, however slight, the matter shall be promptly and completely investigated and reported.

1. Any member involved shall promptly notify headquarters of a collision.

B. After providing for emergency medical aid or transport, the officer first arriving to investigate any such traffic accident shall immediately request a Supervisor at the scene and that the Traffic Section Serious Accident Investigation Unit be assigned to complete the investigation and report.

C. Both the Supervisor and the first officer(s) at the scene shall promptly submit detailed memorandums to the Chief with copies to the appropriate Sub-Division and Shift or Unit Commanders.

D. If there should be probable cause to arrest any on-duty or off-duty member for DWI, the matter should be conducted exactly as for any motorist; however, no affidavit should be filed until after the mandatory conference with the Chief.

1. Should any member who was on duty or who was operating a City vehicle exercise the prerogative to violate the implied consent law by declining a lawful test, the Supervisor shall order a test of blood, breath or urine for administrative purposes only; there is no privilege to fail to effectively conform to such an order.

2. If a test is given for administrative purposes only, it shall conform to the requirements of an evidentiary test to the greatest practicable degree.

E. If such crashes involve any City vehicle or any on-duty member and if there is insufficient cause for arrest but articulable suspicion the member has recently consumed any alcoholic beverage or prescription drugs or controlled substances, the Supervisor shall order all reasonable test(s) of breath, blood or urine for administrative purposes only.

Should any off-duty member be a suspected driver and should there be reasonable evidence of the recent use of alcohol or non-prescription drugs an administrative test or tests shall be ordered and reported to the Chief of Police even if there is insufficient cause for arrest.

1. Such administrative tests may not be refused, obstructed or delayed by any member and shall conform as nearly as practicable to evidentiary tests as stipulated by law.

F. The personal reports to the Chief by the Supervisor and the first officer(s) at the scene as well as by the actual investigating officer(s) shall clearly indicate their professional opinion as regards any evidence of any violations of law or ordinance, as well as any evidence regarding any consumption or use of any drugs or alcoholic beverages by the member prior to the crash.

G. The employee operating, occupying or responsible for any police vehicle involved in any accident, however slight must promptly and properly file all City reports and leave a detailed personal memorandum regarding the traffic crash to the Chief.

V. Release of Accident Information

A. Information from traffic crash reports shall be promptly released to any person with both the right and need to know (such as parties involved, next of kin, parents of minors involved, insurance investigators, attorneys of any of the parties, news media) provided:

1. The information sought is reasonably brief and limited;

2. Acquiring and releasing the information is reasonably feasible and appropriate at the particular time; "fatals" may be an exception;

3. No person other than any authorized member or the Division or of the news media should be allowed physical control of any original copy of any report.

4. Detailed information and/or photo-copies must be provided only by Records Section personnel within Records procedures and requirements.

VI. Fatal/Severe Injury Accidents

A. Whenever any officer reasonably determines a traffic crash is (or may become) fatal to some person, he or she shall proceed as follows:

1. Take such emergency action as is appropriate while summoning the City EMT Squad;

2. Promptly summon a Street Supervisor;

3. If appropriate, request the Coroner be notified;

4. Request the investigation and report be completed by the Traffic Section Serious Accident Investigation Unit;

5. If appropriate, request the Technical Services crime scene technicians be called to the scene.

B. In all such cases next of kin should be promptly notified, preferably in person, and courteously and sensitively informed.

1. Names, addresses or highly detailed information regarding a fatally or very severely injured person should be withheld from all persons other than the Chief or Patrol Commander, until some appropriate relative is properly notified or until it is reasonably determined all normal efforts have been exhausted, and it is extremely unlikely we will be able to notify next of kin within a reasonable (24 hour) period of time.

2. If any City vehicle is involved in such a collision, the appropriate Department and the Chief of Police shall be promptly notified.

3. If a Division member is involved in such a collision, the Chief and the appropriate Captain shall be promptly notified.

Springfield Police Division

Procedure

Number: 6.21
Subject: Accident Investigation Procedure
Revised: June 28th, 1989

Section 1

Whenever this Police Division receives a report that a traffic crash has occurred, it is Divisional procedure to dispatch a cruiser to the scene of the incident.

A. Should any uniform officer be called to the scene of an accident or come upon an accident in the normal course of patrol activity, he or she shall make an accident report as required by this procedure.

1. We have learned from past experience with accidents involving slight or insignificant damage that it was poor public relations not to make a report, especially if one of the drivers or the property owner wishes to see a report at some later date.

Section 2

It shall be normal procedure to first dispatch the Patrol Section district cruiser to the accident scene in all accidents.

A. Should this cruiser be unavailable for response, the traffic cruisers will be dispatched to take the report. Traffic crashes should not be held or "stacked" longer than reasonably necessary.

B. Last in the line of dispatch precedent is the calling of adjoining district cruisers to the scene of such an accident.

C. If the accident is an injury accident or a hit and run, then the order of dispatching is reversed, with the accident investigation cruiser being the first to be called, other traffic units second to be called and district or adjoining district units being the last to be called. Injury accidents are high priority dispatches and should be made promptly upon receipt of sufficient information.

Section 3

If an officer upon arrival at an accident scene, either after being dispatched or happening upon the scene, ascertains that both parties by mutual consent do not want a report made and insist that no report be made, then the officer need not make an accident report; however, a "waiver" must be voluntarily signed by the drivers.

A. Officers shall obtain the necessary information such as the name and addresses of both parties, the location and the time and date; put this

information on an accident waiver form and have both parties sign. The officer shall see that proper information is exchanged by the parties.

B. Should both parties have removed their vehicles from the accident scene by mutual consent, then contacted Headquarters at some later time requesting that an accident report be made, no report will be necessary.

1. When the parties involved in an accident move their cars from the scene merely to expedite the flow of traffic and then promptly call Headquarters, an accident report shall be made.

2. We, as police officers, are primarily concerned with the investigative aspect of accidents and proper report of such incidents.

C. In accidents where a report is taken and the investigating officers are doubtful as to the proper charge, or as to whether the circumstances warrant a citation, the Patrol Section Street Supervisor shall be summoned to the scene.

D. Members shall see that the drivers involved are given “Exchange of Information” forms to complete; and also advise them that they may secure a copy of or information form the accident report by contacting the Records Section, no earlier than twenty-four (24) hours after the accident during their hours of operation, 8:30 a.m. to 4:30 p.m., Monday through Friday.

E. Officers shall comply with all laws and administrative training or regulations regarding State Traffic Crash Reports, insurance laws and Divisional standards and practices.

Springfield Police Division

Policy

Number: 6.22
Subject: Radar Enforcement Policy
Revised: June 28th, 1989

A. The overall goal of radar enforcement is reduction or prevention of personal injury, property damage and total numbers of traffic crashes by enforcement of traffic laws leading to and complementing voluntary compliance of the driving public regarding speed.

B. The basic enforcement policy of the Division of Police is fair, equitable, effective and reasonably uniform enforcement of all traffic laws, especially hazardous moving violations, one of which is excessive speed.

C. Prior to any issuance of citations, all facts or circumstances reasonably known to the officer should be considered. Alleged violators should be allowed to reasonably relate their stories, if the wish. The final question the officer must answer is whether there is sufficient, admissible evidence to substantiate a prosecution.

D. The following principles shall, in addition to all other pertinent standards, Directives or orders, control the enforcement practices and judgments regarding radar enforcement:

1. Radar shall be used only by those properly authorized by the Division.

2. Radar shall be used only according to training, Directives or other orders.

3. Radar shall be used in a reasonably open and straightforward manner which cannot be reasonably construed as going to extremes to conceal the vehicle or radar.

4. Radar should not be used at the bottom of hills or particularly steep inclines, unless it is directly related and appropriate to selective enforcement regarding <u>significant</u> accident experience at that place and at times reasonably close to the radar enforcement.

5. a) If there is any legitimate question about the operation of the radar, the identity of the target vehicle or the speed of the target vehicle, a citation shall not be issued; and any enforcement action such as a “friendly warning” should be very limited and extremely courteous.

   b) Any officer doubts, after careful consideration of all information about the accuracy or <u>quality</u> of a radar clock, will be resolved in favor of the motorist; and no citation shall be issued.

5. Fixed location radar should primarily be operated in those areas where the officer can articulate a greater need based upon traffic crash or other safety data or information. Unless ordered to do so, officers should generally avoid remaining in a particular, fixed location for more than twenty consecutive minutes or more than twice in any tour of duty.

6. Officers assigned radar duties must remember there are many hazardous violations other than speed and avoid concentrating upon speed to the near avoidance of other types of safety enforcement.

7. To the greatest practicable extent, officers assigned to District Patrol shall be equipped with and use radar during their performance of other routine duties, provided they are properly authorized to do so.

8. The discretion of each officer, within the parameters of traffic volume, weather, road condition, accident experience in the area, this and other Directives, as well as supervisory guidance and orders, shall determine whether a citation shall be issued instead of more limited enforcement actions such as “friendly warnings”; however, enforcement should be both strict and reasonably uniform in areas such as school zones and whenever alleged violators are eligible for citations with potential penalties exceeding those established for minor misdemeanors.

Springfield Police Division

Policy

Number: 6.23.01
Subject: Arrest Procedure for OVI and DUS
Revised: May 5th, 2005

In an effort to hold accountable those persons who choose to operate a motor vehicle while under the influence of alcohol and/or drugs of abuse, and those persons who choose to operate a motor vehicle while their operating privileges are under suspension, the Springfield Police Division will implement the following policy and procedure.

A. Those persons arrested for operating a motor vehicle while under the influence of alcohol and/or drugs of abuse shall be transported to the Clark County Jail. These subjects will be processed and incarcerated until the time of their court arraignment, or until such time as they can post bond.

B. Those persons arrested for driving under suspension should be transported to the Clark County Jail for processing and incarceration.

1. If at the time and location of arrest for driving under suspension the arresting officer(s) determines that the individual has been processed within the previous six months, where current processing is not necessary, the arresting officer has the option of incarcerating the individual, or ordering the individual to appear in court after exercising a reasonable amount of discretion as defined in Departmental Rules and Regulations section 1.11.

2. If at the time and location of arrest the officer is considering an order-in arrest, the officer may contact the Police Records Section personnel to determine if processing of the individual is required. If the officer is unable to contact the Records Section personnel, they should transport the individual to the Clark County Jail for processing.

   a) The Communication Center personnel do not have access to information concerning individuals who have or have not previously been processed. Therefore, under no circumstances should an officer request this information from Communications Center personnel. In addition, officers are not to ask the Communications Center personnel to contact the Records Section personnel to obtain this information.

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Springfield Police Division

Policy

Number: 6.23
Subject: OVI-Operating a Motor Vehicle Under the Influence
Revised: June 28th, 1989

Very few, if any, violations of motor vehicle laws are generally more dangerous to the public safety than operating a motor vehicle under the influence of alcohol or drugs.

The policy of the Division regarding enforcement of 4511.19 R.C. is that only the most strict enforcement is appropriate to such a violation.

If one or more tests indicating the equivalent of .08 percent or more be weight of alcohol in blood or indicating the influence of any drug of abuse are lawfully obtained, officers should always file an affidavit alleging violation of 4511.19 with stipulation of the greatest applicable penalty provided by law.

Springfield Police Division

Procedure

Number: 6.23
Subject: OVI Arrest Procedure
Revised: June 28th, 1989

A. Officers of this Department must constantly be alert for the OVI offender. Whether the officer comes in contact with an operator who was driving while under the influence in a traffic accident situation or while operating any motor vehicle on public or private property, observing the specific circumstances and actions of the driver are extremely important; officers must be able to clearly define the reasons why the driver was charged with OVI.

B. If, after stopping a driver, the officer has reasonable cause to believe someone is operating while under the influence, the officer should perform a field sobriety test in order to determine if there is probable cause for arrest. If the officer determines there is a probable cause for arrest, the offender should be placed in custody. Once in custody officers should read the offender the Miranda warning prior to interrogation.

C. Officers of this Division have a choice as to which chemical test the offender is to take. This Division currently utilizes either the breath test or if the suspect cannot give a breath test due to severe injury, the blood test. If a breath test is to be given to the offender, the offender should be taken to the breath testing room where the test will be completed by a licensed operator. If the offender is to be given a blood test, the offender should be taken to one of the local hospitals, where blood will be taken by a physician, registered nurse, qualified technician or chemist. By law, officers are entitled to demand more than one type of test. If drugs other than alcohol appear to be the primary intoxicant, a blood test (in addition to a breath test) should generally be demanded.

D. Prior to initiation of the chemical test, the offender must be read the implied consent statement provided for in Section 4511.191 of the Revised Code, if the arrest was for driving on the public highways of this state. The offender should also be given an opportunity to contact an attorney. The test must, however, be given within two hours if it is to be admitted into evidence in the court proceedings. If the two hour time limit has passed, officers should have the offender take the chemical tests anyway; the results may be persuasive evidence, if a plea bargain is arranged.

E. The state OVI law, which is found in section 4511.19 of the Revised Code, contains four prohibitions. The first deals with driving while under the combined effect of alcohol and drugs. This section of the code should be used if the per se level is not obtained in the chemical test or if the offender refuses the test. The second deals with driving while under the influence of alcohol when a blood test is utilized. This section should be used by officers if the level of alcohol in the offender's blood is .10 or higher. The third deals with the level of alcohol in the offender's breath. This section should be used if the level of alcohol in the

offender's blood is .08 or higher. The final section deals with the urine test. If the level of alcohol in the offender's urine is .14 or higher, this section should be utilized.

F. The paperwork necessary for an OVI arrest is very important. The paperwork includes an affidavit, court statement, implied consent statement, chemical test report, chemical test record, alcoholic influence report, optional interview report and driving record.

1. The affidavit should be properly completed with the offender's correct name, address, driver's license number, etc. The proper state charge should be placed on the affidavit and officers must take care that they charge on only one section of the four prohibitions stated in the law.

2. The offender's past driving record is important if the offender has had an OVI offense in the past five years. If the offender has had one OVI offense in the past five years or if the offender has had two or more OVI offenses in the past five years the officer should specify this in the body of the affidavit. The penalty is substantially increased because of the past offenses.

3. The implied consent statement that must be read to the offender if arrested for OVI while on public property must be witnessed, fully and properly completed. If the offender submits to the chemical test, the form should be sent to court in the affidavit. If the offender refuses the chemical test, the implied consent form must be sworn to, then sent to the Chief's office for submission to the State.

4. One copy of the chemical test report and one copy of the chemical test record must remain in the breath testing room for placement in the log book. The offender should receive a copy of the test record. All other forms necessary for the OVI arrest should be placed in the affidavit and sent to court.

5. Officers are required to confiscate the offender's driver's license under certain circumstances. If the offender refuses the chemical test or if the offender tests at the per se level or higher, the license must be confiscated and sent to court in the affidavit.

   Officers should make note on the affidavit that the license is attached. If the offender does not have his license at the time of arrest, the officer must order the offender to present it to the court within 24 hours. If the offender does not refuse the test and does not test at the per se level, the license is not to be confiscated.

Springfield Police Division

Policy

Number: 6.20
Subject: Authority & Responsibility of Patrol Supervisors for Traffic Enforcement & Special Enforcement Assignments
Revised: June 28th, 1989

District patrol in this City must take precedence over specialized functions such as a large traffic enforcement unit; however, such decisions require greater responsibilities of the Shift Commander and other supervisors to ensure a high degree of emphasis and positive results in traffic safety enforcement and other special needs of the City.

The first priority of each Shift Commander is to properly assign the minimum number of district patrol units (one unit per district). When personnel with current radar certification are assigned to a district, their primary duties must be basic district patrol; however, assuming sufficient radar units are available, all such officers shall be assigned a radar unit as a secondary responsibility within their assigned district.

When radar qualified officers are assigned a specific district, they shall not be used for traffic enforcement or accident investigation outside their districts, except exactly as defined by written directives for all district crews.

Because we expect Shift Commanders to be responsible for all problems (including traffic enforcement) occurring during their respective shift hours, they have the authority – once basic assignments for each patrol district are fulfilled – to use the resources at their command in any productive manner which does not violate written or oral directives.

If you have already assigned sufficient crews for basic district patrol, and you determine you have a valid and practical need to use some officers for specialized assignments such as park patrol; East Main Street Patrol; aggressive, directed patrol of small, high-crime areas; all-over traffic patrol; all-over warrant service; and so forth, such assignments are within your responsibility and authority unless you are informed to the contrary by superior authority or established divisional policies.

In summary, the basic points of this policy are as follows:

A. Officers with current radar certifications will be assigned to districts with a radar unit;

B. They shall not be used as the “all-over” traffic or accident car and shall be sent out of their districts only on exactly the same terms as any other district crew.

C. Shift Commanders, once they have assigned sufficient district crews, shall use radar-certified officers and any “extra” personnel for a worthy and productive purpose, subject to guidance of the Patrol Commander or Chief.

Springfield Police Division

Policy

Number: 6.24
Subject: Stipulation of Prior Convictions
Revised: June 28th, 1989

The penalty sections of the Ohio Revised Code and the City are designed to provide a substantial increase in penalty for repeat offenders of our traffic laws.

Potential penalties can be substantially upgraded, if the offender has prior traffic offense convictions. The general rule is that minor misdemeanor applies for a first offense within one year. A second offense within one year is a fourth degree misdemeanor, and a third or more within one year of the present offense is a third degree misdemeanor.

In order to have an effective traffic safety enforcement program, it is important officers correctly specify prior traffic offense convictions in all traffic citations. The required specification includes the prior charge(s) and the date(s). More detailed information regarding citations for repeat offenders can be found in the penalty sections of both City and State Codes regarding traffic offenses.

Springfield Police Division

Policy

Number: 6.25
Subject: Cross Country or Long Distance Road Racing
Revised: June 28th, 1989

A. Road racing, as distinguished from the normal “rally”, is particularly attractive to irresponsible drivers who flaunt both the law and public safety. It is an exciting, but extremely dangerous game which is properly disconcerting as well as hazardous to the general public.

   1. It is important that we not become a part of the “game”; however, within the confines of proper judgment, strict enforcement is strongly recommended.

B. It is not in our best interests or the best interests of our community to expedite enforcement contacts with road racers by hurrying to complete a citation or to arrange bail. It is in the best interests of proper enforcement to carefully complete all routine checks such as vehicle identity and ownership; W & W checks; NCIC checks; driving history; violator’s ID; and license validity checks prior to releasing any such alleged violator.

C. If such enforcement actions occur when the Court is open, the officer should recommend maximum bail be required by a Judge or the Clerk; if the Court is not open, the officer should clearly inform the Deputy Clerk of all the circumstances and request the maximum authorized bail.

D. 1. Prior to the release of the alleged violator, assure the Sheriff’s Office and State Patrol Posts are fully advised by telephone.

   2. Request Communications send a “quadrant” teletype detailing presumed direction of travel of the person to be released as well as the fact of the race description of other cars, intended destination, and so forth. With proper authority, an “All Term” message may be appropriate.

   3. When released on bail, alleged road racers should – if practicable – be escorted to the City Limits and any further violations should result in further citation(s).

Springfield Police Division

Policy

Number: 6.26
Subject: Enforcement Actions Concerning Public Agencies
Revised: June 28th, 1989

If operators of City, school board, County, State, other public agency or public purpose vehicles are observed violating traffic laws, enforcement should be as follows:

A. Stop the violator and advise of the violation and that you will send a written notice to the appropriate agency;

   1. If the violation involves an “emergency” status vehicle, delay the stop until the “run” is completed.

B. Send a prompt and detailed notice, through appropriate channels, to the appropriate agency;

C. If a citation is issued to the alleged violator, arrange for a photo copy of the original citation to be sent to the appropriate agency along with the written notice of alleged violation (B).

Springfield Police Division

Procedure

Number: 6.27
Subject: Emergency Towing of Vehicles
Revised: June 28th, 1989

I. EMERGENCY TOWING APPLICATION

A. Emergency towing of vehicles applies to any vehicle that presents a hazard to the safe movement of traffic resulting from an accident, mechanical failure or emergency conditions (such as snow routes).

B. Emergency towing DOES NOT apply to abandoned vehicles or any situation covered by a towing contract with the City of Springfield.

II. ACCIDENT SCENE TOWING

A. Officers shall ascertain from the driver/owner of a motor vehicle involved in an accident their preference of a wrecker and notify the Communications Center. In “fatals” or crashes which are likely to become fatals, all pertinent vehicles shall be towed to our contract service and ordered properly searched.

B. If no preference is made by the driver/owner, the officer shall request a non-preference wrecker be dispatched to the scene.

1. In the event the driver/owner of a vehicle is incapacitated due to injury, illness or other medical or physical condition or is not readily available, a non-preference wrecker will be requested.

C. An officer shall remain at the scene until the vehicle has been hooked up by the tow truck, and only the vehicle keys shall be turned over to the tow truck driver. If other keys accompany the vehicle keys, they shall be returned to the owner or to another responsible person. If in hospital or jail, take them there. If this is not possible, they will be marked, receipted and properly submitted to the property room.

1. If it is necessary for the tow truck driver to remove debris from the street, an officer shall, for the safety of the driver, either divert or stop traffic until the cleanup has been completed.

III. OTHER EMERGENCY TOWING

A. Vehicles disabled by mechanical failure or that have to be removed as a result of other emergency conditions shall be subject to the requirement of Section II, A, B and C of this procedure.

IV. DEVIATION FROM PROCEDURE

A. Any deviation from this procedure must be with the direction or approval of an appropriate supervisor.

B. All other orders or directives of any type relating to vehicle towing must be followed.

Springfield Police Division

Procedure

Number: 6.28
Subject: Arrest, Handcuffing, Searches of Persons, Transportation, & Safety
Effective: Friday August 25th, 2006

1. Purpose To specify the procedures used during arrests, handcuffing, searches of persons in police custody, transportation of persons in police custody, and safety of those persons.

2. Arrest

A. During the initial contact with the person to be arrested-

1) The officer should clearly and audibly identify the authority and intent to make an arrest.

a. However, verbal or other identification <u>may</u> not be required or even feasible if the officer's safety is in jeopardy, or-

b. If the person is then engaged in the commission of an offense.

2) Officers in plain clothes should clearly display the badge of office prior to taking control of the person.

3) It is important the officer control the arrested party through command of voice, body position and such physical restraint as reasonably appears necessary.

4) An arrest is not usually considered to have taken place until the person is clearly within the physical control of an officer.

5) Placing of the officer's hands upon the person usually completes such control and the use of such restraint as reasonably appears appropriate to the situation.

6) Unfortunately, many officers have been killed or severely injured by persons being detained for the most minor offenses, even petty traffic violations; therefore, officers should be careful to approach, take into custody and secure the person arrested with extreme caution.

B. After making the arrest, it is the arresting officer's responsibility to complete all required affidavits, court statements, warrants, inter-office memos and arrest reports.

1) It is the arresting officer(s)' responsibility to spell names, addresses, etc., and to clearly state the charges whenever a person is "booked-in" at the jail.

2) This is especially true if arrests are 'called in' by telephone.

3) The transferring/transporting officers **share** some of those responsibilities to the extent they are present or participating in the affidavit, arrest card, book in report, Temporary Holding Facility report, or related procedures or paperwork.

3. Handcuffing

A. Officers may, at their discretion, handcuff any person lawfully in their custody or control.

B. Handcuffs are most properly used as follows:

1) Cuff the hands behind the back with the palms turned upward/outward.

2) Be sure the keyholes face up.

3) It is best to double lock the cuffs prior to transporting them.

a. This procedural step is very important whenever a person is believed to be violent or an escape risk.

C. Exceptions to handcuffing persons behind their backs will be allowed for handicapped, ill, or injured prisoners.

1) In the event such a person is arrested, that prisoner shall be restrained in a manner, which restricts his/her ability to harm an officer or others.

D. Prisoners who are to be transported over long distances require special restraint considerations. Waist restraint chains are recommended.

4. Searching Persons in Police Custody

A. Every person in police custody shall be searched when placed in restraints and/or prior to being placed in a vehicle for transport.

1) Officers should be particularly careful in cases involving persons who show any signs of alcohol or drug intoxication, assault or resistance to arrest.

2) A very high degree of prudence is always required when conducting even the most limited search of persons of the opposite sex.

B. Searches of persons in our custody shall be conducted close in time and place to the arrest/detention, unless it is unreasonable to do so. These searches are necessary to-

   1) Protect the safety of the arresting officer.

   2) Prevent the destruction of evidence by the person in custody.

   3) Prevent the escape of the person in custody

C. Searches of persons in custody shall include, but are not limited to a pat down of all outside body surfaces and a search of all clothing pockets and compartments.

   1) This includes shoes, hats, gloves, attached packs, and any other locations where any weapon, evidence or any item that could be used as a weapon or an escape instrument could be hidden.

   2) Such searches, or frisks, are generally more safely conducted after the person has been handcuffed.

   3) The kneeling or prone search positions should be utilized whenever a felony is suspected, or the immediate possession of a deadly weapon is reasonably suspected.

   4) More intensive searches of persons should be conducted out of public view; all searches will be performed with due regard for human dignity.

D. If readily available, an officer of the same gender as the person in custody should conduct the search. Readily available means/includes

   1) The officer of the same gender is present at the scene.

   2) The officer of the same gender can arrive without a reasonable delay.

   3) There are no exigent circumstances that require an immediate search. Exigent circumstances to consider include-

      a. A combative person in custody,

      b. Whether or not weapons have already been found on that person,

      c. The number of persons to be searched,

      d. The necessity to protect evidence, etc.

E. Due to the necessity of conducting searches of all persons in our custody. Officers are permitted to conduct a physical search of a person of the opposite sex, when an officer of the same sex is not readily available.

1) In such cases, if readily available, another officer or witness should be present.

2) Officers should normally use the back of their hand when checking sensitive areas of a person in custody, of the opposite sex.

3) If the officer detects an object that could be contraband a more thorough, yet still prudent, search is both permissible and required.

F. Officers accepting a prisoner from another SPD Officer, or another agency, should conduct their own pat-down/frisk prior to transporting that person.

G. This Division does not authorize any strip searches of any person by any officer, or other employee, except those, which may be explicitly permitted by State Law.

1) This Division does not authorize any searches, partial searches or frisks which are unlawful.

2) This Division does not have any procedure for any member to conduct any strip search at any time or for any reason, and no member is allowed to authorize any such search by any member of the Division.

3) All officers are strongly cautioned to avoid violation of State Law as regards searches of prisoners; this is especially important when the officer and suspect are of the opposite sex.

5. Transporting Persons in Police Custody

A. Transport Preferences-

1) Whenever reasonable and practical, arrested persons should be transported in a police van.

2) When a police van is not available, a two-officer ‘caged’ unit should transport arrested persons.

a. When two officers are transporting a prisoner, without a caged car, the prisoner shall be seated in the back seat opposite the driver.

b. The second officer shall be seated in the back seat behind the driver.

c. The prisoner shall be seat-belted in.

3) When one officer is transporting one prisoner in a caged car the prisoner shall be placed in the right rear seat of the car. The prisoner shall be seat-belted in.

a. Another one-officer unit may follow the unit with the prisoner, if the prisoner is violent.

b. When one officer is transporting one prisoner, without a caged car, that prisoner shall be transported in the front seat next to the arresting officer.

c. The prisoner shall be seat belted in.

B. Officers must notify Communications of the beginning time and the mileage of their vehicle and the arrival time and the mileage of that vehicle whenever:

1) Male officer(s) transport a female.

2) Female officer(s) transport a male.

3) Any person is violently resisting the arrest or transport.

C. The transporting officer(s) shall inspect the vehicle to be used for transporting a prisoner, **both before and after** the transport is made, to ensure it is free of weapons and/ or contraband.

6. Safety of Persons in Police Custody

A. Officers are partly responsible for reasonable efforts towards safety of persons in their custody or control until the person is turned over to another agency and until another agency's officer verbally acknowledges such responsibility.

1) If arrested persons are brought into headquarters, they should never be left alone unless they have been properly searched and secured in a proper detention cell. If left in such a cell, the person must be frequently and continually under reasonable observation.

2) Prisoners shall not be handcuffed to **any** object such as bars, chairs, etc.

B. All officers must comply with State Law and administrative regulations as well as local directives or orders if any person is kept in any detention cell or room for any reason.

7. Previous Versions

A. With the issuance of this PROCEDURE all previous versions of 6.28, including any amendments, are void.

B. This PROCEDURE is effective **8-25-06.**

Springfield Police Division

Policy & Procedure

Number: 6.29
Subject: Citations or Summonses in Lieu of Physical Arrest
Revised: June 28th, 1989

Section 1

The policy and procedure for citations or summonses in lieu of arrest shall be as follows:

A. Officers will strictly adhere to State Law requiring citations in lieu of arrest for minor misdemeanors.

B. Divisional policy for summonses in lieu of arrest for misdemeanors, other than minor misdemeanors, shall be as follows:

1. Misdemeanors of the fourth degree shall be enforced using the standards created by law for minor misdemeanors.

   a. Most such arrests will be completed by issuance of a summons.

   b. Officers may require a suspect to give fingerprints and/or a photograph at the intake center prior to release on summons, if the citation is for a misdemeanor of the first, second, third or fourth degree. This should not be the normal procedure, but it may be reasonable under the circumstances.

   c. If a suspect is intoxicated, hysterical, irrational or if he has been charged with a similar offense within the previous 72 hours, a suspect for a fourth degree misdemeanor need not be summonsed in lieu of physical arrest.

   d. If a suspect is physically taken into custody but subsequently becomes cooperative and if officers believe such behavior is likely to continue, the person may be released on summons any time prior to being booked into the jail.

2. Misdemeanors of the second or third degree shall be completed through issuance of a summons in lieu of arrest at the discretion of the arresting officer, using standards created by law for minor misdemeanors, and within the general guidelines or advice of applicable unit supervisors.

3. Person(s) accused of misdemeanors of the first degree are not eligible for summons in lieu of arrest except in unusual and infrequent circumstances and only with the specific and explicit approval of the lieutenant or other supervisor then in charge of the arresting officer's unit.

C. If any one complaint filed against a person is a misdemeanor of the first degree (or otherwise ineligible for summons in lieu of arrest), the suspect should be held to bail for all misdemeanors charged at the same time (except as prohibited by law in matters of minor misdemeanors).

D. This policy and procedure cannot and does not alter or limit the prerogatives of the court to issue a warrant for misdemeanor.

E. Specific procedure for issuance of citations or summonses in lieu of arrest shall be as follows:

1. After gaining control of the arrested person and after taking such measures as are reasonably necessary to the safety of officers or the seizure of evidence or contraband, officers will evaluate the applicability of the citation or summons process by determining:

   a. The degree of the offense to be charged.

   b. The identity and address of the suspect.

   c. The mental and physical condition or state of the suspect.

   d. The level of cooperation of the suspect with the arresting officer.

2. Suspects will be required to produce personal identification satisfactory to the officer.

   a. An Ohio driver's license with photo of the suspect will always be sufficient personal identification, unless it can reasonably be determined such license is fictitious or it is highly likely the address is not current and the officer is not satisfied that the defendant is telling the truth about a current address.

3. Suspect shall be required to legibly sign the citation or summons form.

4. The citation or summons in lieu of arrest without warrant shall be properly completed by the officer and the proper copy given to the defendant.

5. If the defendant is ineligible for release without bail solely because of residence outside Clark County, the summons process and form may still be used as long as proper bail is first posted.

F. If the defendant is held to bail for any offense for any reason except residency outside Clark County, the summons form shall not be used and the regular affidavits and court statements shall be properly completed and submitted.

G. JUVENILE COURT APPLICATION:

1. The summons and affidavit form is used for all cases – except traffic – to be heard in Juvenile Court. Officers must be sure the affidavit is properly changed and completed to unmistakably indicate a juvenile delinquency,

unruly child or “contributing” affidavit and a Juvenile Court hearing. All delinquency affidavits require two (2) code numbers; the specific violation and the juvenile delinquency statute number.

a. The defendant copy of the affidavit/summons is never served upon a minor. However, if the child does not sign the form, he must be released to the custody of his parents or he may be placed in Detention subject to State Law and court policy.

b. All defendant copies of delinquency or unruly affidavits must be submitted to the Juvenile Court along with the original copy and the court statement. The child’s parents’ name and address must be written on the form.

c. In the case of most juveniles, the procedure relating to documents of positive personal identification may not be fully applicable. Therefore, it is expected the child’s parents be contacted in some manner at the time of the juvenile arrest. (Parent notification is required whenever a child is placed in Detention.)

H. Arrest Cards

1. Record of Arrest cards for summons arrests shall be completed as for all other arrests.

Springfield Police Division

Procedure

Number: 6.30
Subject: Arresting Juveniles on Warrants
Revised: June 28th, 1989

The purpose of this procedure is to provide strict procedure for arresting juveniles on warrants.

A. When receiving a complaint from an Ohio Youth Commission Group Home or an OVC parole officer that they want a juvenile placed in the Detention Home, officers must require a warrant.

B. When booking the juvenile at the Detention Home, the officer will show the warrant to the person booking the juvenile. The officer will then return the warrant to headquarters, after they have properly filled out the execution part and signed it. The warrant will then go to the Records Section to be carded and cleared.

   1. AT NO TIME WILL THE WARRANT BE LEFT AT THE DETENTION HOME OR THE EXECUTION PART BE TORN OFF.

   2. The Court will receive the warrant the next court day.

C. A warrant from the Juvenile Court does not have to be shown to the person at the Detention Home, but has to be properly executed and signed and turned into the Records Section.

D. An arrest card (Record of Arrest) will have to be made out on all of these arrests.

E. At no time will an officer place a juvenile in Detention without a warrant or an affidavit made out by the officer arresting the juvenile.

   1. The <u>notice</u> <u>to</u> <u>parents</u> <u>or</u> <u>guardian</u> must be properly served.

F. All warrants sent to Headquarters are kept in the Records Section.

Springfield Police Division

Procedure

Number: 6.31
Subject: Fugitive Affidavits
Revised: June 28th, 1989

Whenever an officer arrests a suspect on an out-of-state warrant (computer warrant “hit” or otherwise), the officer must file a fugitive affidavit with Municipal Court.

The court statement with the affidavit should be as for any other criminal warrant service, and the original computer printout and the confirmation teletype must be securely attached to the affidavit.

In addition, copies of the computer and teletype messages are sent to the attention of the Investigation Sub-Division Captain. If copies of these messages cannot be obtained, an inter-office communication giving the appropriate information will suffice.

Springfield Police Division

Policy & Procedure

Number: 6.32
Subject: Community Engagement
Effective: October 30th, 2019

1. PURPOSE - The Springfield Police Division is committed to establishing close ties with community organizations by being receptive and responsive to the needs of the community. Members of this agency will work to maintain relationships with existing community organizations and will assist with establishing new organizations as agency operations permit. (*Ohio Collaborative Standard 8, 2016.3, Bullet A.)*

2. POLICY - It shall be the policy of the Springfield Police Division to become involved with community organizations in a cooperative, proactive manner to create a safer community, to encourage community groups, and to invite community groups and organizations to become involved with this agency. Its members may make presentations and engage in problem resolution, and to invite community groups and organizations to become involved with this agency. (*Ohio Collaborative Standard 8, 2016.3, Bullet A.)*

   A. The agency shall establish accountability for the community involvement function in writing. The function shall be developed and operated to effectively meet the needs of the agency, with consideration of the department size and budget, as well as the community it serves.

   B. All members have responsibility for achieving the department's community involvement functions.

3. PROGRAMS - To affect this community involvement function, the agency considers the following as eligible community relations programs, as operational needs permit. (A current list of the programs is included in the addendum.)

4. COMMUNITY SERVICE RESPONSIBILITIES (*Ohio Collaborative Standard 8, 2016.3, Bullet C.)*

   A. Establish community groups as and where they are needed.

   B. Establish a liaison with formal and informal community groups by attending meetings and offering support.

   C. The Springfield Police Division maintains communication channels for the public to request attendance at community meetings and events.

   D. Representatives will attend meetings as requested or directed.

   E. Share the responsibility of achieving community involvement objectives with all agency members.

F. Administer a community outreach program comprised of volunteers to represent the agency at community venues.

G. Appearances provide direct face-to-face interaction providing citizens of opportunities to direct responses to questions and concerns, while providing members with citizens input.

H. The program will provide a consistent approach increasing flexibility and fulfilling public request to reduce conflict, by both events / venues at similar times / dates.

I. Publicize the department's objectives, problems and successes through the use of electronic and print media.

J. Agency members are encouraged to convey information received from citizen's organizations to the agency and its members.

K. Ensure information forwarded from citizens is used to improve agency practices that affect police community involvement.

L. Modifications in policy, procedure and / or activities may be need to be made in response to input received from the community, particularly in regard to correcting actions, practices, behavior and attitudes that might contribute to community tensions and grievances.

M. Identify training needs through interviews with citizen representatives, where applicable.

N. Develop problem oriented or community policing strategies, as determined by need.

5. USE OF ELECTRONIC AND PRINT MEDIA- The agency may utilize various types of media to publicize objectives, problems and successes, in an effort to keep the community informed about highlights occurring during the course of the year as well as obtain feedback from the community as follows: (*Ohio Collaborative Standard 8, 2016.3, Bullet C.)*

   A. The division's Web site.

   B. Develop and maintain open and immediate two-way communication between the agency and the public.

   C. Inform neighborhood watch groups of crime trends, prevention tips and similar information.

   D. Inform the public of events and activities.

   E. Address public concerns and forward information to other law enforcement agencies or city officials, as needed.

6. POLICY REVIEW AND TESTING- Agency personnel shall be issued copies of this directive. Additionally, they will be required to read it and sign a document indicating not only that they have done so, but that they understand the information contained herein. (*Ohio Collaborative Standard 8, 2016.3, Bullet D.)*

Springfield Police Division

Policy & Procedure

Number: 6.32
Subject: Community Engagement, Addendum
Effective: October 3rd, 2019

List of Community Engagement Programs

(*Ohio Collaborative Standard 8, 2016.3, Bullet B.)*

Accident Reports On-Line

On-line accident reports were created as a resource for citizens who are involved in a traffic crash within the City of Springfield. By placing these reports online, generally within five days of a crash, the citizen can quickly obtain a copy of their report at no cost to them. This saves the citizen from having to contact the agency, or come down to police headquarters to obtain a copy of their report.

You can find the on-line accident reports here-

https://sites.google.com/a/springfieldohio.gov/accidents/reports

Active Shooter Training

The Springfield Police Division provides reality based training for businesses and organizations concerned about active shooter events. If your business or group is interested in this training contact the Community Response Team.

Contact the Community Response Team for more information- 937-324-7728

Badges for Baseball

The Springfield Police Division participates in the Call Ripken Sr, Badges for Baseball program, created in collaboration with the U.S. Department of Justice. This life-skills training program pairs at-risk youth with law enforcement mentors from local communities who use team sports to teach valuable life lessons.

Devised to deter juvenile delinquency, *Badges* targets America's most vulnerable youth, including those in low-income families and single-parent homes, children of parents on active military duty, and youth with disabilities.

Equally important, *Badges* helps repair contentious relationships between inner-city youth and law enforcement.

Contact the Community Response Team for more information- 937-324-7728

National website- https://www.ripkenfoundation.org/programs/badges-for-baseball

Bike Rodeo

Annually, the Community Response Team conducts a Bike Rodeo. The Bike Rodeo is a bike safety camp for children between the ages of 6 and13. Children must be able to ride a bike without training wheels and must wear a helmet (some helmets are available at the event). The Rodeo is held each summer. Applications are accepted for the first 50 applicants. Completion of the online application will be followed up at a later date, via email, with a confirmation letter containing details of the Rodeo.

Contact the Community Response Team for more information- 937-324-7728

Citizens Police Academy

The goal of the Citizen Police Academy is to educate the citizens of Springfield with the operation of their Police Division while obtaining valuable feedback from those citizens. The Citizen Police Academy is not intended to serve as an accredited law enforcement course. This is a course designed for the distribution of information on the internal workings of the division. The Citizen's Police Academy Alumni is an active group of past graduates who work with Officers to provide assistance to the community.

Video- See what the Citizen's Academy is all about-

https://springfieldohio.gov/wp-content/uploads/2018/12/SPFLD_CPA_Wide_F1_20180530.mp4

Contact the Community Response Team for more information- 937-324-7728

Community Response Team

The Community Response team was formed in November, 2003, in response to the growing needs of the community. This unit is committed to improving the quality of life in the community. This unit currently works from the Substation located at 17 W. Johnny Lytle Av. in Springfield, Ohio.

Activities:

- Elderly victimization awareness courses
- Development of intelligence on local drug houses
- Development of website information
- Annual Operation Santa/Thanksgiving
- Women self-defense courses
- General clean-up of neighborhoods

Contact the Community Response Team for more information- 937-324-7728

D.A.R.E. – Drug Abuse Resistance Education The Springfield Police Division is dedicated to the protection of children in the community. The division has been active in the **D.A.R.E.** program since 1990 and remains committed to the education of school children in the importance of leading drug free lives.

G.R.O.W. - Get Recovery Options Working grew out of the Opioid Diversion Officer program. This is a collaborative effort between the D.E.A, McKinley Hall, Mercy Health, the Mental Health

Recovery Board, Cardinal Health, and the Springfield Police Division. Members of each organization participate in door-to-door canvassing of neighborhoods in Springfield that are experiencing a high opioid overdose problem. The group provides resources and Narcan training to those who want the information.

Contact the Community Response Team for more information- 937-324-7728

National Night Out

National Night Out is a community event designed to increase citizens' awareness of police programs in the communities and identify resources available for families. The Division's command staff and Community Liaison officers attend as many events as possible during this city-wide one-day event to advise citizens on the need for crime prevention and the importance of communities watching out for crime, criminal behavior, and quality of life issues in their respective neighborhoods.

Contact the Community Response Team for more information- 937-324-7728

Operation Santa

The Springfield Police Division will be conducting the 26th annual Operation Santa in 2019. This program assists those in the community that are less fortunate and in need of help each holiday season. Participation in the program is free of charge and is funded through the generous donations of individuals, businesses, organizations and Springfield Police Division Officers. If you would like to make a monetary donation to this program, or need more information contact the Community Response Team.

Contact the Community Response Team for more information- 937-324-7728

Operation Thanksgiving

Members of the Springfield Police Division, Citizen Police Academy Alumni Association, Clark State Criminal Justice program, and Springfield High School student volunteers will participate in the 29th annual Operation Thanksgiving program in 2019. The program is supported by food donations from Meijer and the generous donations of business, community groups, and Springfield Police Division Officers. The program supplies Thanksgiving meals and supplemental food items to families in need.

Contact the Community Response Team for more information- 937-324-7728

Safety City

Safety City is a five-day summer educational course for children (ages 5 and 6) who will be attending kindergarten or first grade in the fall. Safety City is designed to teach children traffic safety along with bike, seat belt and fire safety. Students will also be able to identify and stay away from strangers. The 2018 Safety City program enrolled over 400 boys and girls, so please be sure to register early!

This course is free. However, it will be the responsibility of the parents to see that their child has transportation to and from their daily scheduled class. If you want your child to participate, you may enroll your child using the

online registration form or complete the PDF registration form and FAX it to (937) 324-8947 or mail it to:

Safety City
130 N. Fountain Ave
Springfield, OH 45502

Verification cards will be mailed prior to your scheduled class times.

If you have questions in regard to “Safety City”, please contact Officer Nate Ashcraft or Officer Dee Embry of the Springfield Police Division at (937) 342-4078 or (937) 505- 2840.

We would like to express our thanks to the SPRINGFIELD PILOT CLUB for helping to sponsor Safety City this year.

In our efforts to make Safety City a more memorable and fun-filled experience for your child, we have included safety robots and a custom designed safety course complete with miniature pedal cars along with landmarks of the city of Springfield.

School Resource Officers

School Resource Officers work inside their assigned schools. This program is a joint effort between The Springfield City Schools, The Springfield Police Division, and the Federal Government to bring a police presence into the schools. These officers are role models to students as well as an extra set of eyes to assist teachers in their efforts to provide an education to students. Officers are available daily to answer questions and exchange ideas with students, teachers, and parents. School Resource Officers can be contacted by calling their respective schools or by calling (937) 324-7691. All School Resource Officers are sworn police officers of the Division and have full authority to enforce city, state, and federal laws, both on and off school property.

Uniform Patrol Division: Clark State Community College Officers:

In January 2009 the City of Springfield entered into an agreement with Clark State Community College for the Springfield Police Division to provide police protection for the college community. The agreement provides two full-time police officers to be assigned to the college. The officers typically work from 7:00 am until 11:00 pm, Monday through Friday. In addition to providing a safe environment for students, faculty and staff, the officers assigned to these positions actively engage in crime prevention, public relations, and mentoring of students enrolled in the Criminal Justice program. The officers have access to all of the resources, equipment, and personnel of the Springfield Police Division to assist them in accomplishing their assignments. The officers provide these services at the Leffel Lane Campus, the Downtown Campus, and all other property owned by the college.

Vacation Checks

It has been a long standing community service by the Springfield Police Division to provide vacation checks for our citizens while they are away. Every effort is made to periodically check on your home while you are away. This is by no means a guarantee against a break-in or property damage that may be incurred. This is merely another set of eyes to guard against the criminal element. Should you wish to have your home placed on the Vacation House Checklist, please call (937) 324-7685. Be sure to leave the name of a local relative or friend who can be contacted in case of an emergency.

Springfield Police Division

Policy & Procedure

Number: 6.34
Subject: Arrests by Off-Duty Officers
Revised: June 28th, 1989

Objective

Police authority is continuous and does not begin or end with an assigned tour of duty. Police authority presumes police responsibility. This procedure is a Divisional Directive which places certain limits and some guides upon such authority and therefore, upon individual responsibility.

Off-duty officers performing authorized private duty tasks are governed by Directives regarding outside employment. All other situations are covered by this procedure and related rules, policies or orders.

Section 1

A. The oath of police officer and the directives of this Division reasonably require officers be ready to perform necessary police tasks or duties within the boundaries of law and directives.

B. Although readiness for police duty is reasonably required, there are many times when calling Headquarters for an on-duty officer to handle a particular situation is a superior manner of responding to enforcement situations.

C. This procedure does not in any way limit or reduce an officer's obligation to take some appropriate action in furtherance of the police mission; however, examples of situations in which officers should take limited action and request on-duty personnel handle situations are as follows:

1. Whenever the officer is personally involved in the situation.

    a. This includes all "family" relationships or close friendships.

2. Whenever enforcement action might tend to establish an officer as the "neighborhood policeman."

3. Whenever the offense, loss, damage, disturbance or situation is reasonable minor.

4. When enforcement action is necessary but the officer is not reasonably able to perform such duties alone or with available assistance.

    a. For purposes of this procedure, this includes the physical, mental or emotional state of the officer; especially if there is any reasonable probability the officer may be considered to be under the influence of any drug, including alcohol or prescription drugs.

Section 2

A. The response of an off-duty officer should generally be limited to calling headquarters, if that is sufficient, or taking such limited action as preventing or halting an assault or lawfully detaining apparent perpetrators of other serious crimes and awaiting the arrival of on-duty personnel to complete the investigation and arrest.

B. However, more complete action may be required in situations such as a violent felony, a person needing emergency medical aid or any felony or serious misdemeanor committed in the officer's presence.

1. Even in the case of serious crimes committed in the presence of an off-duty officer, headquarters is to be contacted for assistance before any action or as soon as practicable if more immediate officer intervention which prevents a prior request for on-duty officers is required by the particular situation.

Section 3

A. In summary, off-duty officers must generally avoid personal enforcement action in all situations when the officer's friendships, associations or personal condition may be reasonably called into question and always in terms of minor offenses, offenses already completed with escape of the suspect or offenses which cannot reasonably be handled by the officer alone or with available assistance.

B. An appropriate response, other than direct enforcement action, is reasonably expected by the public; therefore, required by this Division.

C. Assuming the conduct of the officer is within law and directives, off-duty officers are hereby authorized to make off-duty arrests for:

1. A felony committed in their presence or a felony of violence upon probable cause;

2. A crime of violence in their presence;

3. Serious misdemeanors such as theft or substantial criminal damaging committed in their presence.

D. Most completed offenses, offenses not witnessed in some way by the officer, minor offenses and such nebulous situations as suspicious persons, vehicles or circumstances should be handled only by calling headquarters and providing accurate information and by rendering such first-aid assistance as reasonably appears to be needed.

Springfield Police Division

Procedure

Number: 6.35
Subject: Crime Scenes
Revised: June 28th, 1989

Section 1

The authority and responsibility for any crime scene which reasonably requires processing by officers or employees designated as crime scene technicians is normally that of Uniform Patrol. Normal or routine crime scenes are processed by authorized officers assigned to Uniform Patrol.

It is normally the duty of the highest ranking Uniform Patrol Supervisor present at the scene to assume command of the personnel and the situation; however, such authority and responsibility may be appropriately delegated to a Command Officer of lesser rank. Such delegation does not fully relieve the delegating supervisor of responsibility for the scene.

A supervisor assigned to Investigation may assume authority and responsibility for the crime scene provided he or she is superior in rank to the Uniform Supervisor in charge of the scene; however, if such is accomplished, the Investigation Supervisor must assume full responsibility for the scene and the Uniform Supervisor so relieved of command shall then be responsible only for proper external security, as delegated by the higher-ranking supervisor.

A crime scene, for purposes of this procedure, is defined as any apparent site of criminal preparation, attack, flight or refuge as well as the apparent present or previous site of any severely injured or deceased person from any apparent cause or any site of evidence or property apparently related to a crime or to a death or severe injury.

Section 2

The first member arriving at the crime scene is responsible for:

A. Determining whether any person reasonably requires first aid or medical or emergency transportation.

   1. There is a presumption, even when a person reasonably appears to be deceased, that Emergency Medical Technicians or a physician should be called to the scene.

B. Determine suspect descriptions and whether any suspects may still be in the vicinity.

C. Secure the scene from all unauthorized access. Be especially sure nothing is handled, moved or destroyed by officers or others, except as necessary to medical aid.

D. Apprehend suspects, if feasible.

E. Locate, identify and reasonably and appropriately detain witnesses.

F. Determine if a search warrant may be required and initiate efforts for a warrant, if necessary.

G. Call for crime scene technicians.

Section 3

If the crime scene reasonably appears to be “major”, only those technicians assigned to the Services Sub-Division should be placed in charge of processing the scene. A “major crime scene” may be defined as any death, other than an apparently “natural” death; obviously life-threatening or extremely severe injury; sexual assault with unusual brutality or injury; any attempted homicide; any shooting or other deadly force involving an officer of any authority or a member of the Division; and any other scene which reasonably appears beyond the training of part-time technicians.

Section 4

Persons authorized entrance to crime scenes prior to completion of processing are limited as follows:

A. An emergency medical care provider while accompanied by one officer to note any changes and prevent such changes to the greatest feasible degree.

B. The County Coroner or his personal representative, while accompanied by an officer, unless the Coroner is at the scene and personally orders otherwise.

C. The County Sheriff, personally, if he is assuming full responsibility for the scene and the subsequent investigation; otherwise only when accompanied by one officer.

D. The police supervisor in command of the crime scene, but only to the extent truly necessary to his or her responsibilities.

E. One or two officers assigned to the appropriate Investigation Unit, while accompanied by a crime scene technician.

F. Any officer properly performing duties within these guidelines cannot be determined insubordinate when denying access or restraining any person other than the Chief, provided they are within this procedure and reasonably respectful and courteous under the specific circumstances.

Section 5

A. Both the officer(s) submitting the initial incident report and the Supervisor assuming command of the scene must promptly submit a written report relating

accurate information regarding all persons admitted to or originally found at the crime scene.

B. All Division members, regardless of rank, assignment or reason for entry, must submit a detailed written report if they at any time prior to completion of processing were physically present in the crime scene search area.

C. The supervisor in charge of the crime scene may require all persons entering the scene to sign a report with their name and assignment before they are admitted to the scene.

D. If the major crime scene or shooting or similar force involves any member of the Division, the Chief and appropriate Captain must be promptly notified.

Springfield Police Division

Procedure

Number: 6.36
Subject: Civil Disputes
Revised: June 28th, 1989

Objective

It is the policy of the Police Division to respond to calls involving civil disputes in addition to criminal complaints, because it is never truly known whether the matters are in fact civil or criminal in nature until officers respond and adequately investigate the particular situation, because citizens rightfully expect such police services and because our failure to respond to appropriate incidents may allow the situations to become criminal in nature.

Though the incidents may have begun solely as civil matters, criminal implications may arise as a result of disputes between the persons involved; therefore both maintenance of reasonable order and protection of persons or property requires effective responses to “civil disputes”.

Procedure

Members’ Obligations with Regard to Civil Disputes; the Response and Investigation.

Members must:

A. Preserve the public peace.

B. Ascertain whether or not a crime has indeed been committed.

C. Remain impartial, no matter how they might personally feel in this particular matter.

   1. Never take sides or engage in lengthy discussions on the merits of this dispute.

   2. Never leave the parties involved with the reasonable impression that they have been given the “brush-off” treatment.

D. Express themselves in a polite yet firm manner so that their comments might not be misunderstood and taken as legal advice.

E. Never recommend one particular legal counsel or firm when making suggestions that legal advice be obtained.

F. Take notes concerning this incident and the action taken regarding it, and retain these notes for further reference.

G. Refer the parties to the Municipal Court, Juvenile Court or the appropriate social service agency, if a satisfactory solution cannot be reached after a thorough investigation of the incident.

Springfield Police Division

Procedure

Number: 6.37
Subject: Strikes or Labor Disputes
Revised: June 28th, 1989

To ensure an effective and impartial police enforcement program and to establish a uniform procedural pattern to follow while handling strikes or other labor disputes, the Division has instituted the following procedure:

A. A Patrol Section Street Supervisor will confer with both union officials and managerial personnel if there is picketing or if disorder exists and inform them of the police responsibility in the protection of life and property.

B. But he or she must stress the neutral position of the Division and the intention to maintain neutrality of enforcement.

C. Point out the particular responsibilities and rights of both labor and management.

D. Bring the existing situation to the attention of his or her Shift Commander and submit a report to the Uniform Commander for subsequent forwarding of this information through channels.

   1. This report will contain:

      a. The identity of the parties or organization involved.

      b. The conditions surrounding the principles or parties involved.

      c. A list of all incidents arising or occurring as a result of the disputes, regardless of whether they happened within the general vicinity or in a different locality. No incident that seems related shall be ignored.

E. The Uniform Commander, upon ascertaining that a dispute has reached a critical state or that additional police officers are needed, shall:

   1. Notify the Chief of Police.

   2. Take appropriate steps to ensure sufficient police protection and supervision at all involved locations.

   3. Call in additional off-duty officers as needed.

   4. The Uniform Commander, or in his absence, the Shift Commander, shall personally act as Police liaison with both parties involved in the dispute so that the Division has a current account of all related events.

5. See that all reports with regard to incidents, complaints or offenses arising from this dispute are forwarded to the Chief, and also inform him when the strike has been terminated or an agreement reached.

F. All officers directly involved shall:

1. Strive to maintain their demeanor with a polite, courteous yet firm attitude toward all parties involved.

2. Refrain from stating or discussing their own personal opinions on the controversial matters or issues involved.

3. Enforce the law with impartiality and fairness.

4. See that pickets adhere to certain rules regarding their conduct. These rules are:

   a. That pickets must maintain a reasonable conduct.

   b. That pickets should walk only on the sidewalks or on public right of way as close to the edge of the pavement as practical.

   c. That pickets should not walk, run, stop or stand stationary in any manner that would hinder, impede or block access to entrances/exits, by any pedestrians or motorists or obstruct use of sidewalks by pedestrians.

   d. That pickets not interfere with the lawful pursuits of other persons by any actions or by any other forms of unlawful intimidation.

   e. That pickets should only carry signs, placards or banners that are not unreasonable in size so that they might be carried by hand or on their bodies.

      Carrying of banners on staves or like objects must be discouraged as they might possibly be utilized as weapons. Signs should not contain any inflammatory statements that might tend to incite rioting or disorder. Excepting emergencies, our officers are not authorized to make decisions regarding appropriations of signs or sign posts.

5. Make arrests only as a last resort after exercising very careful judgement and keep all arrests resulting from strike demonstrations or minor incidents on the picket line to the minimum.

   a. First the officers should attempt to clear up minor incidents occurring between individuals, by separating them and advising them to leave the scene.

   b. If <u>an</u> <u>immediate</u> <u>arrest</u> is appropriate to this section, it must be handled expeditiously.

   c. In effecting the arrest it must be determined if such can be accomplished without any interference from sympathizers. By displaying a proper show of force a crowd can be discouraged from committing spontaneous acts of

violence. The arrested parties should be immediately transported from the scene.

d. Mass arrests are a last recourse, but when made it is very important that the officers making the arrests can positively identify the parties arrested if these parties demand a hearing.

e. Taking a picture of a suspect with an arresting officer prior to release is the best way to positively identify a suspect at a later date.

f. All suspects should have their fingerprints taken prior to release.

Springfield Police Division

Procedure

Number: 6.38
Subject: Incidents with Riotous Overtones
Revised: June 28th, 1989

In order to ensure impartial and fair treatment of all parties involved in riots or similar incidents that might cause further repercussions within the community if improperly handled, this Division has instituted a uniform procedural pattern. This procedure will assure a proper protection of the civil rights of all persons involved without neglecting to afford anyone benefits derived from the proper performance of the primary functions of all police operations such as the protection of life and property and the preservation of the public peace. The procedure is as follows:

A. Sufficient police officers, including the Patrol Street Supervisor, shall immediately be dispatched to the scene of such an incident or disturbance.

   1. A proper show or display of force can frequently eliminate or reduce spontaneous acts of violence by the crowd of onlookers that might be present. Over response, especially with emergency warning devices, may <u>increase</u> crowd numbers or acts of violence to persons or property. Think before you act!

   2. If the officers upon arrival at the scene ascertain that additional help might be needed, they should then call for aid before conditions get out of hand.

B. Police actions must be rendered in an impartial and neutral manner, with the officers increasing their use of authority with the utmost discretion and care.

C. Be careful to avoid officer movements which may allow individual officers to be cut off from aid or surrounded by the crowd.

D. If a mob exists and if sufficient personnel are available, officers should remove the focal points of the mob from the scene as soon as possible. If the riot (dispersal) order is to be read, it is <u>mandatory</u> an officer be stationed on the “far side(s)” of the group(s) involved so we can be sure all involved received <u>clear</u> notice to disperse.

E. Officers must, if at all possible, prevent onlookers from entering the immediate area so that the crowd does not reach unwieldy proportions.

F. The Patrol Section Street Supervisor must bring the existing situation to the attention of the Shift Commander as soon as possible and submit a thorough report to the Uniform Commander who shall forward it through channels.

   1. This report will contain:

      a. The identity of the parties involved.

b. The existing conditions.

c. A list of all incidents relevant to or resulting from this particular occurrence, regardless of the locality of said incidents.

d. All other pertinent information.

G. The Uniform Commander upon ascertaining that such an incident has reached a critical state or that additional officers are needed, shall:

1. Notify the Chief of Police.

2. Take appropriate steps to obtain sufficient police personnel, specifically including sufficient supervisors for the number of officers and supervision of each involved location.

3. Call in additional off-duty officers on a stand-by or cover basis and have the Shift Commander dispatch them to the scene, if necessary.

4. Maintain close contact with the scene so that Divisional Headquarters has a current accounting of all related factors or incidents.

5. See that all reports regarding the incident or incidents and complaints or offenses arising from it or them are expeditiously forwarded to the Chief. Inform the Chief of the control or cessation of such incidents or the termination of the turmoil.

H. The Chief shall then determine if immediate follow-up action is required.

1. If such is the case, he shall forward all relevant information to the Investigation Division Commander.

I. All officers directly involved shall:

1. Strive to maintain their demeanor with a polite, courteous yet firm attitude toward all parties involved.

2. Refrain from publicly stating or discussing their own personal opinions on the existing controversy or the one that has transpired.

3. Enforce the law with impartiality and fairness.

4. Mass arrests are appropriate only when other tactics are insufficient or inappropriate. Such tactics must be used only after exercising careful judgment and making reasonable efforts to limit arrests. Mass arrests are a last recourse action, but when they are necessary, it is very important that the officers making the arrests can positively identify the persons arrested in case these individuals demand hearings. If at all possible, pictures of those arrested should be taken for future reference.

a. In cases of mass arrests, it may be necessary to release many suspects without bail; however, pictures – preferably with the arresting officer of record – should be taken and if feasible the fingerprints of the right hand of the suspect should be obtained on the back of their arrest card.

Springfield Police Division

Policy & Procedure

Number: 6.38.1
Subject: Crowd Management and Control
Revised: December 6th, 2018

I. PURPOSE

The purpose of this policy and procedure is to establish guidelines for managing crowds and preserving the peace during demonstrations and civil disturbances.

II. POLICY

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.

III. 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.

Impact Projectiles: 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.

IV. PROCEDURES

A. General Management and Organization Principles

1. Government may impose reasonable restrictions on the time, place, and manner in which persons engage in First Amendment activity. The division 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.

2. Organization of responsibilities shall be as follows:

    a. The Chief of Police will designate an incident commander (IC) responsible for overall control of a demonstration or civil disturbance

    b. In the case of a widely dispersed demonstration or disturbance, or event with multiple locations, multiple ICs may be assigned at the discretion of the Chief of Police.

    c. The IC shall be responsible for preparing tactical plans and management details associated with planned demonstrations.

3. The primary objectives of the IC at a civil disturbance will be as follows:

    a. Protect persons, regardless of their participation in the disturbance; and protect property.

    b. Disperse disorderly or threatening crowds in order to eliminate the immediate risks of continued escalation and further violence.

    c. Arrest law violators and remove or isolate persons inciting violent behavior.

4. Officers shall be briefed on what to expect and appropriate responses. They shall be informed that the IC or his or her designee(s) shall be responsible for ordering any response deemed appropriate.

5. It is the policy of this division to avoid making mass arrests unless necessary.

B. Use of Force

1. Unless exigent circumstances justify immediate action, officers shall not independently make arrests or employ force without command authorization.

2. 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 division’s command and supervisory personnel.

3. Motor vehicles may be used to surround and move persons as appropriate but shall not be brought into contact with them.

4. Impact projectiles shall not be fired indiscriminately into crowds

    a. Non-direct (skip-fired) projectiles and munitions may be used in civil disturbances where life is in immediate jeopardy, or the need to use the devices outweighs the potential risks involved.

    b. Direct-fired impact munitions, to include beanbag, eXact iMpact, and related projectiles, have a proven track record of safe and effective use in public order management, when deployed in a manner that recognizes the unique factors involved, including the potential risk of hitting an unintended target due to officer-subject range and crowd density. Accordingly, direct-fire munitions can generally be used during civil disturbances against specific individuals who are engaged in conduct that poses an immediate threat of death or serious injury or significant levels of property damage.

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

5. 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, or against passively resistant individuals. 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 IC. Whenever reasonably possible, a warning shall be issued prior to the use of these systems.

6. 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.

7. A baton or similar device can be used primarily as a defensive weapon; as a means of overcoming resistance (e.g., used in the two-hand horizontal thrust on a police line); as a show of force; or as a means to contain or disperse a crowd.

C. Use-of-Force Reporting and Investigation

Because of the unique logistical and safety concerns presented by civil disturbances, the division's internal affairs (IA) or professional standards unit shall comply with the following protocols during such events:

1. The IA team shall investigate serious uses of force, as defined by the division, and complete a use-of-force report.

2. The IA team shall have full access to video and photographic records documenting law enforcement and crowd actions.

D. Demonstrations—Preparation, Planning and Response

1. The IC or a designee shall prepare a written action plan subject to the approval of the Chief of Police or his or her designee.

2. Every effort shall be made to make advance contact with the leaders of a demonstration and to gather information about the event to ensure accurate assignment of personnel and resources. Necessary information includes:
   a. What type of event is involved?
   b. When is it planned?
   c. Will the event coincide with other routine, large scale events (e.g. sporting events)?
   d. Is opposition to the event expected?
   e. How many participants are expected?
   f. What are the assembly areas and movement routes?
   g. What if any critical infrastructures are in the proximity of the event?
   h. Have permits been issued?
   i. Have other jurisdictions that may be impacted been notified?
   j. Have agencies such as fire and EMS been notified?
   k. Is there a need to request mutual aid?
   l. Will off-duty personnel be required?
   m. What is the past history of conduct at such events and whether group leaders are cooperative?

3. The action plan shall address provisions for the following and be distributed to all affected command and supervisory officers.
   a. Command assignments and responsibilities
   b. Personnel and deployment
   c. Liaison with outside agencies
   d. Release of information to the news media
   e. Transportation, support, and relief of personnel if required.
   f. Staging points for additional resources and equipment
   g. Traffic management
   h. First aid stations established in coordination with emergency medical service providers
   i. Transportation of prisoners

4. Officers shall be deployed to monitor crowd activity.

5. Personnel shall wear their badges and nameplates or other identification in a visible location on their person at all times.

6. Officers shall be positioned in such a manner as to minimize contact with the assembly.

7. Officers shall not engage in conversations or be prompted to act in response to comments from demonstrators. Officers shall maintain a courteous and neutral demeanor.

8. Persons who reside, are employed, or have emergency business within the area marked off by a police line shall not be prevented from entering the area unless circumstances suggest that their safety would be jeopardized or their entry would interfere with law enforcement operations.

9. Supervisors shall maintain close contact with their assigned officers to ensure compliance with orders, monitor behavior and disposition, and ensure that they are aware of any changes in crowd behavior or intent.

E. Response to Spontaneous Civil Disturbances

1. The first officer to arrive on the scene of a spontaneous civil disturbance shall:
   a. observe the situation from a safe distance to determine if the gathering is currently or potentially violent;
   b. notify communications of the nature and seriousness of the disturbance, particularly the availability of improvised or deadly weapons, the location and estimated number of participants, current activities (e.g. blocking traffic), direction of movement, and ingress and egress routes for emergency vehicles;
   c. request the assistance of a supervisor and necessary backup;
   d. if approaching the crowd would not present unnecessary risk, instruct the gathering to disperse; and
   e. attempt to identify crowd leaders and agitators engaged in criminal acts.
2. The first officer or supervisor in charge at the scene shall:
   a. deploy officers at vantage points to report on crowd actions;
   b. establish a perimeter sufficient to contain the disturbance and prohibit entrance into the affected area;
   c. ensure that, to the degree possible, uninvolved civilians are evacuated from the immediate area of the disturbance;
   d. establish a temporary command post; and
   e. provide ongoing assessment to communications.

3. In the area outside the perimeter, the IC shall ensure that the following actions are taken:
   a. Route pedestrian and vehicular traffic around the disorder.

b. Attempt to Control unauthorized ingress and egress by participants, thereby preventing attempts to assist or reinforce the incident participants.

4. The IC shall also ensure that:
   a. adequate security is provided to fire and EMS personnel in the performance of emergency tasks;
   b. a secure staging area for emergency responders and equipment is designated;
   c. photographs are taken of any injuries sustained by law enforcement officers or the public; and
   d. the need for full mobilization of sworn officers and the recall of off-duty officers is determined.

F. Crowd Dispersal

1. Before ordering forced dispersal of a civil disturbance, the IC shall determine whether lesser alternatives may be effective. These alternatives include the use of containment and dialogue, as follows:
   a. Establish contact with crowd leaders to assess their intentions and motivations and develop a mutually acceptable plan for de-escalation and dispersal.
   b. Communicate to the participants that their assembly is in violation of the law and that the division wishes to resolve the incident peacefully, but that acts of violence will be dealt with swiftly and decisively.
   c. Negotiate with crowd leaders for voluntary dispersal, or target specific violent or disruptive individuals for arrest.

2. Prior to issuing dispersal orders, the IC shall ensure that all potentially necessary law enforcement, fire, and EMS equipment and personnel are on hand to successfully carry out tactical operations.

3. When the IC has made a determination that an unruly gathering is present and crowd dispersal is required, he or she shall direct supervisors, where time and circumstances permit, to issue warnings prior to taking action to disperse the crowd.
   a. The warning shall consist of an announcement citing the offenses or violations being committed, an order to disperse, and designated dispersal routes. A second and a third warning shall be issued at reasonable time intervals before designated actions are taken to disperse the crowd.
   b. Specific crowd dispersal tactics shall be ordered as necessary where the crowd does not heed warnings. These include, but are not limited to, any one or combination of the following:
      (1) Display of forceful presence to include police lines, law enforcement vehicles, and bicycle units.
      (2) Crowd encirclement
      (3) Multiple simultaneous arrests
      (4) Use of aerosol crowd control chemical agents

(5) Law enforcement formations and the use of batons for forcing crowd movement

G. Mass Arrest

1. In a civil disturbance it may be necessary to make arrests of numerous individuals over a relatively short period of time. For this process to be handled efficiently, safely, and legally, the following shall be observed:

    a. Arrest teams shall be advised of the basic offenses to be charged in all arrests, and all arrestees shall be advised of these charges.
    b. Arrestees who are sitting or lying down but agree to walk shall be escorted; two or more officers shall carry those who refuse to walk.
    c. Prisoners shall be searched incident to arrest for weapons, evidence of the crime of arrest, and contraband.
    d. Photographs shall be taken of the arrestee
    e. 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.

H. Deactivation

1. When the disturbance has been brought under control, the IC 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. All written reports shall be completed as soon as possible after the incident. Comprehensive documentation of the basis for the incident, the division's response to the incident, with a statement of impact will be forwarded to the Chief of Police.

Springfield Police Division

Procedure

Number: 6.39
Subject: Special Operations Procedure
Revised: June 28th, 1989

I. Objective

A. The Springfield Police Division expects and requires all sworn personnel to be able to properly perform all police tasks except those, which reasonably require highly specialized personnel. Special operations such as barricaded suspects, hostage takers, etc., are among the situations, which usually require the skills of specialized personnel. When such situations occur, this procedure shall be properly utilized.

B. This procedure MUST be followed whenever situations such as:

1. Barricaded suspects.

2. Persons reasonably believed to be armed and dangerous to themselves or others and resisting arrest in any place of sanctuary or security.

3. Any person holding hostages for any reason(s).

4. Any person reasonably believed armed with any deadly or dangerous weapon and resisting arrest by refusing entry to or exit from any structure, closed space, or vehicle.

5. Any “sniper” situations.

6. Or similar extraordinary events which are occurring or about to occur.

C. The primary purpose of this and related directives is to facilitate successful police operations in furtherance of upholding the law, preserving the peace, and especially protecting life and property whole reducing or avoiding serious injuries or death to any person, specifically including police officers.

D. This procedure consists of three (3) primary segments:

1. Initial conduct when any apparently special situation occurs.

2. When more specialized personnel should be utilized and how they should be used.

3. If and when a forced entry or chemical agents may be reasonably necessary, the proper planning and tactics which are required.

II. Initial Conduct at the Scene of Any Apparent Special Situation

A. Whenever the officer(s) at any such scene or situation have any good reason to believe this procedure should be applied, several very important duties must be properly performed before the situation becomes more dangerous to any person.

1. "Back-off," seek a position of cover and concealment.

2. Observe the details of the situation.

3. Evaluate, based upon initial but careful thinking.

4. Notify Headquarters of the initial observations and evaluation.

5. Request a Street Supervisor and other assistance.

6. Direct all responding officers to routes, which avoid or reduce their exposure to possible shooting and similar threats.

7. Advise all units responding to the scene of initial positions, which should be taken to begin containment procedures.

B. It is very important all officer know who is in charge, and the chain of command for all special operation shall be as follows:

1. The first STREET SUPERVISOR to arrive at the scene shall take command of the situation, UNLESS AND UNTIL:

a. Another Patrol Supervisor arrives at the scene and the Officer in Charge of Headquarters gives an order as to which supervisor shall be in command or the SPECIAL OPERATIONS SUPERVISOR ARRIVES AT THE SCENE.

b. The Patrol Street Supervisor shall request the Special Operations Team in any situation covered by this procedure which is not quickly resolved by termination of the event, without resort to forced entry, without chemical assault, and without "negotiations" with the suspect.

2. The designated supervisor shall remain in charge of the situation until arrival of the Special Operations Team Leader or until properly relieved by explicit order of the Officer in Charge, or the Patrol Captain, another Captain actin gin his place, or the Chief of Police.

3. If the Special Operations Supervisor is not then on duty, the Officer in Charge of Headquarters shall call the officer to the scene.

4. The supervisor in charge of any such special situation or operation shall always immediately call for and authorized negotiator whenever:

   a. Any hostage situation appears to exist, or

   b. Any gunshots (similar danger) have been fired (or utilized) by a suspect or suspects who are barricaded, etc.

5. The Officer in Charge shall promptly cause the Patrol Commander to be promptly notified of the special situation, the mobilization of the Special Operations Team, and such details as are available.

6. The Patrol Commander shall, if reasonably necessary, cause the Chief of Police (or Acting Chief) to be promptly notified and given such information as is then known.

7. If the Patrol Commander cannot be expeditiously contacted due to absence from home or City, the Lieutenant designated to act, as a captain shall be notified. If a Lieutenant has not been designated or, if the Lieutenant cannot be promptly contacted, the Commander of Investigation, or he cannot be promptly contacted, the Commander of Service shall be promptly notified.

   a. If the preceding procedure is not successful in prompt notification of a Captain, the Chief of Police shall be directly and promptly notified.

C. The first obligation of the supervisor in charge of the special situation is to contain the scene based upon such information as is reasonably available.

1. Establish an Inner Perimeter (keep all persons already in the structure, or indirectly involved in the situation, from exiting the area and keep all unauthorized persons, specifically including police officers of any rank, from gaining entry to the immediate scene.)

2. Direct authorized police personnel to proper positions on the Inner Perimeter.

3. Keep at least one (1) marked unit available for other calls and initiate call-in of additional personnel for both the special operation and routine police patrol services.

4. Establish an Outer Perimeter (keep all bystanders, press and other non-police personnel in reasonable positions of relative safety.) Be sure no one can easily get to the Inner Perimeter.

5. Determine whether innocent bystanders, neighbors, etc. should be evacuated from the Inner Perimeter.

6. Determine where it is reasonably necessary to have an Emergency Medical Services or other non-police public agency safety units stationed on the Outer Perimeter.

7. Record all assignments made, known facts and actions taken in chronological order for subsequent planning or reports.

D. No one, other that the Special Operations Supervisor, involved in the situation will, on his or her own initiative, make or cause any offensive movement or action at the scene of any such special operation.

E. Every apparent and reasonable effort to avoid forced entry, deadly force, or negations with any suspect will be made pending arrival of the Special Operations Supervisor.

1. Only the Special Operations Team has full procedural authorization for forced entry, chemical munitions assault, or termination of threat by a rifle sharpshooter.

2. Only a currently authorized negotiator is permitted to conduct negotiation in incidents covered by this procedure.

III. Proper Utilization of Specialized Personnel

A. Once an authorized negotiator arrives at the scene and has been fully apprised of the situation, he or she shall make contact with the suspect and attempt to gain sufficient rapport to establish negotiations.

1. If another officer has established viable communications and, if they seem to be able to continue such communication, the negotiator shall be the advisor to that officer.

B. Anytime there appears to be a hostage or, if a gunshot (or similar deadly act) has actually been fired by any contained suspect, an authorized police rifle sharpshooter team must be called to the scene unless the matter has been expeditiously resolved (ended) by cessation of all hostile acts and release of all hostages.

C. With the exception of reasonably and immediately necessary acts of self defense or defense of another from imminent deadly force, only the Chief or Acting Chief may authorize a police rifle sharpshooter or any other officer to fire any shots to end the threat posed by a suspect during any special operation.

1. All gunfire or similar deadly force must be utilized with the utmost prudence if we are to be successful in reducing or avoiding death

or serious harm to all person involved in any such special operation. All supervisors must keep full command and control of all officer gunfire.

IV. Proper utilization of Chemical Agents/Forced Entry

A. It is extremely important special operations tactics escalate only as reasonably necessary to the situation. Chemical agents and/or forced entry of any barricaded place, or movement upon the immediate area of any suspect holding any hostage or reasonably believed to be armed in a place of security, should be utilized only after reasonably available alternatives have been apparently exhausted or are otherwise likely to be inappropriate or ineffective in neutralizing the threat.

1. If appropriate, the use of chemical agents should be attempted prior to the use of forced entry.

B. Before authorizing any use of chemical agents and- especially- before authorization of any forced entry of any structure, the Special Operations Supervisor must make viable attempts to find out:

1. Who is in the structure or place, their likely physical condition, restraints upon movement, etc.;

2. Floor Plan of the structure.

3. Contents or materials in the rooms or areas to be entered or gassed;

4. Where the suspect(s) and others may be located, especially just prior to the use of tear gas and/or forced entry.

C. Both planning and actual tactics require careful prudent thinking; preparation is often the key to success.

1. Reconsider the need and feasibility of evacuation of bystanders from the endangered area and properly conduct such an evacuation if it is both needed and practicable.

2. Determine and obtain proper equipment and qualified personnel.

3. Determine whether chemical agents are appropriate (generally, the use of tear gas should precede any forced entry.)

4. Request both Emergency Medical Services and fire-fighting apparatus at the scene and do not use chemical agents or any forced entry until they arrive.

5. Obtain and use proper gas mask for all entry personnel (officer on the Inner Perimeter may need them, also.)

6. Obtain and use proper ballistic safety jackets and related items for all entry personnel.

7. Obtain and issue proper firearms and related items for all entry personnel.

8. Plan the entire entry operation.

9. Order specific assignments for each participating officer and require each officer, especially the leader, to verbalize all orders and authorized tactics.

10. Direct the operation(s).

11. Secure the structure or area and initiate a proper major crime scene investigation.

12. Assign an officer to collect and account for (in writing) all arms, ammunition, and safety equipment issued for the operation.

13. WRITE A THOROUGH SUMMARY OF THE ENTIRE OPERATION AND PARTICIPATE IN ONE OR MORE THOROUGH “DEBRIEFING” SESSIONS.

Springfield Police Division

Policy

Number: 6.40
Subject: Alarm Response
Revised: November 20th, 2000

Purpose

In order to protect the emergency service of the Springfield Division of Police from misuse by responding to defective alarm systems and excessive false alarms, it is deemed necessary to control and regulate the police response to alarm calls.

The purpose of this policy is to assure that effective corrective action is promptly taken to correct repeated false alarms. Police services activities or responses to alarms; will be indefinitely suspended pending the correction of repeated false alarms. Services will be reinstated upon written notification from the Alarm Company and/or subscriber when corrective measures have been taken to prevent false alarms and/or repairs have been made to the alarm system. Written notification by the Alarm Company and/or subscriber must include the reason for the false alarms as well as the corrective action taken.

A. This policy applies to all alarms and alarm devices of any type, construction, design, uses, or intended uses which through any means are involved in any manner with any member of the Division of Police receiving any notice, determining, recording, or believing an alarm has been activated.

1. This policy does not promise, indicate, or intend any particular response, notice, service, or activity will or will not result upon any activation of any alarm whether real or false.

2. This policy does not promise, indicate, or intend any notice, service or action of any type will or will not be provided as the result of any determination to withhold, modify, or withdraw any services or activities from any alarm, person, site, or premises.

3. This policy does intend that each member of the Division will properly report and record each incident believed to be a false alarm so that corrective and preventative measures can be taken to reduce false alarms. If attempts to reduce repeated false alarms have been unsuccessful, the indefinite suspension of any responses to alarms will be authorized.

B. Officers responding to an alarm shall fill out an Alarm Response notification report. Officers shall leave a copy at the alarm site and leave a copy to records. The Alarm Response Notification instructions are as follows:

1. List the case number, date, and time.

2. List the address and if multiple buildings exist, specify which one.

3. Write the alarm company name and the ID number if possible.

4. Under comments, list the possible cause of known. (EX. open doors, animal, weather related, etc.)

5. Check the appropriate boxes, which apply.

6. Write the officer(s) name and unit number.

7. Leave a copy at the alarm site or give it to a runner.

8. Submit a copy to records for later follow-up.

C. For the purpose of this policy, a false alarm will be deemed to have occurred whenever any member of the Division finds any of the following has occurred:

1. Any mechanical or software malfunction.

2. Any negligent or accidental alarm.

3. Any notice of any alarm exists and a police officer does not find any significant evidence or indications that a criminal offense or serious medical condition had occurred or was imminent at the time of activation.

4. Any manual alarm activation by an individual where there is no risk of death or serious physical harm to any person shall be deemed inappropriate.

5. Any alarms set off by circumstance such as lightning, thunder, inclement weather, or any other “act of God.”

D. Subject to the review of the Chief of Police or his designee, whenever any member of the Division reports and records that two or more false alarms have occurred, the policy for the suspension of police service is as follows:

1. Upon the recording of two or more false alarms at any address, premise, or site within any one calendar month, the Chief of Police or his designee shall cause a trained officer to be sent to advise the subscriber of the false alarm problems. A trained officer will be sent to take with the subscriber and give preventative measure to be taken as well as explain the consequences of continued false alarms. The officer will then leave an inter-office communication to records documenting the meeting with the subscriber.

2. Upon the recording of four or more false alarms in any three consecutive calendar months the Chief of Police or his designee shall send a written notice of an indefinite suspension of police service for r alarms. The suspension shall continue until corrective measures have been taken to prevent false alarms or the equipment has been repaired. The alarm company and/or subscriber will be required to forward a letter to the Chief of Police indicating the original problem causing the false alarms as well as the corrective action taken; prior to reinstatement of police service for alarms.

3. Proof of receipt of written notice by the subscriber is not required.

E. Indefinite suspension of police service for alarms will commence ten (10) calendar days from the date of the written notice. The suspension will become effective unless written notice of corrective action is received and deemed acceptable prior to commencement date.

1. Such indefinite suspension shall be initiated, enforced, and continued until such time as the Chief of Police or his designee deems the appropriate corrective measures have been taken. The Chief will specify all parameters of any such determination and a specific date during which alarm responses will be restored.

2. A “runner” employee, occupant, or agent of the premise or site of any alarm should be requested at the scene of any alarm activated.

3. If a “runner” does not arrive at the related site or scene prior to the time a police officer has completed any routine services or activities for the alarm scene, the officer shall fill out the Alarm Response Notification report, leave a copy, and return to service.

4. A “runner” will be required for a third alarm at any one location in a twelve- (12) hour period. The Officer in Charge will have discretion on whether a police response is made if a “runner” is not available.

5. In the event that the premises are found to be unsecured and cannot be reasonably secured the officer should not remain at the scene out of service for more than fifteen minutes after the first police attempt to contact a “runner.”

F. Direct alarm connections to Police Headquarters are prohibited.

COMMENTARY: This policy does require a “runner” and establishes limits for police services if a “runner” declines or does not respond promptly. This policy also establishes limits of police services for repeated false alarms.

Springfield Police Division

Policy & Procedure

Number: 6.41
Subject: Mobile Radio Procedures
Revised: June 28th, 1989

While this listing of basic, proper procedures is not all-inclusive, it is intended to plaice proper emphasis upon certain, key principles of the authorized conduct of important elements of field unit and mobile radio practices related to working within assigned area, proceeding properly with assigned dispatch or other work and use of the police radio system.

I. All members of the Division must send and receive all radio transmission in a correct, professional, and courteous manner.

   A. All unnecessary use of radios is prohibited. Any language or any other use of any radio, which is not limited to correct communications or unit/officer status, dispositions, or communications of authorized police business, is unnecessary.

II. When first beginning patrol or other police travel during any tour of duty, <u>all</u> Officer through the rank of Sergeant will promptly and correctly identify their unit as “in-service” or “beginning tour of duty.”

   A. When ending any “field” duties at the end of their tour of duty, <u>all</u> Officer through the rank of Sergeant will promptly and correctly identify their unit as “out of service” or “ending tour of duty.”

III. All dispatches or other transmissions received from headquarters by any Officer or unit mist be promptly, correctly, and courteously acknowledged.

   A. When any call from Communications to a Uniformed Officer or marked unit is receive, it should be promptly answered with the correct, full unit number and the <u>correct location of that unit or officer</u>. (It is <u>not</u> necessary to use both the correct unit alphabetic character (L, E, W, etc.) and a re-enforcing word code (Lincoln for L, etc.) as long as the radio system is transmitting and receiving clearly. Either a letter or a corresponding word code <u>is sufficient</u>.

   B. <u>All changes in marked unit or uniformed officer “status” (busy, out, 10-8, “there,” etc.) must be promptly and correctly reported to Communications.</u>

   C. When called, marked units must promptly and correctly answer all transmissions from headquarters with the correct, full unit number. Marked unit or uniformed officer conducting an <u>authorize and previously reported assignment</u> such as surveillance, service of a warrant, etc., may use a location of “at assignment.”

IV. All Officers initiating any transmission should clearly transmit their correct unit number and then wait and make no further transmission of any type until they are acknowledged by Communications or until it is reasonably obvious that the transmission was not received. (It is understood there may be some reasonable exceptions during pursuits or other emergencies; however, this procedure must be followed whenever practicable.) All members initiating a transmission to a field unit or officer should, unless exempted by other directives, call the correct, full unit number and then wait and make no further transmission for that unit until is reasonably obvious the transmission was not received.

A. For reasons of Officer safety, Officers should always avoid actually stopping a suspect vehicle, including traffic stops- or at least avoid approaching any suspects- until after your unit number is acknowledged by Communications. It is also helpful to give such “traffic stop” information the order of the fact a stop is intended, followed by the location, followed by the license number of the vehicle.

V. All dispatches or other assignments, which are relayed in any manner, shall be responded to and carried out without unnecessary delay.

A. After such a dispatch or assignment is received Officer should promptly "clear the message” and write the address or location on their notepad or “run sheet.” If a message is not clear, it should be clarified. (If a message is clear and understood, there should be no need to ask for a repeat of any part of any address or location due to the fact it was recorded in written form promptly following receipt and acknowledgment.)

B. After receiving such a dispatch or assignment, all Officers must promptly, directly and lawfully proceed to the assigned area, location or incident and NO OFFICER OF ANY RANK WILL STOP, HINDER, DELAY, OR INTERRUPT any such dispatch or assignment unless one of the following reasonably occurs:

1. Another, superseding dispatch or cancellation is received.

2. A felon seems to be in progress or the Officer comes across or notices an equal or greater danger to the physical safety of human beings as that implied by the assigned matter.

3. Unless properly directed by an appropriate supervisor.

C. If an event which reasonably appear of less danger to any person is noticed while responding to or conducting any dispatch or assignment, Communications must be promptly notified so that another unit may be dispatched to the less dangerous event or so that it can be determined by supervision whether the responding officer should be re-assigned.

D. If a stop or delay for any reasons seem necessary, Communications must be immediately notified of the location, the apparent reason, and the

approximate time likely to be involved before resuming travel to the first incident or dispatch.

VI. Officers already assigned to other locations or matter may be dispatched to another location or matter under circumstances as follows:

A. The unit has not yet arrived at the assigned location or area; another matter reasonably seems more urgent; and another unit should be dispatched; or,

B. A unit has arrived at the location and Emergency or Immediate dispatch should be made but, following directive, no other units are then available for dispatch; or,

C. An officer of this or another agency is in personal danger and requesting emergency or immediate back-up and the unit delaying a previous dispatch is the closest unit or the only unit which is reasonably available; or,

D. The unit is on directed patrol or another special assignment and the dispatch causing the interruption or delay is of a higher Divisional priority than the assignment; or,

E. When approved by the OIC or other appropriate supervisor.

VII. Officers shall not leave their assigned patrol beats or areas unless:

A. It is necessary to the proper initiation or completion of assigned work and Communications is notified prior to leaving the beat or area; except as noted in VII, C, leaving an assigned area to come to headquarters, requires explicit prior permission of an appropriate supervisor;

B. In proper pursuit of offenders or suspects and Communications is promptly and correctly notified.

C. It is fifteen or fewer minutes before the end of the officer(s) assigned tour of duty and Communications is notified before leaving the area;

D. Permission from an appropriate supervisor prior to leaving the area and Communications is promptly and clearly notified.

VIII. Officers are not authorized meals or other breaks outside their assigned beat or area without the prior explicit permission from the OIC and shall always notify Communications by non-emergency telephone line at the actual site of the break and before the break begins regardless of the location of the break.

IX. Restrictions on time and locations for all breaks for all officers in the classified civil service are as follows:

A. Unless on an approved out of town assignment, within the City limits.

B. Within the assigned beat or area, unless in full compliance with all Divisional directives.

C. No portion of any break will be taken during the first or last hour of any assigned tour of duty.

D. Subject to immediate dispatch according to Divisional Directive or Training.

E. Subject to all other orders/directive regarding frequency, length of time permitted numbers of units at a time or at a location, etc.

X. All officer initiated absences from a marked police vehicle (including stopping or exiting at the request of a citizen) require prompt and proper notification of Communications. If it is necessary for an officer to be away from a radio or to turn a radio off or "down," Communications must be notified before such action is taken. Extended absences from any unmarked vehicle require prompt and clear notification of Communications.

XI. All personnel are hereby referred to Chapter 7, especially 7.34, 7.35, 7.36, 7.46(D), and 7.55:

7.34: Leaving Assigned District or Area

7.35: Necessary Relief from Prolonged Duty Post

7.36: Sleeping on Duty

7.46: Intervention in Police Cases/Assignments without Authority

7.55: Meals or Other Breaks

Springfield Police Division
Policy

Number: 6.42
Subject: Smoking Policy
Revised: September 30th, 1992

In order to provide a healthy, comfortable and productive work environment for all Division employees and for all guests and visitors to our facility, this policy is being issued.

I. General Purpose

A. Establish guidelines which will address the concerns of smokers and non-smokers. However, when the concerns or conditions conflict, the rights and preferences of the non-smoker will prevail.

1. This decision is based upon the American Lung Association's findings relative to the harmful effects of smoking to the health of smokers.

2. Recent research information, which indicates that secondhand smoke seriously, endangers the health of non-smokers.

B. Address the issue of smoking and non-smoking areas within the Safety Building and police division vehicles.

II. Designation of Areas.

A. Smoking is prohibited in the Springfield Police Division Complex of the Public Safety Building.

1. Smoking will be permitted in the open or outside areas adjacent to the Building which are readily available to employees during regular work breaks or meal breaks.

2. No additional breaktime for the purpose of smoking will be granted to employees assigned to work outside the Division complex.

III. City Vehicles

A. All vehicles assigned to and/or operated by employees of the City of Springfield Police Division are designated as non-smoking areas at all times.

IV. City Programs

A. At the request of the employee, stop-smoking programs are available and the City Personnel Office should be contacted.

B. Also available to those employees interested is the nicotine patch system and the cost is currently covered by the City's Prescription Plan.

V. Notification

A. Each employee of the Springfield Police Division as well as the respective bargaining units will receive copies of this policy.

B. The Springfield Police Division Complex of the Public Safety Building will be posted as a non-smoking area.

C. The general public will be informed that the Police Division Complex of the Public Safety Building is a non-smoking area through the media and press releases.

VI. Issue and Effective Dates

A. The issue date of this Policy is September 8th, 1992.

B. The effective date of this Policy will be on Wednesday September 30th, 1992 at Midnight.

VII. Policy Number

A. This policy has been numbered 6.42, Chapter 6 of the Rules, Regulations and Procedural Manual of the Springfield Police Division.

Signature
Roger L. Evans
Chief of Police

Springfield Police Division

Policy & Procedure

Number: 6.43
Subject: Landlord Notification of Drug Activity
Revised: August 5th, 1993

I. Policy Statement

It shall be the policy of the Springfield Police Division to assist neighborhoods decrease and thwart the illicit sale and use of drugs of abuse through the strict enforcement of alcohol and drug laws and the use of contraband, forfeiture and nuisance statutes. To this end, in addition to filing criminal charges against offenders, property, both real and personal, shall be seized and forfeited when it is used in the commission of a crime, specifically drug abuse offenses.

In order to minimize the seizure and forfeiture of property which is used in the commission of a criminal offense when the owner of the property has no knowledge of its use in the criminal offense, the Springfield Police Division will ensure that the owner of the property has knowledge of the use of the property in a criminal offense prior to seizure and forfeiture of the property.

In particular, it shall be the policy of the Springfield Police Division to issue written notification to owner of real property the City has evidence of illegal drug activity on the premises at such a time and in such manner as will, not interfere with any ongoing criminal investigation involving that real property. The written notification shall be delivered by CERTIFIED mail, personal deliver, or such other method of service as will be likely to give the property owner actual notice under the circumstances.

Where the property, which may be subject to forfeiture, is real property, and if requested by the property owner and/or rental manager, the Springfield Police Division will provide necessary assistance in the service of eviction notices. In addition and when requested by the property owner and/or rental manager, the Springfield Police Division will receive assistance in the service of eviction notices. In addition, and when requested by the property owner and or rental manager, the Springfield Police Division will make available to testify in court proceedings in connection with eviction matters police officer which can testify regarding the service of the eviction notices.

When a real property owner has been issued the written notification described above, he or she will be obligated to initiate such legal action as is necessary to vacate all persons responsible for illegal drug activity from the premises, and diligently prosecute such legal action to a conclusion.

In the event the such a real property owner fails, neglects, or refuses to initiate, within a reasonable time, and diligently prosecute, such legal action as is necessary, after having been given written notification by the Springfield Police Division of illegal drug activity on such owner's real property, it shall be the policy of the Springfield Police Division to refer such failure, neglect, or refusal to the appropriate law enforcement authority for such further action under State, or other applicable, law as appropriate under the circumstances.

IN THE EVENT THAT SUCH A REAL PROPERTY OWNER INITIATES, WITHIN A REASONABLE TIME, AND DILIGENTLY PROSECUTES, SUCH LEGAL ACTION AS IS NECESSARY, AFTER HAVING BEEN GIVEN WRITTEN NOTIFICATION BY THE

SPRINGFIELD POLICE DIVISION OF ILLEGAL DRUG ACTIVITY ON SUCH OWNER'S REAL PROPERTY, IT SHALL BE THE POLICY OF THE SPRING FE POLICE DIVISION NOT TO REFER THE MATTER OF THE FORFEITURE OF SUCH OWNER'S REAL PROPERTY FOR ANY FURTHER ACTION UNDER STATE, OR OTHER APPLICABLE LAW

The Springfield Police Division will proceed pursuant to this policy as a voluntary procedure for so long as it is directed to do so by the City Manager and the City Commission, and shall report from time to time as requested to the City Manger and the City Commission for the purpose of determining whether there is need for further local legislation.

II. Sample Notification Letter

(Letterhead)

Dear (Landlord) Date:
In Re: (Property Description)

On (dates) the above-reference real property was the subject of police action in which the following contraband was confiscated and./or the following activities observed:

(List Contraband)

Our information indicates that you are either the owner and/or manager of this real property. This is, therefore, to specifically inform you of the police activities set forth above, and to seek your cooperation in removing all persons responsible for the indicate illegal drug activity from the premises.

Pursuant to Springfield Police Division policy, upon written notification you are to initiate such legal action as is necessary to vacate all such person from the premises, and diligently prosecute such legal action to the conclusion.

It is not the intent of the Springfield Police Division to interfere with you interest in the property; it is our intent to take all necessary legal action to insure the property is not used for illegal purposes.

Where there is reason to believe that the illegal activity is being conducted by, or aided and abetted by, your tenants, the Springfield police Division will, upon request, provide necessary assistance in the service of eviction notices, as well as making its police officers available to testify in court eviction proceedings in support of the service of such eviction notices.

Please understand that if you do not initiate and diligently prosecute such legal action as is necessary to vacate all person responsible for the above-described illegal activity from the premises, within a reasonable time, this office will refer this matter to the appropriate law enforcement official for such for the action as is deemed appropriate under State, or other applicable, law.

If you have any questions regarding this matter, please contact me at 324-7720/7721 between 8:30 a.m. and 4:30p.m. Monday through Friday.

Yours Truly

Roger L. Evans
Chief of Police

III. Issue and Effective Date

The issue date of this Policy is August 5, 1993. This Policy becomes effective August 5, 1993.

IV. Policy Number

This Policy has been numbered 6.43, Chapter 6 of the Rules, Regulations and Procedural Manual of the Springfield Police Division.

SIGNATURE
Roger L. Evans
Chief of Police

Springfield Police Division

Policy & Procedure

Number: 6.44
Subject: Uniform Patrol Cameras
Revised: January 10th, 1995

I. Policy

A. Our policy is that each marked unit assigned to Uniform Patrol Shift Operations be equipped with a camera for documentation of victim injuries and related crime scenes.

B. Each unit investigating an incident, which reasonably requires photographic documentation of victims, suspects, or the scene of the crimes, is responsible for ensuring adequate photographs are made. Only the most severe or very difficult to photography incidents are eligible for the utilization of officer or cameras assigned to other units. For all other incidents, the investigating officers shall take such photographs as are reasonably necessary and ensure the negatives are promptly and properly submitted to Staff Services.

C. Each unit assigned a camera is responsible for the equipment and also for prompt reports of loss, damage, or the need of repair.

D. The primary purpose of the cameras is on-scene documentation of personal injuries in crimes of violence or important elements of the scene of such crimes.

II. Procedure.

A. At the beginning of each tour of duty, every shift patrol unit shall be assigned a camera. At the end of each tour of duty, every camera shall be returned to a supervisor.

B. A sign-out log for cameras shall be maintained by the Uniform Patrol Officer-in-Charge. Either an issuing supervisor or the assigned officers must write the names of the responsible officers and the number of the assigned camera upon the log at the time a camera is issued.

C. All directives for the proper use and safety of cameras must be properly utilized and supervised.

Springfield Police Division
Policy

Number: 6.45
Subject: Neighborhood Beat Policing
Revised: September 11th, 1996

The Springfield Police Division is committed to a Community Policing philosophy, which promotes community, government, and police partnerships. The Neighborhood beat Policing Policy will allow us to provide full-service policing, proactive and reactive, by involving the community as partners in identifying, prioritizing, and addressing the cause of crime, fear of crime, community issues, and neighborhood decay.

The purpose of this policy is to provide members to the Uniform Patrol Sub-Division with guidelines and objectives upon which to operate as we implement Beat Policing.

Community Resource Officer (CRO) Responsibilities.

A. Familiarize Beat Police Officer with available resources.

B. Demonstrate good COP principles and practice with special emphasis on carefully listening to individual concerns and resolving citizen problems.

C. Coordinate introductions and contacts of BPO's with existing neighborhood groups.

D. Facilitate the flow of information for Beats between shifts, BPO's & CRO's.

E. Communicate with all CRO's to maximize the effectiveness and efficiency of the transformation from traditional policing to Beat Policing.

F. Communicate daily with Beat Sergeants and the OIC for approval of suggested courses of action.

Beat Police Officer (BPO) Responsibilities

A. Identify each neighborhood's concerns and issues. Resolve issues through a team approach. The team should solve the problems whenever possible and not refer neighborhood problems to other Units or agencies unless absolutely necessary.

B. Maintain a true interest in resolving citizen problems. Do not refer citizens to other agencies. BPO's should make the necessary contacts then follow-up to see if the problem has been resolved.

C. Pass information to corresponding BPO's on other shifts.

D. Work as a "team" (all three shifts, CRO's and citizens) to effectively deal with the problems of the BEAT.

E. Communicate daily with the Beat Sergeant to discuss neighborhood problems and recommend courses of action.

F. Become a known face and name to all citizens with which you come in contact in your Beat and get to know as many of them as possible.

Beat Sergeant's Responsibilities

A. Ensure CRO's and BPO's are addressing neighborhood problems in an efficient and effective manner. Utilize available patrol options, including vehicle, bike and foot patrol, plain clothes, etc., as appropriate to the problems in each neighborhood.

B. Maintain officer availability for call response.

C. Coordinate efforts between Beats when necessary.

D. Identify and secure additional resources when needed to address neighborhood problems. (Every effort should be made to solve the problems with the "Team.")

E. Confer with other Beat Sergeants to maintain goals for all Beats and effective response to calls for service.

F. Report to the OIC for total Shift/Citywide coordination and responsibilities.

Shift Commander Responsibilities

A. Ensure Beat Sergeants address all of their goals.

B. Maintain adequate staffing levels to address Beat goals and calls for service for the entire city.

C. Facilitate problem solving between shifts.

D. Forward weekly reports addressing problems identified, steps taken to resolve the problems, and list the results. In the report, include a planning calendar for the next four weeks, which lists upcoming events, activities and resources needed for the events and activities.

E. Request resources not generally available within the shifts. (Only when it is not possible to resolve the issues with Shift Personnel.)

Springfield Police Division

Procedure

Number: 6.46
Subject: Use of Barricades
Revised: October 12th, 1999

A. The Springfield Police Department will maintain and utilize self-standing traffic barricades for use in emergencies to block roadways, provide traffic control, serve as hazard warning devices and for such other uses they may be deemed necessary.

B. Examples of times that barricades may be used are:

1. Trees or other obstructions blocking the roadway.
2. Serious accidents.
3. Crime scenes that require extensive investigation.
4. Dangerous road conditions (sink holes, poorly marked construction sites, etc.)

C. Barricades may be left at a scene if persons responsible for correcting the problem have been notified and a supervisor has approved the placement of the barricades. Officers leaving barricades at a scene shall notify the communications center that barricades have been left in place so that Officers may pick up the barricades once the problem has been resolved.

1. If a barricade cannot be picked up during the shift in which it was used, the Officer that left the barricade shall notify an oncoming shift supervisor of the barricade placement.

D. Barricades shall be marked to identify the number of the cruiser to which they belong and when not in use, barricades shall be kept in cruiser trunks. Any officer that picks up a barricade that does not belong to the cruiser the Officer is currently using shall endeavor to return the barricade to the proper cruiser.

E. Use of the barricades is subject to supervisory direction.

<u>This Policy is effective October 12, 1999.</u>

Springfield Police Division

Procedure

Number: 6.49
Subject: Use of Mobile Communication Devices
Revised: June 19th, 2001

A. Upon the effective date of the issuance of this policy, members of the police division will be authorized to carry mobile communication devices with them while on duty.

B. Those members who carry mobile communication devices while on duty shall not allow the use of these devices to interfere with their daily assignments and responsibilities.

C. Those members who use mobile communication devices while on duty, shall exercise extreme caution and should make every attempt to avoid using such equipment while operating a motor vehicle.

D. Mobile communication devices are not to be worn on any part of the uniform except the belt. Additionally, mobile communication devices worn on the belt, shall not be of such size or color that they draw attention to the device being carried.

E. The City of Springfield and the Police Division will not be responsible for any damaged or lost personal mobile communication device carried by members of this division, or for any costs associated with he use of these devices.

<u>This policy is effective June 19, 2001</u>

Springfield Police Division

Policy & Procedure

Number: 6.51
Subject: Handling of Intoxicated Subjects
Revised: December 16th, 2003

Purpose: The following guidelines have been established to insure consistency within this organization in regards to the handling of intoxicated subjects.

A. When an officer(s) encounter a subject who is under the influence of alcohol and/or drugs; to the extent that his or her senses are ***severely impaired,*** and it is likely that the condition will cause physical harm to the individual, officer(s) will consider this to be a medical issue and will summon a medic unit for transport to a hospital.

B. When an officer(s) encounter a subject who is under the influence of alcohol and/or drugs; but ***not*** to the extent that his or her senses are severely impaired, and it is not likely that the condition will cause physical harm to the individual, officer(s) will make an effort to ensure transport for the individual to a place of safety. These efforts should include, but are not limited to:

i. Attempting to contact a family member,
ii. Attempting to contact another relative or friend of the individual,
iii. Summoning a taxi-cab for the individual,
iv. Any other means a supervisor determines to be appropriate.

C. In either situation, if the officer(s) determine that probable cause exists for a charge of Disorderly Conduct, or any other applicable misdemeanor charge, the officer(s) should complete an **Order-In Only** affidavit and serve the individual either on the scene or at the hospital.

D. The date of this Policy and Procedure is December 16, 2003.

(see also- General Order #38)

Springfield Police Division
Policy & Procedure

Number: 6.52
Subject: Calls for Police Service involving individuals with Mental Health Issues
Revised: July 13th, 2020

I. Policy

A. Police officers may come in contact with individuals suspected of having mental health issues or those with a mental health disability.

B. This policy classifies these calls into two categories:

1. Calls for service which may originate in dispatch

2. Calls that require the authorization of a police supervisor, prior to dispatch.

C. The policy also outlines certain officer requirements and prohibitions for handling these calls.

II. Definition

O.R.C. SECTION 5122.01 (A) defines mental illness as "a substantial disorder of thought, mood, perception, orientation, or memory that grossly impairs judgment, behavior, capacity to recognize reality, or ability to meet the ordinary demands of life."

III. Procedure

A. <u>Calls for service which may originate in dispatch:</u>

1. Suicides: This incident clearly calls for police response including, but not limited to, appropriate reports, evidence collection, notification of appropriate investigative personnel, etc.

2. Criminal, or violent, behavior

a. It should be noted that officer's decision to arrest may NOT rely on the officer's perception of the subject's mental state.

b. It is up to the appropriate court to determine the subject's mental competence.

c. Any call involving the potential arrest of a subject suspected of having mental health issues shall involve the dispatch of at least two officers.

3. Suicide attempts:

a. Officers responding are responsible for making the scene safe for medical personnel to perform their duties.

b. Once the situation is safe, the call becomes a medical matter.

c. In cases of exceptionally violent or persistent suicide attempts, a police supervisor may require an incident report, property submission, etc.

4. Suicidal Threats:

a. A call from a subject, in which the person is indicating that he/she is contemplating suicide or other irrational or potentially dangerous behavior.

b. A police supervisor will attempt to obtain information relevant to the subject's mental health care history and make every reasonable attempt to arrange for the subject's care through family.

c. If these attempts fail and the supervisor believes a police response is needed, a police supervisor should accompany the responding officers.

5. Subjects facing Involuntary Committal ("Pink Slipped") by an appropriate medical authority and requiring transportation and being physically resistant

a. At least two officers should be dispatched to make the situation safe, at which time the call becomes a medical matter

b. Transportation of the subject to the emergency room is the responsibility of the medical authority (i.e. – Springfield Fire Division, private ambulance, etc.)

c. It is the responsibility of the medical authority to effect the involuntary committal process – police personnel are not permitted to "pink slip" an individual on another party's behalf.

d. A police supervisor should respond to assist the officers with this type of call.

B. <u>Calls for service that must be authorized by a supervisor:</u>

1. "Third Party" calls involving a request for police to check on a subject exhibiting irrational behavior which is not apparently dangerous.

a. The supervisor will determine the caller's relationship to the subject (family, friend, passerby, etc.) and any relevant information on the subject's mental health treatment or history.

b. Responding officers should bear in mind the standards for compelled psychiatric examination ("pink slipping") and must also recognize that psychiatric counseling is not a police function.

2. A call from any mental health agency, public or private, in which staff request that police perform any function that is a mental health, health, or medical responsibility.

a. Examples include, but are not limited to, requests that officers help administer medicine to a client, check on a client who has not taken medicine or failed to contact any agency per agreement, or that officers transport a client to any location for any reason whatsoever.

b. Supervisors should limit police involvement in these instances to telephone advice, unless the agency gives clear and convincing reason for police involvement.

c. Transportation requests are not the responsibility of the police and will be referred to the Springfield Fire Division (only for transport to the emergency room) or a private transport agency (private ambulance, Uber, etc.).

d. Any agency's claimed lack of staff or resources to perform the requested act, is not a valid reason for police response.

C. Emergency Hospitalization of a Subject for Evaluation by Mental Health Professionals

1. Situations may arise in which an officer compels a subject to undergo psychiatric evaluation by mental health professionals at a medical facility.

2. This act requires that an officer provide written documentation specifying the circumstances under which the subject was taken into custody and the reasons for the officer's belief that the subject is suffering from mental illness, as defined above.

3. This documentation is commonly referred to as a "pink slip". The officer may "pink slip" a subject under three general categories:

   a. If the subject represents a substantial risk of harm to his/her self;

   b. If the subject represents a substantial risk of physical harm to others as manifested by evidence of recent violent behavior, or evidence of recent threats that place another in reasonable fear of violent behavior;

   c. If the subject demonstrates that he/she is unable to provide for basic physical needs due to mental illness and that appropriate provision for such needs cannot be made immediately available in the community.

4. According to O.R.C. Section 5122.10, an officer who "pink slips" a person must provide that person with the officer's name, rank, affiliation with the Springfield Police Division, the location to which the person is going for examination, and that the custody taking is not a criminal arrest.

5. Upon arrival at the facility, the officer will provide the facility with a written statement detailing the circumstances under which the person was taken into custody and the reason(s) for the officer's belief.

IV. Procedures for the Transport of Subjects Suffering from Mental Issues

A. Transport of Subjects

1. It has been the established practice in Clark County that all subjects that require mental health evaluation or intake by Mental Health Services be cleared through the Springfield Regional Medical Center Emergency Room before evaluation or intake can take place.

2. In all cases where an officer is present with a subject with mental health issues that requires transportation to the emergency room for physical or mental examination, officers will summon the Springfield Fire Division to effect the care and transportation of that subject (see Appendix A).

3. Violent subjects, once de-escalated or restrained by officers will be transported and cared for by the Springfield Fire Division, with officers assisting in every way possible to ensure the safety of all individuals, to include riding with the medic unit personnel during transport, if practicable.

4. *It must be emphasized that police personnel should make every effort to assure that police transport of subjects with mental health issues be limited to situations where the subject is in criminal custody and will not be subject to a "pink slip" or mental health evaluation. Any other police transport of a subject with mental health issues must be directed by a supervisor and only performed under extremely exigent circumstances.*

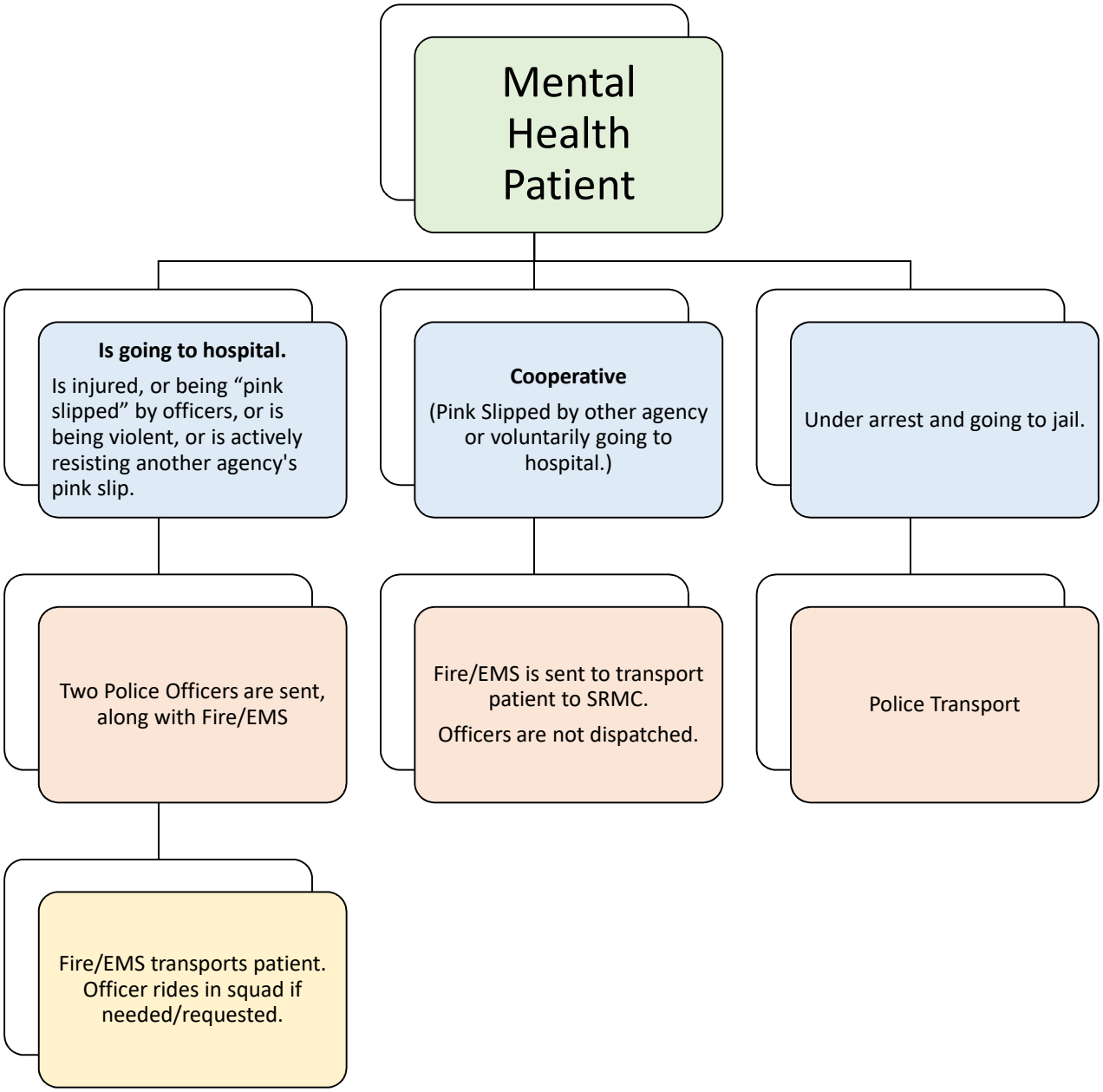
B. Officer Responsibility at the Emergency Room or Other Mental Health Facility

1. When officers escorting the transportation of a subject being "pink slipped" arrive at the emergency room, they will advise staff of the situation and, if the officers are the committing agent, complete the "pink slip" documentation.

2. Officers should coordinate with medical staff to ensure that the situation is as safe as possible before leaving the facility.

V. Effective date of this Policy: February 25, 2004.

- Amended January 7, 2005
- Amended July 13th, 2020


Mental Health Patient
Is going to hospital.
Is injured, or being "pink slipped" by officers, or is being violent, or is actively resisting another agency's pink slip.
Cooperative
(Pink Slipped by other agency or voluntarily going to hospital.)
Under arrest and going to jail.
Two Police Officers are sent, along with Fire/EMS
Fire/EMS is sent to transport patient to SRMC.
Officers are not dispatched.
Police Transport
Fire/EMS transports patient. Officer rides in squad if needed/requested.

Springfield Police Division

Procedure

Number: 6.53
Subject: Death Notifications- Notifying Next of Kin
Effective: January 30, 2006

1. Purpose: To provide a process for notifying a person's next of kin, in the event of the death of a family member. A death notification can have a traumatic impact, and with this procedure, the department strives to minimize that impact.

2. Primary Responsibility: It is the primary responsibility of the Clark County Coroner's Office to notify the next of kin, in certain death situations.

3. Division Responsibility: Division members may be called upon to make a death notification, or to advise family members of a serious injury or occurrence.

   A. Prior to making any notification, the division member will get approval from a supervisor.

   B. Whenever possible, such notification will be made in person.

   C. Whenever possible, two officers should make the notification.

   D. Officers should be prepared for unexpected responses from survivors, to include hysteria and possible verbal or physical attack.

   E. Officers should not leave a bereaved, family member unattended until all reasonable efforts have been made to garner support from the survivor's family, friends, co-workers, neighbors, family clergy, Victim/Witness, or another social service agency.

Springfield Police Division

Procedure

Number: 6.60
Subject: Mobile Data System
Effective: Thursday, July 12, 2007

1. **Purpose**- To establish guidelines for the use of Mobile Data System (MDS) to access electronically stored information contained in various criminal justice databases, to communicate with dispatch and other officers, or complete required reports.

2. **Compliance-**

   A. Division employees operating the MDS shall comply with all regulations issued by LEADS, NCIC, etc.

   B. Division policies concerning the access and use of criminal justice databases shall be followed. (See also- General Order #52)

   C. The provisions of the City of Springfield s computer use policy shall be followed.

3. **Access-**

   A. The MDS shall only be operated by employees who have- received a copy of this procedure, completed Division approved training, and are LEADS certified.
   B. Information obtained through the use of the MDS shall be treated with the same security measures as that obtained through fixed location computer terminals. Officers shall ensure unauthorized persons do not view displayed data.
   C. Officers are required to hide their screens when they exit the cruiser, to prevent unauthorized access or viewing of the data display.

4. **Dispatch-**

   A. All calls for service will continue to be dispatched by voice, over the main SPD radio channel.

   B. Officers are also expected to go back into service over the main SPD radio channel.

   C. However, SPD officers equipped with the SPD MDS will always update the call in the system, prior to going into service. Officers are expected to enter enough information about the call so that other officers and supervisors can easily tell what occurred, who was advised, etc. Officers should avoid the use of slang, jargon, or codes- for clarity.

5. **Operation-**

   A. When operating an MDS equipped cruiser, in an operational status, the officer will sign on to the MDS.

B. In situations where the use of the MDS compromises officer safety (i.e.- operating the cruiser, dealing with violent subjects, emergency responses, etc.) the MDS shall not be used, and the officer will use voice communications.

C. The MDS will be powered off, at the end of each shift.

6. **Confirming Wants and Warrants**- Warrant information, stolen vehicle information, etc., received via the MDS must be confirmed through dispatch or police records

7. **Field Reporting-** Officers will use the MDS, or a stationary computer with Field Reporting software installed, to complete all reports that the system supports.

   A. Officers who complete reports on the MDS must upload those reports to the server, prior to the end of their shift.

   B. Supervisors who check out reports completed by officers must either approve or reject them, sending them back to the server, prior to the end of their shift.

   C. This ensures that all reports will be available, even when the officer who completed the report, or the supervisor who reviewed the report, is not.

   D. Remember- any report that is not uploaded to the server remains at the location it was written (that specific car) and can only be accessed by the officer who has it checked out.

      - *Failure to upload reports to the server will be addressed under SPD Rules, Regulations, and Procedures Section 7.25 Divisional Reports Required.*

8. **Review-**

   A. Supervisors are expected to review completed officer reports throughout their shift.

   B. Detective Supervisors will review and assign completed reports prior to records merging the report into NWS.

9. **Maintenance-**

   A. The keyboard must be kept clean and fee of debris.

   B. The touch screen will be cleaned at the end of each shift. Only the provided cloth and cleaner will be used.

   C. Any damage shall be reported to a supervisor immediately, who will notify IT in a timely manner- through the use of the Intranet reporting system.

10. **Official Use Only-**

    A. All communications between or among field or fixed units are permitted for official police business only. MDS communications may be monitored and are subject to public records disclosure.

B. Modifications- No one, not specifically authorized to do so by this Division, will make any modification to the MDS, the vehicle MDS set-up, or the MDS software, except for the user defined options such as screen intensity and toolbar layout.

C. Additionally, no games, videos, or other data of any type will be downloaded to the MDS by any officer- not specifically authorized to do so.

11. **Security-**

A. Several layers of security protect the SPD Mobile Data system, as required by LEADS control,

B. Every officer authorized to access the SPD Mobile system will be issued an RSA Security Authenticator; which is similar to a key fob.

C. Officers simply combine their secret Personal Identification Numbers (PIN s) with the token codes generated by their authenticators, to access the MDS. The result is a unique, one-time use pass code that is used to positively identify, or authenticate, the officer on the system.

D. SPD Officers are personally responsible for the RSA Security Authenticator.

- It is a required piece of equipment, which they will have in their possession throughout their shift.

- SPD Officer s must immediately report the loss or damage of the device, through the chain of command, to the Chief of Police.

- SPD Officers are responsible for replacing the device in the event of it s loss, or damage, at the then current replacement cost. (Current replacement value is approximately $75.00.)

12. **Safety-** No portion of this Procedure is intended to prohibit or limit an officer from making safety conscious decisions. If there is a compromise of safety in a particular situation related to the use of the MDS, the officer is expected to use voice communications.

Springfield Police Division

Procedure

Number: 6.60.2
Subject: Mobile Data System- Consistency- Mobile Field Reporting and Status Changes
Revised Thursday, June 17, 2010

1. **Purpose-** To clarify the procedure for completing and reviewing reports, in the Mobile Data System and for Status Changes.

2. **Completing Reports**

   A. This is not an exhaustive, step-by-step procedure. It is a guideline for completing reports. (6-17-10)

   B. Officers must understand that part of the reporting process includes the collection of data for UCR purposes. If you have information that should go in a given field, fill it in. (6-17-10)

   C. The SPD Field Reporting Manual should be referred to for the answers to any questions not covered in this procedure. (6-17-10)

3. **Supervisory Review**

   A. Officers and Supervisors are reminded that all reports should be clear, concise and complete. (6-17-10)

   B. Supervisors should start their review of a report with the narrative. The narrative should describe the elements of the crime and the names of the subjects involved. (6-17-10)

   C. If the narrative is complete, the supervisor should scan all of the tabs to ensure that the data referred to in the narrative is entered in the proper location. (6-17-10)

4. **Completing reports involving the loss of property (i.e. thefts, burglaries, robberies, etc.)**

   A. The officer completing such a report must list any stolen item that has a value of $500.00 or more as a separate item, in the property tab.

      1. Example- One gold ring - $750.00.

      2. Example- U.S. Currency- $800.00.

   B. Officers should group similar items of lesser value, and list them as one item.

      1. Example- 14 pairs of gold earrings $375.00.

      2. Example- Assorted groceries $175.00.

3. Items that are not related should not be grouped.
   - Example- 2 pairs earrings, 1 mans jacket, 1 tennis racket.

4. In situations such this- if the officer has any additional descriptions of the items- they must include those descriptions in the narrative.

C. Officers must list any item the theft of which would be a felony, separately.

1. Example- credit cards.

2. Example- license plates.

D. Officers must list any item that is unique, or can be identified by a serial number, separately.

1. Example- one Nikon F3 camera serial #xxxxxx $275.00.

2. Example- Antique gold pocket watch with *"To John, Love Mary"* written on it- $120.00.

E. **Property/Vehicle Tabs**

1. Officers must list all stolen/recovered items using the Property or Vehicle tabs, and **refer** to them in the narrative. (6-17-10)

2. Officers must list damaged items using the Property or Vehicle tabs, and **refer** to them in the narrative. (For example, a window is pried open during a burglary, and the window is broken. The window needs to be listed as damaged in the Property tab, and **referred** to the narrative.) (6-2-10)

3. Bicycles are to be listed under the Vehicle tab, due to the format of NWS. (6-17-10)

5. **Loss of property reports in excess of $2000.00 (<u>Not a motor vehicle</u>.)**

A. On any report where the total loss being reported (all items combined) is greater than $2000.00, the officer must list the value of all items as $0.00. (Note- in the UCR value range, you must still select $0.00 to $199.99 or $200 and up.

B. The officer completing such a report must then write a detailed inter-office describing the value of the loss, and forward it to investigations.

C. The officer must include an itemized list of any items not specifically described in the report, in the inter-office communication.

6. **UCR and Field Reporting**

A. Officers are required to list the most serious offense first, on any report they complete.

B. The seriousness of the offense is determined by the UCR hierarchy rule. (A copy of which is loaded in the report, for officer's use.)

C. At this time, officers are not required to list the lesser, included offenses of any crime they are investigating.

1. A lesser included offense is a crime for which all of the elements necessary to impose liability are also elements found in the more serious crime.

   - Examples of lesser, included offenses-Burglary (Theft, Vandalism), Robbery (Theft), Agg. Robbery (Assault)

2. Example- a burglary is committed. During the burglary, damage is done to the front door. The officer reports the offense of burglary as the crime and details that damage was done to the front door in the narrative.

3. Example- a theft from a motor vehicle is committed. The suspect had to trespass in the motor vehicle, in order to steal the item inside. The vehicle trespass is listed in the narrative.

   - Sample Narrative- "Unknown suspect-1, entered a 1975 Ford Pinto Ohio/ABC123 and removed a stereo from the dash. No damage was done to the vehicle."

5. Status changes in Mobile

A. The Chief of Police has directed that all non-emergency status changes will be made through voice communications.

1. Officers must put themselves in-service, over the radio.

2. Other than the "Routine Tasks" previously authorized, officers must notify dispatch that they will be out at any given location, over the radio.

B. Clearing calls

1. Pressing the "Clear Call" button and completing the sequence, in the MDS changes the status for that unit to, "Available."

2. Before pressing the "Clear Call" button on the MDS screen, officers should have completed all the tasks related to that call.

   - This includes any reports or other paperwork that are related to the call.

3. If the officer decides to move to a secondary location to complete a report, before going back into service, they can note this by entering their secondary location.

C. Status changes, made over the radio.

1. Officers must verbally notify dispatch reference the disposition on every call.

2. The following dispositions are the only ones that are used. (They are listed in order of importance- for example- if you write a report, and make an arrest- your disposition would be Arrest.)

   - **Arrest-** Any arrest, including traffic.

- **Report-** For this any piece of paper, or electronic report, should be considered a report. This includes dog bite reports, DV sheets, inter-office communications, etc.
- **Parking Citation**
- **Advised**
- **False Alarm**
- **Gone on arrival**
- **Complete-** Used for special assignments, etc.

D. Emergency status changes- Officers responding to call during radio silence or other emergency situations are permitted to use the Mobile Computer buttons for En-Route and At-Scene, without verbal notification to dispatch.

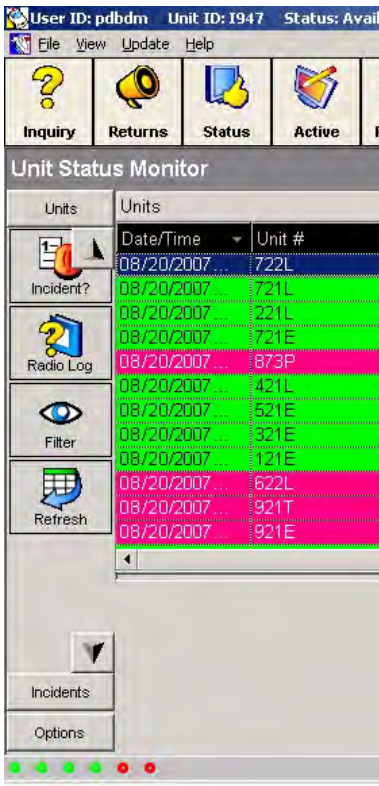
Springfield Police Division

Procedure

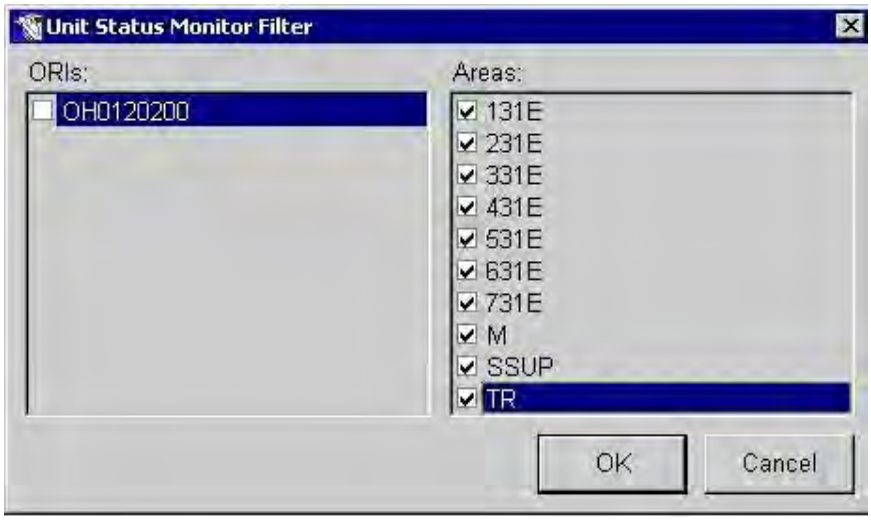
Number: 6.60.3
Subject: Setting up the USM Beat filter
Effective: Tuesday, June 03, 2008

1. An important feature of the Mobile software is the ability for officers to filter the Unit Status Monitor (USM), by beat.
   a. By using this feature, officers will no longer have to monitor every unit that is entered into CAD.
   b. However, they may choose to do so if they wish.
   c. Officers should follow the procedure outlined below, to set up the filter.

2. When you first log into Mobile, the USM comes up automatically.
   a. On the left tool bar is a button labeled "Filter." (See at right.)
   b. Press this button to begin the filtering process.



3. The USM Filter opens up.
   a. On the left is our ORI, and it is checked. Uncheck this box.
      - (See below.)
   b. On the right are all of our BEATS (labeled Areas).
      - Check all of the boxes.
   c. When you press the okay button, only those units that are actively working (including extra jobs) will show up in the USM.
   d. It is important to remember, that any unit who is on an active call- whether they are monitored or not, will show up in the USM.
   e. Should you ever want to see all the units entered into CAD, just check our ORI in the Filter, and they will re-appear.



Springfield Police Division

Procedure

Number: 6.60.4
Subject: Resetting Computer Passwords
Effective: Tuesday, June 03, 2008

1. S.P.D. Officers who are having trouble logging into any SPD computer system must seek the assistance of their immediate supervisor, to resolve the problem in a timely manner.

2. Once the supervisor has determined what the problem is, they can either resolve it- or report it, by following the procedures outlined below.

3. Any supervisor who sends a repair request through the intranet reporting system must be sure to include as much detail as possible, to help resolve the problem quickly.

4. In any event not expressly described below, the supervisor should report the problem to IT, through their intranet reporting site.

5. **Procedure to reset Affidavit Maker (AM) passwords-**

   a. Only a supervisor can re-set AM passwords.
   b. The supervisor must log into AM.
   c. At the top left hand corner of the main screen is a red **E** button- click on it.
   d. Enter the officer s name and click Execute Query.
   e. At the top left of that screen- click on the Employee Information Form tab.
   f. On the next screen- click on the Employment Tab.
   g. Click on the Set Password to User ID button.
   h. The password is now reset to the user ID. Example (JSMITH).
   i. Remember- AM passwords are case sensitive- UPPER CASE!

6. **Procedure for clearing officers who log out of AM improperly-**

   a. Only a supervisor can clear excessive login data.
   b. The supervisor must log onto AM.
   c. At the top left hand corner of the main screen is a red **Pg** button- click on it.
   d. Locate the officer by name- generally there will be more than two sessions open with no log out time.
   e. Highlight the session you wish to clear.
   f. Click on the button that says Clear selected user.
   g. Clear every open session that the officer with the problem has.
   h. They officer is now cleared from the system, and can log in again.

7. **Procedure to reset Email passwords, NWS passwords, Mobile passwords, or Mobile login attempts-**

    a. Only a supervisor can request that an Officer's password be reset.
    b. The supervisor logs on to the City of Springfield (COS) INTRANET site.
    c. On the lower left corner there is a picture of a red **F1 help** button with the words, "**Need assistance with your PC? Click here**." -Click on the button.
    d. On the next screen select- "Report the problem." -Click on the words.
    e. Select your city department- POLICE.
    f. Identify the officer with the problem by name, and by NWS ID. (Example- PDABC).
    g. Request that the NWS or Mobile password be reset and that IT notify the supervisor making the request by e-mail as to what the temporary password is.
    h. If the officer has locked himself or herself out of Mobile, due to excessive login attempts be sure to state this fact- so the log in attempts can be reset.
    i. Enter your name and send the request.
    j. The password will normally be reset 0800-1700, Monday thru Friday.

8. **Procedure for re-setting Network passwords, & RSA Devices-**

    a. Only a supervisor can request that an Officer's password be reset.
    b. The supervisor logs on to the COS INTRANET site.
    c. In the lower left corner of the screen there is a picture of a red **F1** help button with the words, "**Need assistance with your PC? Click here**." -Click on the button.
    d. On the next screen select "Report the problem." -Click on the words.
    e. Select your city department- POLICE.
    f. Identify the officer by name, and by NETWORK (or RSA) ID. (Example- JSMITH).
    g. Request that the NETWORK password (or RSA system) be reset and that IT notify the supervisor making the request by e-mail as to what the temporary password is.
    h. Enter your name and send the request.
    i. The issue will normally be addressed 0800-1700, Monday thru Friday.

Springfield Police Division

Procedure

Number: 6.60.1
Subject: Mobile Data System- Passwords, Repair Requests, & Troubleshooting
Effective: Tuesday, June 03, 2008

1. Purpose- To establish a standard procedure for trouble shooting and reporting software, hardware, and password related problems with the mobile data system.

2. Trouble connecting to the system-

   A. Officers know they are connected to the mobile system when they see four (4) green dots on the lower left hand side of the mobile computing screen.

   B. Modem-

      1. The modem is the device in the cruiser that connects each individual computer to the system.

      2. The modems are set to disconnect sixty minutes after a cruiser's engine is turned off- to save battery power.

   C. If you cannot connect to the system, follow this procedure-

      1. Shut down the computer, if it is running.

      2. Turn off the cruiser.

      3. Wait at least one (1) minute for the modem to reset.

      4. Start the cruiser.

      5. Start the computer.

      6. Enter the correct passwords.

      7. Log in.

      8. If you still cannot connect to mobile, see below.

3. Hardware problems- these problems include computers that will not turn on, keyboard or mouse pad issues, and broken equipment.

   A. Troubleshooting Hardware Problems-

      1. Make sure the cruiser engine is running.

      2. Check the cable connections to the monitor (on the back), keyboard, and trunk-mounted computer. If any connection is loose, re-seat the cable.

      3. Turn on the computer.

      4. If a problem still exists, see below.

B. Procedure for reporting HARDWARE related problems with the mobile computers-

1. Hardware problems include broken keyboards, computers that will not start, etc.

2. When an officer identifies problems of this type, they must notify a supervisor on their shift.

3. A supervisor must then check the hardware to make sure that all the cables are connected and to identify any other problems that may exist.

4. A supervisor must then report the problem through I.T.'s intranet reporting system.

   a. The report must include any issues noted during the inspection.

   b. Problems reported through the intranet, which have not previously been reviewed by a supervisor, may be sent back for confirmation- delaying necessary repairs.

4. Software problems- Examples of software problems include searches that previously worked, but now do not, problems with the report writing software, etc.

A. Trouble shooting software problems-

1. Hidden toolbars-

   a. The <pause/break>button (on your keyboard) hides/unhides the left toolbar.

   b. The <home> button (on your keyboard) hides/unhides the top toolbar.

2. Inquiry problems-

   a. Confirm that your LEADS access is current, on the mainframe computer at headquarters.

   b. Confirm that your driver's license number is entered correctly.

   c. Review the mobile computing manual, located on the computer desktop for help.

   d. Ask one of the system officers on your shift, or a supervisor to help.

   e. If a problem still exists, see below.

3. Field reporting problems-

   a. Review the mobile computing manual, located on the computer desktop for help.

   b. Ask one of the system officers on your shift, or a supervisor to help.

   c. If a problem still exists, see below.

B. Procedure for reporting SOFTWARE related problems with the mobile computers-

1. Make a list that includes the following information and give it to a supervisor-

   a. Identify the inquiry type or report where the problem is occurring. (Be very specific.)

   b. Identify the exact time the error occurred.

   c. Identify the cruiser number the error occurred on.

   d. Identify the specific user who was logged in, when this error occurred.

2. Give this information to a supervisor- who may be able to resolve the problem at that point.

3. Issues that cannot be resolved should be reported through I.T.'s intranet reporting system.

4. All of the information identified above must be included in the report.

5. ONLY after all this information is received, can someone be assigned to go out to the car and download the tracing logs. Those logs, along with the detailed report concerning the error, will then be forwarded to NWS as a repair request.

5. SPD Officers are required to securely maintain their passwords, in a written format, so they have something to refer to in an emergency.

A. Procedure to reset Mobile passwords, Mobile login attempt/failures, non-working RSA devices, etc. Only a supervisor can request that an Officer's password be reset, by doing the following-

1. The supervisor logs on to the City of Springfield (COS) INTRANET site.

2. In the lower left corner of the screen there is a picture of a red 'F1' help button with the words, "Need assistance with your PC? Click here." -Click on the button.

3. On the next screen select- "Report the problem." -Click on the words.

4. Select your city department- "POLICE."

5. Identify the officer by name, and by mobile user ID. (Example- PDABC).

6. If this is an issue with the RSA device identify their log-in. (Example- john smith is jsmith.)

7. Request that the password/device be reset and that IT notify the supervisor making the request by e-mail that it has been, or that a temporary password has been created.

8. If the officer has locked himself or herself out of Mobile, due to excessive login attempts be sure to state this fact- so the log in attempts can be reset.

9. Enter your name and rank.

10. Send the request.

B. These problems will normally be addressed 0800-1700, Monday thru Friday.

Springfield Police Division

Policy and Procedure

Number: 6.70
Subject: Awards and Recognition
Revised: Tuesday, March 05, 2013

1. **Policy.** The Officers and employees of the Springfield Police Division strive to provide exemplary service to the citizen s of this community and to this division. At times, that exemplary service exceeds the expectations of the citizens, and the division. Such professional and dedicated service should not go unrecognized. The following Awards and Recognition procedure exists to recognize those outstanding events.

2. **Procedure**

   A. Active officers (any rank) or citizens may submit any officer (including themselves) for an award, on the supplied form. They should submit the form to the office of the Chief, along with all available documentation.

   B. The recommendation is numbered and reviewed by the Chief of Police. It is then submitted to the awards committee for action.

   C. Annually, prior to Law Day, the members of the committee will meet and review the accumulated award recommendations, to insure that the criteria are met.

   D. The committee members vote on whether or not the incident submitted merits the award recommended.
      1) A simple majority carries the vote.

      2) In the event of a tie the Chief s vote is the tiebreaker.

      3) The Chief of Police has the final determination on the issuance of any awards.

   E. The awards are distributed by the Chief of Police at the annual Law Day celebration.

3. **Awards Committee**

   A. The awards committee may include up to eight (8) officers, they can be of any rank; Police Officer to Captain.

      1) Members of the original committee are to be selected by the Chief, on recommendation from the unions, other officers, or supervisors.

      2) In the event that a new member is needed on the committee, due to retirement or resignation, officers may submit a letter of interest to the chief, and the committee, who will then vote on new members.

   B. The Chief of Police will be the ninth member of the committee.

4. **Award Descriptions and Criteria**

A. ***Medal of Valor***-

1) Description: Awarded to any active police officer for an act or acts of personal bravery performed above and beyond the call of duty which involved an incontestable risk of life, and for which failure to perform the act would not reflect negatively on the officer. The Medal of Valor may also be awarded posthumously to any active police officer killed in the line of duty.

2) Criteria:
   a) Saving the life of a citizen or fellow officer.
   b) While sustaining serious physical harm (O.R.C. 2901.01E) or death.
   c) When such action would not normally be required of the officer.
   d) And when failure to act would not reflect negatively on the officer.

   -Or-

   e) Posthumously awarded to any active officer killed in the line of duty.

   -Or-

   f) For acts of personal bravery and heroism, above and beyond the call of duty, that are incontestable.

3) Recognized by issuance of a Medal, Commendation bar, and Certificate.
   a) Medal Blackinton #A8635 Red/White/Blue (Full Ribbon)
   b) Commendation bar Blackinton #A7142 Red/White/Blue

B. Police Star-

1) Description: Awarded to any active police officer for demonstrating extraordinary heroism not justifying the Medal of Valor, or for acting in an exemplary manner under substantial risk of personal harm above and beyond the call of duty.

2) Criteria
   a) Saving the life of a citizen or fellow officer.
   b) While at risk of serious physical harm (O.R.C. 2901.01E), or while sustaining physical harm. (O.R.C. 2901.01C)
   c) When such an act would not normally be required of the officer.
   d) And failure to perform the act does not reflect negatively on the officer.

   -Or-

   e) For acting in an exemplary manner (self-initiated), while protecting the lives and property of citizens or members of the division, and such act benefited a group of citizens or officers, by saving them from physical harm, or preventing further injury.

3) Recognized by issuance of a Medal, Commendation bar, and Certificate.
   a) Medal Blackinton #A1595 Blue/White/Blue Ribbon (Windsor knot)
   b) Commendation bar Blackinton #A7142 Blue/White/Blue

C. Purple Heart

1) Description: Awarded to any active police officer for serious injuries sustained in the line of duty, including death.

2) Criteria:

   a) An officer is killed in the line of duty.

   -Or-

b) An officer sustains Injuries, which would constitute serious physical harm. (O.R.C. 2901.01E)

c) Such injuries or death did not result from the officer s negligence, improper action, or a violation of departmental policy.

3) Recognized by issuance of a Medal, Commendation bar, and Certificate.
   a) Medal Blackinton #A6823-Z Purple Ribbon (Windsor knot)
   b) Commendation bar Blackinton #A7140 Purple.

D. **Distinguished Service Award**

1) Description: Awarded to any active police officer for demonstrating a high degree of personal initiative and performing substantially above normal requirements, sustained over time, when such acts contribute significantly to the goals of the community or division.

2) Criteria**:**
   a) The Officer demonstrates a high degree of personal initiative.
   b) The Officer repeatedly performs substantially above normal requirements; in an exemplary manner.
   c) The Officer s performance contributes significantly to the goals of the community or division.

3) Recognized by issuance of a Medal, Commendation bar, and Certificate.
   a) Medal Blackinton #A2366 Blue/Grey Ribbon (Windsor knot)
   b) Commendation bar Blackinton #A7142 Blue/Grey & 1 gold star.

E. Lifesaving Award

1) Description: Awarded to any active police employee for an act which results in the saving of a life, but which does not involve a significant risk to the life of the employee performing the act.

2) Criteria:
   a) Saving the life of another.
   -Or-
   b) Preventing serious physical harm (O.R.C. 2901.01E.) to another.

3) Recognized by issuance of a Medal, Commendation bar, and Certificate.
   a) Medal Blackinton #A768 Red/White/Red Ribbon (Windsor knot)
   b) Commendation bar Blackinton #A6823 Red/White/Red

F. Meritorious Service Award

1) Description: Awarded to any active police officer for a single act, or a series of acts, through which the Officer distinguished themselves as a member of this division.

2) Criteria
   a) Awarded at the discretion of the Chief of Police for an act, or acts, that merit greater recognition than a Chief s Commendation, but does not meet the criteria of a Distinguished Service Award.
   b) The performance of the officer must be clearly of an exceptional manner.
   c) Performance of duties normal to the assignment and experience of the officer is not an adequate basis for this award.
   d) However, justification of the award may accrue by virtue of

exceptionally meritorious service in a succession of important events.

3) Recognized by issuance of a Commendation bar and Certificate.
   a) Commendation bar Blackinton A7140C Light Blue w/ one gold star.

G. Chief s Commendation-

1) Description: Awarded at the discretion of the chief, for any act deemed deserving of recognition.

2) Recognized by issuance of a Certificate.

H. Citizen s (or Business) Award-

1) Description: Awarded to any citizen who, at risk of serious physical harm (O.R.C. 2901.01E), or death, through acts of personal bravery, saves the life of another citizen or police officer, in the City of Springfield. Or any other situation that would come to the attention of the Chief of Police or the Awards Committee, which they feel merits the citizen s award

2) Criteria:
   a) A citizen who risks their life.
   b) To save the life of a citizen or police officer.
   c) Within the City of Springfield.

   -Or-

   d) Any other situation that would come to the attention of the Chief of Police or the Awards Committee, which they feel merits the citizen s award.

3) Recognized by issuance of a Certificate.

5. **Other awards and recognition.**

A. S.P.P.A. Police Officer of the Year-

1) Recognized by issuance of a Commendation bar & Certificate.
2) Commendation bar Blackinton A7140C Red w/ one gold star

B. *S.A.R. Police Officer of the Year-*

1) Recognized by issuance of a Commendation bar & Certificate.
2) Commendation bar Blackinton A6265 Blue/White/Yellow/White/Blue

C. V.F.W. Police Officer of the Year

1) Recognized by issuance of a Commendation bar & Certificate.
2) Commendation bar Blackinton A1475 Blue/Red/White/Red/Blue

D. Exchange Club Police Officer of the Year-

1) Recognized by issuance of a Commendation bar & Certificate.
2) Commendation bar Blackinton A7140C Dark Blue w/ one gold star.

E. Springfield Command Officers Association Leadership Award-

1) Recognized by issuance of a Commendation Bar & Certificate.
2) Commendation bar Blackinton #A8105 Red w/ blue.

* Note: The awards listed above are recognized by the Springfield Police Division, and can be worn on the uniform. All other awards, not listed, must be approved before they can be displayed on any part of the uniform.

6. **Order of issuance.**
   A. In the event any incident occurs where an officer is being considered for an award, and multiple awards apply, only the highest award will be given.

      1) Except in the case of a Purple Heart, which may be awarded simultaneously with any award.

   B. In the event any officer receives more than one award, of the same type (example: two Purple Hearts) only one commendation bar will be worn on the uniform.

      1) Stars may be added to the commendation bar, to represent additional awards.
      2) Example- A Bar w/ no stars would receive 1 star for the 2nd award, 2 for the 3rd, etc.

      3) While in dress uniform, officers will be permitted to wear all awarded *medals,* however.

7. **Authorization for wearing authorized medals and commendation bars.**
   A. The division will issue the medal and commendation bar.

   B. In every situation where an award is given, a copy of the award certificate will be given to the officer, and another placed in their division file.

   C. Officers are only permitted to wear medals/commendation bars on their uniform if the proper documentation is in their division file.

      1) No unauthorized medals or awards are permitted.

      2) What is to be considered proper documentation is at the discretion of the Chief and the awards committee.

8. **Procedure for wearing authorized medals and commendation bars.**
   A. Only departmental approved medals and commendation bars can be worn on the uniform.

   B. The Chief and the Awards Committee have final say, as to how any commendation bars or medals are worn.

   C. Type of commendation bars/medals and method of wearing:

      1) All commendation bars will be enamel, with a gold metal backing.

      2) The commendation bars will be worn above the right breast pocket, and centered above the nameplate.
         a) The commendation bars will be centered above the pocket.
         b) The service stars will be worn centered above the commendation bars.
         c) In the case of multiple commendation bars, they will be attached in sequence.

      3) The commendation bars will be worn in descending order, from highest to lowest.

      4) The highest award will be worn closest to the heart. (Center of the body.)

      5) In the case any officer is eligible to wear a multiple row of commendation

bars, the highest awards will be in the top row.

6) The hierarchy of awards is the same order that they are listed in the descriptions above.

D. Medals will only be worn on the dress blouse, on the left breast pocket, in the same manner as described above.

E. The Chief has the final say as to how any medals or commendation bars are worn.

Award Ribbons worn by Officers of the Springfield, Ohio Police Division

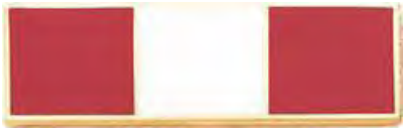
*in alphabetical order by name of the award

*a full description of the related awards is avaialable in Rules and Regualtions Section 6.70.

Ribbon for the **Distinguished Service Medal.** (Gold frame, blue/grey enamel field with a gold star in the middle.)

Ribbon for the **Exchange Club Award.** (Gold frame, dark blue enamel field with a gold star in the middle.)

Ribbon for the **Lifesaving Award.** (Gold frame, red/white/red enamel field. Gold stars are added for each subsequent award issued.)



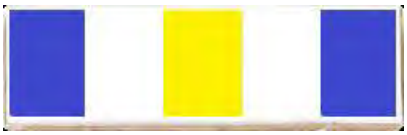
Ribbon for the **Medal of Valor.** (Gold frame, red/white/blue field.)

Ribbon for the **Meritorious Service Award.** (Gold frame, light blue enamel field, a gold star is added in the middle for each, and subsequent events.)

Ribbon for the **Police Star.** (Gold frame with blue/white/blue enamel field and a gold star in the middle.)

Ribbon for the **Purple Heart.** (Gold frame and dark purple enamel field.)

Ribbon for the **S.A.R. Officer of the Year Award**. (Gold frame and blue/white/yellow/white/blue enamel field.)



Ribbon for the **SCOA Leadership Award**. (Gold frame and crimson red enamel field with two thin blue enamel stripes bisecting the middle.)

Ribbon for the **SPPA Officer of the Year Award.** (Gold frame with red field and a single gold star in the middle.)

Ribbon for the **VFW Police Officer of the Year Award**. (Gold frame with blue/red/white/red/blue enamel field.)

Springfield Police Division

Procedure

Number: 6.71
Subject: N-95 Respirators
Revised: Wednesday, March 18, 2020

1. The Springfield Police Division has a supply of N-95 Respirator Masks available for use by division personnel. In recognition of the public health emergency and the profound shortage of available masks, the following procedures shall be followed:

2. Use of the N-95 respirator mask is voluntary.

   A. The N-95 is authorized only for limiting exposure to Covid-19 or other influenza-like illnesses.

   B. N-95s should only be used by division personnel when, in their best judgment, they believe they are in close contact with suspected cases of Covid-19 or other influenza-like illness (ILI.)

   C. Covid-19 or other Influenza-like symptoms include-

      1) fever *
      2) cough
      3) sore throat
      4) runny or stuffy nose
      5) body aches
      6) headache
      7) chills
      8) fatigue
      9) sometimes diarrhea and vomiting
      10) shortness of breath, in severe cases

      *It’s important to note that not everyone with influenza will have a fever.

      *Anyone who has further questions should contact their supervisor.

   E. Before using the N-95 respirator for the first time, the employee will be approved for use. (The Chief of Police may wave this section in the event of an emergency.)

      1) The employee will complete the current OHSA medical history form and submit it for review.

      2) Once medically approved the employee will be fit-tested by an assigned supervisor, or employees from the health department

3) Once the employee is both medically approved, and fit tested, they are able to wear the N-95 mask based on the usage procedures outlined here.

F. Supervisors shall issue the masks and a paper bag to keep it in.

1) The supervisor issuing the mask shall keep a log that indicates the date and time of issuance as well as the officer to whom the mask was issued and for what reason.

2) Reasons for issuance include, but are not limited to- new issue, replacement for eight (8) hours use (see below), contamination (see below), damaged (note in detail), and soiled (describe in detail).

3) These logs must be kept both to track burn rate (how many masks SPD uses in a given week) and for reporting to the EMA should the federal government provide reimbursement.

4) The Staff Services Lieutenant is the point of contact for obtaining the masks/bags.

G. N-95 masks are re-useable. N-95's must not be treated as single-use disposable assets.

1) Write your name on the mask, and the bag, with a permanent marker, when you receive it.

2) N-95 masks will only be used, and reused, by a single wearer.

3) N-95's will be stored in a paper bag (never plastic) between uses.

3) N-95 masks are reusable for up to eight (8) cumulative hours.

Example- An officer arrives at the scene of a suspected Covid-19 case and must enter the house. The officer wears the mask in the house for 15 minutes. Once outside the officer stores the mask in the paper bag, and writes **use 1) - 15 minutes;** the next time **use 2) – 10 minutes, etc.** on the outside of the paper bag. Once the mask has been used for a cumulative period of eight (8) hours, the officer shall request a new mask from their supervisor.

H. N-95's shall be discarded, in the paper bag, when any one of the following occurs:

1) The mask has been used for a cumulative period of eight (8) hours.

2) The mask becomes contaminated with- sputum, blood or other potentially infectious material. Any N-95 used in close proximity to aerosol generating procedures (intubation, CPR, and nebulizer administration) should probably be discarded.

3) The mask becomes ripped or torn.

4) The mask becomes heavily soiled (masks that have merely become moist from exhalation will be set it aside and allowed to dry, then reused).
5) The elastic band or the molded face piece wear out so that the wearer can no longer obtain a seal.

3. O.S.H.A Appendix D to Sec. 1910.134 (Mandatory) Information for Employees Using Respirators When Not Required Under the Standard

Respirators are an effective method of protection against designated hazards when properly selected and worn. Respirator use is encouraged, even when exposures are below the exposure limit, to provide an additional level of comfort and protection for workers. However, if a respirator is used improperly or not kept clean, the respirator itself can become a hazard to the worker. Sometimes, workers may wear respirators to avoid exposures to hazards, even if the amount of hazardous substance does not exceed the limits set by OSHA standards. If your employer provides respirators for your voluntary use, or if you provide your own respirator, you need to take certain precautions to be sure that the respirator itself does not present a hazard.

You should do the following:

A. Read and heed all instructions provided by the manufacturer on use, maintenance, cleaning and care, and warnings regarding the respirators limitations.

B. Choose respirators certified for use to protect against the contaminant of concern. NIOSH, the National Institute for Occupational Safety and Health of the U.S. Department of Health and Human Services, certifies respirators. A label or statement of certification should appear on the respirator or respirator packaging. It will tell you what the respirator is designed for and how much it will protect you.

C. Do not wear your respirator into atmospheres containing contaminants for which your respirator is not designed to protect against. For example, a respirator designed to filter dust particles will not protect you against gases, vapors, or very small solid particles of fumes or smoke.

D. Keep track of your respirator so that you do not mistakenly use someone else's respirator.

4. OSHA link-
https://www.osha.gov/lawsregs/regulations/standardnumber/1910/1910.134

3M

Particulate Respirator N95

User Instructions
8210*Plus*/8210*Plus*MX/ 8210/8210MX/07048/8110S

⚠ WARNING

This respirator helps protect against certain particles. **Misuse may result in sickness or death.** For correct use, consult supervisor and these *User Instructions*, or call 3M in U.S.A., 1-800-247-3941. In Canada, call Technical Service at 1-800-267-4414. In Mexico, call 01-800-712-0646.

IMPORTANT

Before use, wearer must read and understand these *User Instructions*. Keep these instructions for reference.

Use For

Particles such as those from grinding, sanding, sweeping, sawing, bagging, or processing minerals, coal, iron ore, flour, metal, wood, pollen, and certain other substances. Liquid or non-oil based particles from sprays that do not also emit oil aerosols or vapors. Follow all applicable local regulations. For additional information on 3M use recommendations for this class of respirator please consult the 3M Respirator Selection Guide found on the Personal Safety web site at www.3M.com/respiratorselector or call 1-800-243-4630 in U.S.A. In Canada, call 1-800 267-4414.

Do Not Use For

Do not use for gases and vapors, oil aerosols, asbestos, or sandblasting; particulate concentrations that exceed either 10 times the occupational exposure limit or applicable government regulations, whichever is lower. In the United States, do not use when the U.S. Occupational Safety and Health Administration (OSHA) substance specific standards, such as those for arsenic, cadmium, lead in the construction industry, or 4,4'-methylene dianiline (MDA), specify other types of respiratory protection. This respirator does not supply oxygen.

Biological Particles

This respirator can help reduce inhalation exposures to certain airborne biological particles (e.g. mold, *Bacillus anthracis*, *Mycobacterium tuberculosis*, etc.) but cannot eliminate the risk of contracting infection, illness or disease. OSHA and other government agencies have not established safe exposure limits for these contaminants.

Use Instructions

1. Failure to follow all instructions and limitations on the use of this respirator and/or failure to wear this respirator during all times of exposure can reduce respirator effectiveness and **may result in sickness or death.**
2. In the U.S., before occupational use of this respirator, a written respiratory protection program must be implemented meeting all the requirements of OSHA 29 CFR 1910.134, such as training, fit testing, medical evaluation, and applicable OSHA substance specific standards. In Canada, CSA standard Z94.4 requirements must be met and/or requirements of the applicable jurisdiction, as appropriate. Follow all applicable local regulations.
3. The particles which can be dangerous to your health include those so small that you cannot see them.
4. Leave the contaminated area immediately and contact supervisor if dizziness, irritation, or other distress occurs.
5. Store the respirator away from contaminated areas when not in use.
6. Inspect respirator before each use to ensure that it is in good operating condition. Examine all the respirator parts for signs of damage including the two headbands, attachment points, nose foam, and noseclip. The respirator should be disposed of immediately upon observation of damaged or missing parts. Filtering facepieces are to be inspected prior to each use to assure there are no holes in the breathing zone other than the punctures around staples and no damage has occurred. Enlarged holes resulting from ripped or torn filter material around staple punctures are considered damage. Immediately replace respirator if damaged. Staple perforations do not affect NIOSH approval (For 8110S only).
7. Conduct a user seal check before each use as specified in the Fitting Instructions section. **If you cannot achieve a proper seal, do not use the respirator.**
8. Dispose of used product in accordance with applicable regulations.

Use Limitations

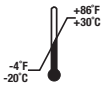
1. This respirator does not supply oxygen. Do not use in atmospheres containing less than 19.5% oxygen.
2. Do not use when concentrations of contaminants are immediately dangerous to life and health, are unknown or when concentrations exceed 10 times the permissible exposure limit (PEL) or according to specific OSHA standards or applicable government regulations, whichever is lower.
3. Do not alter, wash, abuse or misuse this respirator.
4. Do not use with beards or other facial hair or other conditions that prevent a good seal between the face and the sealing surface of the respirator.
5. Respirators can help protect your lungs against certain airborne contaminants. They will not prevent entry through other routes such as the skin, which would require additional personal protective equipment (PPE).
6. This respirator is designed for occupational/professional use by adults who are properly trained in its use and limitations. This respirator is not designed to be used by children.

7. Individuals with a compromised respiratory system, such as asthma or emphysema, should consult a physician and must complete a medical evaluation prior to use.
8. When stored in accordance with temperature and humidity conditions specified below, the product may be used until the “use by” date specified on the packaging.

Storage Conditions and Shelf Life

Before use, store respirators in the original packaging away from contaminated areas, dust, sunlight, extreme temperatures, excessive moisture and damaging chemicals. When stored in accordance with temperature and humidity conditions specified below, the product may be used until the “use by” date specified on packaging. Always inspect product and conduct a user seal check before use as specified in the *User Instructions*. **If you cannot achieve a proper seal, do not use the respirator.**

End of Shelf Life
Use respirators before the “use by” date specified on packaging



Storage Temperature Range
-20°C (-4°F) to +30°C (+86°F).

Storage Maximum Relative Humidity
<80% RH

Time Use Limitation

If respirator becomes damaged, soiled or breathing becomes difficult, leave the contaminated area immediately and replace the respirator.

Fitting Instructions

Must be followed each time respirator is worn.

1. Prestretch top and bottom straps before placing respirator on the face (8210/8210MX only) (Fig. 1).
2. Cup the respirator in your hand, with the nosepiece at your fingertips, allowing the headbands to hang freely below your hand (Fig. 2).
3. Position the respirator under your chin with the nosepiece up. Pull the top strap over your head resting it high at the top back of your head. Pull the bottom strap over your head and position it around the neck below the ears (Fig. 3).
4. Place your fingertips from both hands at the top of the metal nosepiece. Using two hands, mold the nose area to the shape of your nose by pushing inward while moving your fingertips down both sides of the nosepiece (Fig. 4).
   ⚠ Pinching the nosepiece using one hand may result in improper fit and less effective respirator performance. Use two hands.
5. Perform a User Seal Check prior to each wearing. To check the respirator-to-face seal, place both hands completely over the respirator and exhale sharply. Be careful not to disturb the position of the respirator. If air leaks around nose, readjust the nosepiece as described in step 4. If air leaks at the respirator edges, work the straps back along the sides of your head (Fig. 5). **If you CANNOT achieve a proper seal, DO NOT enter the contaminated area. See your supervisor.**

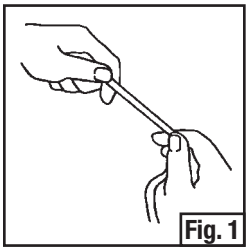


Fig. 1

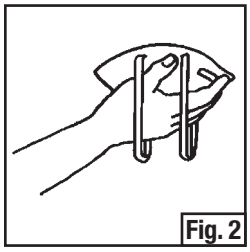


Fig. 2

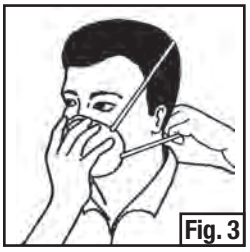


Fig. 3

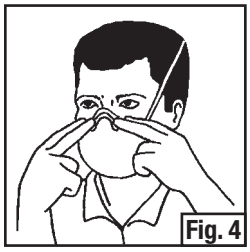


Fig. 4

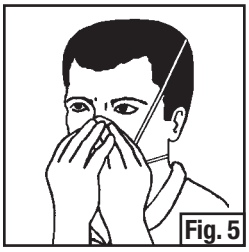


Fig. 5

Removal Instructions

See step 3 of *Fitting Instructions* and cup respirator in hand to maintain position on face. Pull bottom strap over head. Still holding respirator in position, pull top strap over head and remove respirator.

This respirator contains no components made from natural rubber latex.

NIOSH Approved: N95

At least 95% filtration efficiency against solid and liquid aerosols that do not contain oil.

3M
St. Paul, Minnesota, USA
1-800-243-4630
8210 Series Respirators

THESE RESPIRATORS ARE APPROVED ONLY IN THE FOLLOWING CONFIGURATIONS:

		RESPIRATOR COMPONENTS						
		FILTERING FACEPIECE						
TC-	**PROTECTION[1]**	8210	8210 PLUS	8110S	7048	8210MX	8210 PLUS MX	**CAUTIONS AND LIMITATIONS[2]**
84A-0007	N95	X	X	X	X			ABCJMNOP
84A-7762	N95					X		ABCJMNOP
84A-7835	N95						X	ABCJMNOP

1. PROTECTION

N95 - Particulate Filter (95% filter efficiency level) effective against particulate aerosols free of oil; time use restrictions may apply.

2. CAUTIONS AND LIMITATIONS

A - Not for use in atmospheres containing less than 19.5 percent oxygen.
B - Not for use in atmospheres immediately dangerous to life or health.
C - Do not exceed maximum use concentrations established by regulatory standards.
J - Failure to properly use and maintain this product could result in injury or death.
M - All approved respirators shall be selected, fitted, used and maintained in accordance with MSHA, OSHA and other applicable regulations.
N - never substitute, modify, add, or omit parts. Use only exact replacement parts in the configuration as specified by the manufacturer.
O - Refer to User's Instructions, and / or maintenance manuals for information on use and maintenance of these respirators.
P - NIOSH does not evaluate respirators for use as surgical masks.

Rev. F: 07-07-17

FOR MORE INFORMATION
In United States, contact:
Website: www.3m.com/workersafety
Technical Assistance: 1-800-243-4630
For other 3M products:
1-800-3M-HELPS or 1-651-737-6501

Springfield Police Division

Procedure

Number: 6.72
Subject: Mobile Ident II (Rapid ID)
Issued: Thursday May 27th, 2010

1. PURPOSE

   A. To provide guidelines for the issuance, training and use of the Mobile Ident II fingerprint scanner.

   B. The current version of this device is known as the Mobile Ident II. Other versions have been known as Rapid ID, etc. This procedure applies to the use of all such devices, including those issued in the future, until amended.

2. DEFINITIONS

   A. MOBILE IDENT II

      1) The Mobile Ident II is a field aid to officers who are attempting to identify subjects in the field.

      2) The device communicates via cellular signal with the Ohio BCI&I Automated Fingerprint Identification System (AFIS) for real-time identification of a subject. Both the BCI&I and FBI databases can be searched using this device.

         a. When conducting a BCI search the entire computerized criminal history database is searched.

         b. When conducting an FBI check sex offenders, wants and warrants, known & suspected terrorists, international terrorist file, and persons of special concern databases are searched.

   B. PROBABLE CAUSE- a reasonable belief, support by facts and/or evidence, that a person has committed a crime.

3. ISSUANCE OF THE DEVICE

      1) The Mobile Ident II device will only be used by officers that have been trained in its use, care, and maintenance.
      2) Officers that use the device must follow this procedure and the Ohio Mobile Ident II User Guide.

4. MAINTENANCE

   A. All Mobile Ident II units must be properly maintained in accordance with the manufacturer's recommendations as detailed in the training provided prior to use.

   B. Lost, damaged, or malfunctioning devices will be reported immediately.

1) The officer involved must report the issue immediately to the Shift Commander, the appropriate Sub-Division Commander, and the Chief of Police through written Inter-Office Communication.

2) The Shift Commander will conduct an investigation and report his/her findings to the Sub-Division Commander and the Chief of Police.

5. TRAINING

A. Prior to using the Mobile Ident II, SPD officers will complete division-approved training and demonstrate proficiency on the unit.

B. Training will include at a minimum:

1) Setup and maintenance procedures;

2) Proper use guidelines (covered in this procedure);

3) Legal issues involved with the use of the device (covered in this procedure);

4) Reporting requirements.

6. FIELD USE

A. CONSENT SCAN

1) The Mobile Ident II may be used in situations where the subject to be fingerprinted has voluntarily consented to its use.

2) As with other forms of consent, the consent can be limited or withdrawn at any point by the subject.

3) If consent is withdrawn, use of the Mobile Ident II is not authorized, and its use must stop immediately.

4) Officers shall not force or coerce anyone to submit to the scan.

B. UNUSUAL CIRCUMSTANCES SCAN- The Mobile Ident II may be used to scan the fingerprints of an unconscious or deceased victim, if no other means to identify them exist.

C. PROBABLE CAUSE SCAN- The Mobile Ident II may be used in situations where the subject to be printed would otherwise be required to give traditional fingerprint samples. An example of this would be probable cause criminal arrest situations.

D. SCAN PURSUANT TO SUBPOENA- The Mobile Ident II may be used in situations where specifically authorized pursuant to a valid subpoena; however, if the subpoena is not for immediate compliance, the subject should be allowed to appear for fingerprinting at the future time IF indicated on the subpoena.

1) Officers should be aware that the subject may be able to move to quash the subpoena.

2) Failure to honor a subpoena for a Mobile Ident II scan should be addressed in court and not be handled by attempting to force compliance via enforcement actions at the time of the refusal to comply.

E. SCAN PURSUANT TO VALID COURT ORDER- The Mobile Ident II may be used in situations where the use of the device has been specifically authorized pursuant to a valid court order.

1) Where a court order requiring the use has been ordained, reasonable and safe efforts to gain compliance may be employed.

2) Failure to comply may constitute contempt of court and may constitute obstruction of justice.

F. RANDOM SCANS- Use of the Mobile Ident II for random checks, generalized investigative searches, or intelligence gathering is not authorized.

7. OPERATION

A. Turn the device on by pushing and holding the power button on the side of the device. The power indicator light will turn blue.

B. Using a stylus, enter the required information.

C. Enter the login code and password.

D. The next screen is the “Mobile Ident II” logo. Rapidly tap the icon twice.

E. Three screens will appear. Tap on the SEARCH screen.

F. The device will ask for the RIGHT INDEX. Have the subject place his/her right index finger on the glass window and hold it there until the scan is taken.

1) If the subject’s right index finger is missing or damaged tap the NEXT button.

2) Highlight the reason the print is not being captured and tap the NEXT button again.

G. The LEFT INDEX screen will appear. Have the subject do the same with his/her left index finger.

H. The next screen that will appear is a CAPTURE screen. This is an opportunity for you to capture the subject’s photograph.

1) While holding the device up, take a photograph of the subject by tapping on the CAPTURE button.

2) It is not necessary to take photographs unless you are dealing with several individuals at once. In this case, a photograph may help the officer with the identity of the unknown persons as the device receives responses from BCI&I and the FBI.

3) Once the photo has been captured, tap the NEXT button.

I. The demographic screen will now be displayed. Take one of the following actions-

1) If the subject has a drivers license available, swipe it through the card reader with the stripe side up. The first and last name will be auto-populated.

2) Use the pop up keyboard to manually enter the subjects first and last name.

3) To skip the demographic data entry window and leave the field blank, tap the NEXT button.

J. The following screen displays a TRANSACTION NUMBER for your inquiry. Next to this number are an OH and an FBI box. You will know that your inquiry has been received by Ohio BCI&I and the FBI when these fields are highlighted in gray.

K. The Mobile Ident II will beep when results are received.

1) The BCI&I response will include the name and social security number of the individual.

2) The FBI response will include the name and social security number of the individual. It will include any warrants entered and notify you if the person is a suspected terrorist. The warrant offense and the originating agency will be displayed.

L. Viewing results for a HIT-

1) Rapidly tap twice on the red square corresponding to the database and transaction.

M. Viewing results for previous transactions-

1) From the MAIN MENU tap the VIEW QUEUE button.

2) Double tap the color square corresponding to the database and transaction queue. The RESULTS menu will be displayed. From this menu you can view transaction details, mug shots, fingerprints, and response information. Tapping on any of these icons will bring up the respective results.

N. Deleting Results- The device keeps the last 30 scans in its memory. It is not necessary to delete the results of any scan.

O. Powering off the device- Push and hold the power button until the green status bar completely disappears.

8. LEGAL

A. Use of the Mobile Ident II is governed by all existing, applicable, SPD rules, regulations, and procedures, as well as State and Federal law.

B. Officers must have probable cause to believe that an offense has been committed, in order to run a fingerprint scan.

C. The Mobile Ident II cannot be used for random checks on a single individual, or a group of individuals, where no probable cause to believe a crime has been committed exists.

D. Reasonable articulable suspicion does not meet the threshold for a fingerprint scan.

E. If an officer has a probable cause to arrest, they should do so and take the individual to booking for identification purposes; using the Live ID.

1) The Live ID only checks the Springfield/Clark County database.

2) Mobile Ident II may be used when the officer suspects the individual is from outside the local jurisdiction and their identity is in question.

9. JUVENILES

A. The Mobile Ident II will not be used to identify juveniles unless the juvenile has committed a violent felony or violent misdemeanor and the identity of the juvenile cannot be determined by other means.

B. See also- Ohio Revised Code Section 2151.313- Fingerprints, photographs require consent of juvenile judge.

C. Officers are expected to be able to justify, based on these guidelines, training, experience and their assessment of the circumstances, how they determined that use of the Mobile Ident II was justified under the circumstances.

10. REFERENCES

Ohio Revised Code Section 2921.29- Failure to disclose personal information.

Ohio Revised Code Section 2151.313- Fingerprints, photographs require consent of juvenile judge.

Ohio Mobile Ident II User Guide

Springfield Police Division

Procedure

Number: 6.73
Subject: License Plate Readers
Issued: August 3rd, 2010

I. Automatic License Plate Reading (ALPR) technology uses specialized cameras and computers to quickly capture large numbers of photographs of license plates, convert them to text and compare them quickly to a large list of plates of interest.

A. ALPR systems are designed to allow officers to patrol at normal speeds while the system reads every license plate they come in contact with and alerts them if there is a match to a “hot list”.

B. The hot list can contain any set of plate data, from terrorist watch lists, to stolen vehicles, etc.

C. When a target plate is located, the officer in the vehicle is notified with a message that is specific to the plate, that is, every plate in the database can have a unique, detailed alert message.

D. The ALPR system records every license plate it comes in contact with. The system also records the location, date and time of each license plate read. This intelligence resource is available as a law enforcement tool, allowing the officer to identify the last known contact with a vehicle and also to report the list of vehicles located in a specific area at a given time range.

II. The Springfield Police Division has a vehicle equipped with ALPR equipment.

A. The equipment consists of a computer and cameras that compare license plate images to registration plate numbers in a database obtained from the Ohio State Highway Patrol.

B. The operator must update the database; as described below. It is not a “live” system and requires that a license plate hit be confirmed through dispatch, prior to any enforcement action.

C. Current database information includes stolen vehicles, stolen registration plates, and wanted persons associated with specific registration plates. The system will alert the operator of any matches within seconds.

III. Maintenance

A. No officer shall re-position cameras or attempt to repair any of the ALPR equipment.

B. The Officer-in-Charge shall be immediately notified of any discrepancies or malfunction of ALPR equipment.

C. The officer causing, or discovering, any damage will report it by inter-office memo to the Chief of Police, through the chain of command.

D. The Officer-in-Charge will initiate an investigation into any reported damage, and submit their findings to the Chief of Police, by inter-office memo.

IV. Training

A. Only officers who have been trained shall operate the ALPR equipment.

B. Training will consist of the following-

1. Issuance of this procedure.
2. Issuance and review of the equipment operations manual.
3. Hands on instruction.

C. Officers who are trained to use the ALPR will be identified, on the monthly change, for the convenience of the Officer-in-Charge.

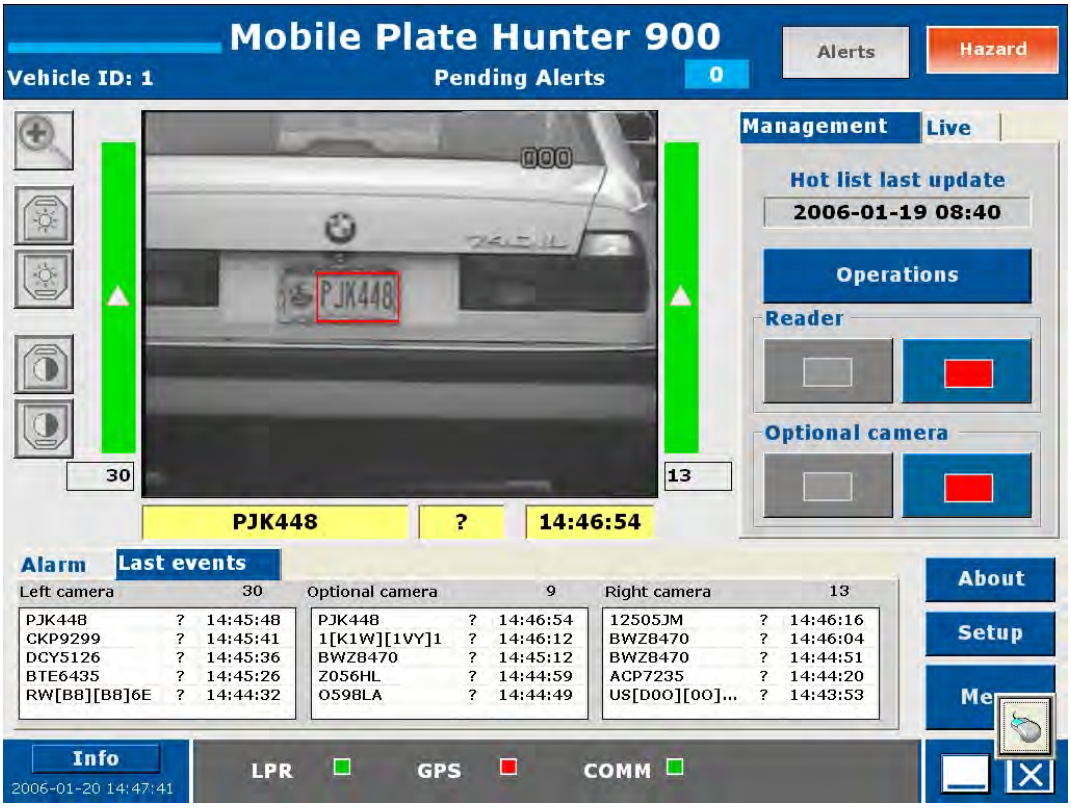
V. Equipment

A. The Remington Mobile Plate Hunter 900 is an ALPR system that uses a set of 2 forward facing cameras to capture the plates on all traffic approaching the vehicle.

B. The ALPR is launched from the users desktop and initiates and manages communication with the “processor” which, in turn, manages the cameras.

C. The ALPR has two applications within it. The first operates the license plate recognition interface, the second manages the GPS feed and integrates that data into the plate reading stream.

D. The LPR component is designed to be simple to operate. The primary reading screen has large, “touch screen enabled” buttons, a large image area and direction indicators to alert the operator during an alarm. The system allows the user to manipulate the image of the target vehicle during an alarm to lighten or zoom the view of the target vehicle.



VI. *Starting the system, retrieving the HOTLIST; best practices- (8-3-10)*

A. *Let the computer completely boot up.*

B. *Start the ticket printer and mobile.*

C. *Click on the "LICENSE PLATE READER" icon, to start the system.*

D. *A process will run to download the most current HOTLIST, and install it.*

1. *The file is large; this may take up to five (5) minutes.*
2. *Please be patient.*
3. *When the process is complete, the LICENSE PLATE READER will start automatically.*
4. *The HOTLIST is updated on the main server at the start of each hour. The officer can get the new HOTLIST by closing the program, and restarting the above process.*

Springfield Police Division

Procedure

Number: 6.74
Subject: Electronic recording during custodial interrogation.
Revised Tuesday, July 6, 2010

1. Purpose To establish procedures for electronic recording during custodial interrogation.

2. Definitions

A. "Custodial interrogation" means any interrogation involving a law enforcement officer's questioning that is reasonably likely to elicit incriminating responses and in which a reasonable person in the subject's position would consider self to be in custody, beginning when a person should have been advised of the person's right to counsel and right to remain silent and of the fact that anything the person says could be used against the person, as specified by the United States supreme court in Miranda v. Arizona (1966), 384 U.S. 436, and subsequent decisions, and ending when the questioning has completely finished.

B. "Detention facility" has the same meaning as in section 2921.01 of the Revised Code.

C. "Electronic recording" or "electronically recorded" means an audio and visual recording that is an authentic, accurate, unaltered record of a custodial interrogation.

D. "Law enforcement agency" has the same meaning as in section 109.573 of the Revised Code.

E. "Law enforcement vehicle" means a vehicle primarily used by a law enforcement agency or by an employee of a law enforcement agency for official law enforcement purposes.

F. "Local correctional facility" has the same meaning as in section 2903.13 of the Revised Code.

G. "Place of detention" means a jail, police or sheriff's station, holding cell, state correctional institution, local correctional facility, detention facility, or department of youth services facility. "Place of detention" does not include a law enforcement vehicle.

H. "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code.

I. "Statement" means an oral, written, sign language, or nonverbal communication.

3. All statements made by a person who is the suspect of a violation of or possible violation of section 2903.01, 2903.02, or 2903.03, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section 2907.02

or 2907.03, or an attempt to commit a violation of section 2907.02 of the Revised Code during a custodial interrogation in a place of detention are presumed to be voluntary if the statements made by the person are electronically recorded. The person making the statements during the electronic recording of the custodial interrogation has the burden of proving that the statements made during the custodial interrogation were not voluntary. There shall be no penalty against the law enforcement agency that employs a law enforcement officer if the law enforcement officer fails to electronically record as required by this division a custodial interrogation. A law enforcement officer's failure to electronically record a custodial interrogation does not create a private cause of action against that law enforcement officer.

4. A failure to electronically record a statement as required by this section shall not provide the basis to exclude or suppress the statement in any criminal proceeding, delinquent child proceeding, or other legal proceeding.

5. Law enforcement personnel shall:

   A. Clearly identify and catalog every electronic recording of a custodial interrogation that is recorded pursuant to this section.

   B. If a criminal or delinquent child proceeding is brought against a person who was the subject of a custodial interrogation that was electronically recorded, law enforcement personnel shall preserve the recording until the later of when all appeals, post-conviction relief proceedings, and habeas corpus proceedings are final and concluded or the expiration of the period of time within which such appeals and proceedings must be brought.

   C. Upon motion by the defendant in a criminal proceeding or the alleged delinquent child in a delinquent child proceeding, the court may order that a copy of an electronic recording of a custodial interrogation of the person be preserved for any period beyond the expiration of all appeals, post-conviction relief proceedings, and habeas corpus proceedings.

   D. If no criminal or delinquent child proceeding is brought against a person who was the subject of a custodial interrogation that was electronically recorded pursuant to this section, law enforcement personnel are not required to preserve the related recording.

6. Requests for video:

   A. Detectives should complete the video logbook. The Detective Lieutenant is responsible for ensuring that the interrogation was copied to DVD.

   B. All other personnel should complete the "Interrogation Room Request for Video" form and place it in the Uniform Patrol Administrative Lieutenant's inbox, which is located in the OIC's office.

   C. All DVD's will be placed in the case file maintained by the Investigation Sub-Division.

Springfield Police Division

Policy & Procedure

Number: 6.75
Subject: Procedure for administering Photos Arrays, Blinded Photo-Arrays (Folder System), Show-Ups, and Live-ID's
Revised: September 23rd, 2010

I. Policy- The Springfield Police Division conducts Photos Arrays, Blinded Photo-Arrays (Folder System), Show-Ups, and Live-ID's in accordance with State Law.

II. Introduction

A. Included in the following are the procedures for Photo-Arrays, Blinded Photo Array (also called the Folder-System), Show-Ups, and Live-ID's.

B. Witness identifications obtained through the use of these methods are often a critical aspect of a criminal investigation and are useful in determining the identity of an unknown suspect.

C. A Photo Array, Show-Up, or Live-ID should be presented to the victim and/or witness as soon after the incident as possible. The accuracy of the victims and/or witnesses' prior description of the suspect should be documented in the investigative packet. An important aspect of any Photo Array, Show-Up, or Live-ID is the independent, uninfluenced identification of the suspect by a victim or witness. In order to ensure that Photo Arrays, Show-Ups, or Live-ID's are not overly suggestive, the following guidelines shall be followed.

D. Every officer in this agency has access to the Springfield Police Division's Records Management System (NWS), NWS photo imaging, and NWS photo array generation.

i. The procedures for utilizing this software are part of the initial training for each officer.

ii. The manual detailing the step-by-step procedures for utilizing the NWS software to create a photo array is available on the Springfield Police Division's Intranet site under the tab labeled NWS Documentation: Photo Imaging User's Guide.

iii. In the event that the Intranet is down, or un-available, the file is available here-

1. Shares on 'PD-NAS/PD$' (S:)

2. Line-Ups

3. Create a Line-up

E. The folder system may be utilized by members of this division on those rare occasions where there are insufficient personnel resources to complete the task in another fashion.

III. Definitions-

A. **Administrator**- the person conducting a photo array.

B. **Blind administrator**- an administrator who does not know the identity of the suspect.

C. **Blinded administrator**- an administrator who may know who the suspect is, but does not know which photo is being viewed by the witness. Blinded administrator includes an administrator who conducts a photo array through the use of a folder system or a substantially similar system.

D. **Filler**- a photograph of a person who is not suspected of the offense and is included in an identification procedure.

E. **Folder system** - the process for conducting a blinded photo array described in Section V.

F. **Live line-up**

G. **Perpetrator**- the person who committed the offense.

H. **Photo array**- an identification procedure in which an array of photographs, including a photograph of the suspect and additional photographs of fillers, is displayed to a witness for the purpose of determining whether the witness identifies the suspect as the perpetrator of the offense.

I. **Show-up**- an identification procedure in which a witness views a single suspect for purposes of identification of the suspect as the perpetrator of the crime.

J. **Suspect**- the person believed by law enforcement to be the perpetrator of the offense.

K. **Witness**- a person who observes another person at or near the scene of an offense.

IV. General Rules for Victim/Witness Identification Procedures

A. Avoid Suggestion and/or Feedback

i. There shall be no preview consultation with the victim and/or witness.

ii. Do not be suggestive regarding suspect’s photo.

iii. Sworn personnel shall not, by word or gesture, suggest opinions to any victim and/or witness concerning the guilt or innocence of a suspect during the identification procedure. Victims and/or witnesses asking for an opinion shall be informed of this restriction.

iv. A victim and/or witness who has taken part in an identification procedure must not be permitted to state conclusions within earshot of another person who is about to be, or has been, a viewer of the identification procedure.

B. Victims, Witnesses and/or Suspects

i. Each victim and/or witness shall view any identification procedure separately. Separate victims and/or witnesses until all identification procedures are completed, and instruct them not to discuss their identifications with anyone else.

ii. When there are multiple suspects, each identification procedure shall include only one suspect.

iii. If the victim and/or witness knows the suspect by either a full name, nickname only, or long-term association, it is permissible to show only the photo of the known suspect to establish positive identification.

V. Photo Array Procedures

A. The photo array should be shown to the witness by a Blind Administrator. (See II, C; above.)

B. Creation of Photo Array

i. Use of Photos

ii. Photos may be utilized from many sources. Digital photos, printed photographic images, yearbook photos, etc.

C. Standards:

i. All photos in any given array shall be of a consistent origin, on the same type of paper.

ii. Persons shall be similar in appearance

iii. Full-face pictures, if possible

D. Blind Photo Array

i. Six photos used per array

1. One suspect included per array
2. Each person may appear one time in a single array

ii. Present photos either simultaneously, i.e. six photos printed on one sheet of paper, or sequentially, i.e. six photos presented one at a time.

VI. Folder System- Blinded Photo Array

A. The Folder System, also called a Blinded Photo Array, should be used in the rare event that a Blind Administrator is not available and the urgency of the situation demands it.

B. Procedure

i. Use one suspect photograph, five filler photographs that match the description of the suspect but do not cause the suspect's photograph to unduly stand out, four blank photographs, and ten empty folders.

ii. Place one filler photograph into one of the empty folders and number it as folder 1.

iii. Place the suspect photograph and the other four filler photographs into five other empty folders, shuffle the five folders so that the administrator is unaware of which folder contains the suspect photograph, and number the five shuffled folders as folders 2 through 6.

iv. Place the four blank photographs in the four remaining empty folders and number these folders as folders 7 through 10.

VII. Juveniles in Photo Arrays

A. You may use the suspect's ID photo in an array.

B. The use of adults in juvenile photo arrays is permissible, as long as all individuals in the photo array look generally similar in appearance and age.

VIII. Presentation of Photo Array

A. Unless impracticable, a blind administrator shall conduct the photo array.

B. When it is impracticable for either a blind or blinded administrator to conduct the photo array, the administrator shall state in writing the reason for that impracticability in a supplemental report.

IX. Blind Administrator procedures

A. No one who knows who the suspect is will be present at the time the Photo Array is shown.

B. The Blind Administrator shall use, and follow, the attached “Blind Administrator form” when conducting the procedure.

C. The Blind Administrator shall inform the witness that the suspect may or may not be in the Photo Array and that the administrator does not know who the suspect is.

D. Present the Photo Array in a consistent method.

E. Have the victim and/or witness write out a witness statement, during the photo array presentation, on the Photo Array Documentation sheet.

F. Have the victim and/or witness sign the Photo Array with his or her name, date, and time.

G. The original Photo Array will be kept in the Investigative Case File.

H. The administrator conducting the Photo Array shall include on the SPD Photo Array Documentation form the following information:

   i. All identification and non-identification results obtained during the Photo Array, signed by the witnesses, including the witnesses’ confidence statements made immediately at the time of the identification

   ii. The names of all persons present at the time the Photo Array is shown must be documented, not necessarily on a supplement report.

   iii. The date and time of the Photo Array

   iv. Any witness identification of one or more fillers in the Photo Array

   v. The names of the persons in the Photo Array and other relevant identifying information, and the sources of all photographs or persons used in the Photo Array

X. Folder System- Blinded Administrator- Procedure

A. The Blinded Administrator shall use, and follow, the attached “Folder System form” when conducting the procedure.

B. Hand each of the folders to the witness individually without looking at the photograph in the folder. Each time the witness has viewed a folder, the witness should indicate whether the photograph is of the person the witness saw and then return the folder and the photograph it contains to you.

C. Follow the procedures specified in this section for a second viewing if the witness requests to view each of the folders a second time, handing them to the witness in the same order as during the first viewing; the witness is not permitted to have more than two viewings of the folders; and you shall preserve the order of the

folders and the photographs they contain in a facedown position in order to document the steps specified in Section X, E, vi.

D. Document and record the results of the Photo Array on the Investigative Photo Array Procedure - Folder System form before the witness views each of the folders a second time and before you view any photograph that the witness identifies as being of the person the witness saw.

E. The documentation and record shall include:

   i. The date, time, and location of the Photo Array procedure

   ii. The name of the administrator

   iii. The names of all of the individuals present during the Photo Array

   iv. The number of photographs shown to the witness.

   v. Copies of each photograph shown to the witness

   vi. The order in which the folders were presented to the witness

   vii. The names of the persons in the Photo Array and other relevant identifying information, and the sources of all photographs or persons used in the Photo Array

   viii. Any witness identification of one or more fillers in the Photo Array

   ix. All identification and non-identification results obtained during the Photo Array, signed by the witness, including the witness's statements made immediately at the time of the identification. If the witness views each of the folders a second time, document that the identification was made during the second viewing, and

   x. Any additional information you consider pertinent to the Photo Array procedure

   xi. Do not say anything to the witness or give any oral or nonverbal cues as to whether or not the witness identified the suspect photograph until you document and record the results of the Photo Array and the Photo Array has concluded.

XI. Additional documentation of Photo Arrays:

A. Record Photo Array results in the Progress of Investigation, or in a separate Informational Summary.

B. Video or audiotape the administration of the Photo Array, when practical.

C. Video and/or audio recordings may be downloaded and stored on the appropriate media based on the size of the video file and the media used for the original recording.

XII. Show-Up Procedures

A. When Show-Ups are permissible

i. Sworn personnel may arrange a show-up between a victim/witness and suspect when a suspect is located and detained within a reasonable length of time in proximity to the location of the crime, and fits the description of the perpetrator given by the victim and/or witness.

ii. If sworn personnel have reasonable suspicion to detain a suspect under the above circumstances, sworn personnel may use such force as is reasonably necessary to stop the suspect from leaving, or to cause the suspect to remain in the presence of sworn personnel. If probable cause to arrest develops during the detention, an arrest should be made.

B. Conducting the Show-Up

i. A suspect cannot be detained longer than is reasonably necessary to confirm or refute that the suspect is the perpetrator. When conducting a show-up, sworn personnel shall use the following guidelines:

ii. Description. Sworn personnel at the scene, and in contact with the victim and/or witness, shall obtain a description of the perpetrator before the suspect is shown to the victim and/or witness. The victim and/or witness must advise sworn personnel that he or she will be able to recognize the person who committed the crime prior to the show-up.

iii. Location. A suspect should not be taken to the police facility for a show-up. The suspect should be detained at the place he or she was located, in the least restrictive manner possible that will ensure the suspect remains with sworn personnel. The victim and/or witness should be transported to the suspect's location for the show-up. Suspects should not be transported to the location of the victim and/or witness unless exigent circumstances exist.

iv. Minimize Suggestiveness. If possible, do not show the suspect while handcuffed, or in the back seat of a patrol car. If the suspect is hand-cuffed, take measures to conceal this fact from the victim and/or witness when possible. Suspects may not be required to put on clothing worn by the perpetrator. However, they may be asked but not required to speak words uttered by the perpetrator, or perform other actions done by the perpetrator. Advise the victim and/or witness that the person detained may or may not be the perpetrator and the victim and/or witness should n

ot feel compelled to make an identification. If the victim and/or witness makes identification, do not confirm or corroborate the identification to the victim and/or witness.

v. Multiple Victims/Witnesses. Show-ups should not be conducted with more than one victim and/or witness present at a time. If there is more than one victim and/or witness, the show-up shall be conducted separately for each victim and/or witness, and victims/witnesses should not be permitted to communicate before or after any show-up regarding the identification of the suspect. The same suspect should not be presented to the same victim and/or witness more than once.

vi. Victim/Witness Statements. Assess victim and/or witness statements immediately following the show-up identification. Make note of the victim's/witness' remarks for report documentation.

vii. Multiple Suspects. If there are multiple suspects, the suspects shall be separated and subjected to separate show-up procedures.

viii. Photographing Suspects. Consideration should be given to photographing the suspect(s) in the field as documentation.

ix. Emergency/Exigent Circumstances. In emergency circumstances, such as when a victim and/or witness is in danger of imminent death or blindness, or when a suspect is in danger of imminent death, an immediate show-up may be arranged if medical personnel consent. In these situations, time and location limitations contained in the preceding guidelines may be disregarded. If there is any doubt about an emergency show-up, sworn personnel should contact a supervisor and/or prosecutor immediately for guidance.

x. Cruising Area of Offense. Nothing in these guidelines prohibits the common procedure of transporting a victim and/or witness in a patrol car to cruise the general area in which a crime has occurred, in the hopes of spotting the perpetrator and arranging a show-up identification procedure.

xi. Right to a Lawyer. It is not a Constitutional right for a person to have a lawyer present at a show-up procedure.

xii. Release After Show-up. If the detained suspect is not identified as the perpetrator, and sworn personnel lack any other probable cause for an arrest, the suspect shall be released after obtaining his or her basic information.

C. Documenting the Show-Up

i. The date, time, and name of the person(s) who transported the victim(s)and/or witness(es) shall be documented.

ii. Victim(s) and/or witness(es) shall be transported individually.

iii. Victim(s) and/or witness(es) from and to locations shall be documented.

iv. Documentation of the above information and photo array results shall be recorded in the Progress of Investigation form, or in a separate Informational Summary.

v. The administration of the show-up shall be either video or audio taped, when practical.

XIII. Live Line-Ups

A. In composing a live lineup, the lineup administrator or investigator should:

i. Include only one suspect in each identification procedure.

ii. Select fillers (non-suspects) who generally fit the witness description of the suspect. When there is a limited or inadequate description of the perpetrator provided by the witness, or when the description of the perpetrator differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.

iii. Consider placing the suspect in different positions in each lineup when conducting more than one lineup for a case due to multiple witnesses.

iv. Include a minimum of four fillers (non-suspects) per identification procedure.

B. Avoid reusing fillers in lineups shown to the same witness, when showing a new suspect.

Springfield Police Division

Policy & Procedure

Number: 6.76
Subject: Sobriety Checkpoints
Revised: October 18th, 2010

This directive consists of the following numbered sections:
6.76 Sobriety Check-Points

6.76 Sobriety Check-Points

A. Policy- the Springfield Police Division will use OVI check-points as a means to deter the operation of a vehicle while intoxicated and to remove intoxicated drivers from the roadway.

B. Procedure-

1. Authorization- the Patrol Division Commander shall be the authorizing authority for check-points conducted in the City of Springfield.

2. Site Selection

a. An official other than those who will be working the check-point line should choose the site of the check-point.

b. The site of the proposed check-point must have significant history of alcohol related crashes and /or impaired driving violations.

3. Check-point Planning

a. The Check-Point Commander shall be responsible for the planning and operation of the check-point.

b. The check-point must be planned in advance.

c. Ongoing OVI Program:

1) The check-point must be integrated into our ongoing OVI effort.

2) Continued OVI patrols must be made in the area of the Check-Point site after the check has been completed.

3) The check-point is contained on a current OVI patrol line assignment.

d. Judicial Support:

1) The court having jurisdiction over the check-point should be contacted.

2) The Check-Point Commander should contact the prosecutor to make certain what types of check-point activities are essential for successful adjudication.

e. Existing Policy Guidelines- the Check-Point Commander, and officers involved, should review these guidelines prior to conducting the Check-Point.

f. Site Selection:

1) The site selection process must consider the safety of the motorist and officers at the Check-Point.

2) The Check-Point should not create a hazard that is as great as the driving behavior we are attempting to deter.

g. Chemical Tests: the planning officer should make arrangements for:

1) Pre-arrest breath testers.

2) Transportation.

3) Post-arrest testing.

h. Contingency Planning:

1) If the traffic conditions cause a change in the predetermined order of selection for the interview, the reasons for the departure must be thoroughly documented.

2) Conditions that would create the necessity to deviate from the interview sequence must be set.

a) Conditions that may warrant a change in the predetermined order of selection may be, but not limited to, the following:

b) Officer or motorist safety.

c) Changes in roadway conditions.

d) Change in light conditions.

e) Weather changes.

f) Change in traffic conditions or traffic back-up.

g) Personnel strength.

4. Public information-

a. One week in advance of the Check-Point, a general news release will notify the public that the Division will conduct a sobriety Check-Point.

b. Twenty-four hours before the Check-Point, a second news release will detail the hours of operation and specify the broad area in which the Check-Point will be conducted.

c. No earlier than 1700 hours of the day of the Check-Point, the media will be given the exact location of the Check-Point.

5. Post Check-Point Evaluation-

a Public reaction may be gauged by public interaction.

b Questionnaire – as authorized by the Patrol Commander.

c Administrative:

1) How did the Check-Point compare with traditional enforcement in terms of OVI arrests per officer hour?

2) What was the average delay for motorists stopped in the Check-Point?

3) What percentage of motorists stopped are diverted to the OVI screening area?

4) What percentage of those persons stopped were arrested for OVI?

6. Check-Point Operations Briefing / Assignment of Duties-

a. Officer and motorist safety must be the focal point of the briefing.

b. An overview of the alcohol safety problem in the area shall be reviewed.

c. Anyone working in the roadway or in the Check-Point line shall have a flashlight with a red wand attachment and shall wear reflectorized vests over their outer garments and stand behind the cones, barrels or flares.

d. The Check-Point Commander shall outline the duties of every officer.

e. Assign Line Officers. (2 per. Line)

1) One to observe while the other one interviews.

2) The observer will cover the line if the other officer must go to the diversion area.

3) The stopping officer shall use a similar greeting, which briefly explains the purpose of the Check-Point. “Hello. I am Officer_____ of the Springfield Police Division. This is a sobriety Check-Point set up to deter drunken driving violations. You will only be delayed a few seconds. May I see your driver’s license”?

4) The driver will then be observed for articulable signs of alcohol impairment. Drivers will either be instructed to proceed safely or diverted to the screening area.

a) Any driver that is believed to be OVI will be removed from the vehicle and the observation officer will move the vehicle into the diversion area. The line officer will follow the driver through the rest of the process.

5) The goal of the Division is that the maximum delay for non-impaired drivers to be no more than 45 seconds.

6) As non-impaired drivers are told to proceed, they will be given a card, which relates the purpose of the Check-Point and outlines the alcohol traffic safety problem in Ohio.

7) A Questionnaire may be passed out if authorized by the Patrol Commander.

f. Assign Assistant Line Commander to-

1) Identify the vehicles to be stopped.

2) Coordinates the relief and replacement of checking officers.

g. Assign Observation Officers (2)

1) Marked cars located at or near the first “Sobriety Check-Point Ahead” sign.

2) Watches for vehicle occupants switching drivers.

3) Probable cause indicators of OVI.

4) Contraband.

5) Observe turning vehicles, however, if the turn is made legally, the observer is not to pursue.

6) Stop vehicles that fail to stop for the line officers.

h. Assign a Diversion Area Supervisor to-

1) Assist the line officers with OVI screening and arrest procedures.

2) Search and tow vehicles.

3) Assist, when necessary, with the operations of the check lane.

7. Responsibilities of the Check-Point Commander:

a. Serve as the Line Commander.

b. Determine the sequence of the vehicles to be stopped and record any changes made in the process.

c. Monitor traffic to make certain there is no excessive backup or hazardous conditions.

1) The Line Commander may alter the sequence of stopped vehicles or suspend Check-Point operations until the back-up is relieved.

2) The Line Commander may suspend the Check-Point due to personnel strength.

d. Arrange for tow trucks at the Check-Point.

e. Is responsible for the operations of the diversion area.

f. Directs the set up and tear down of the site.

1) The placement of the signs and observation cars shall be far enough in advance of the Check-Point to allow traffic to approach and pass through the Check-Point at a safe speed.

g. Advise the communications center of the Check-Point detail location and times of operation.

8. Materials Manager-

a. Arranges to have all material and equipment transported to and from the Check-Point.

b. Assists with the set up and tear down of the site.

9. Traffic Control and Sign Posting-

a. Signs and other warning devices are to be placed so that traffic has a sufficient opportunity to slow or stop and the public is aware that the site is an obvious police activity.

b. The “Sobriety Check-Point Ahead” or other such similar sign shall be placed no less than 750 feet from the Check-Point.

c. “Slow”, “Prepare to Stop”, “Directional Arrows” and other signs should be placed in a position to afford the motorist ample opportunity to comply.

d. If flares are used, they should be placed so that no one working the Check-Point will inhale the fumes.

e. Patrol cars shall be strategically placed as to control the flow and speed of traffic within the zone.

1) The Check-Point commander shall designate which cars will have their emergency flashers in operation and which type of lights are to be used.

f. If possible, the observation cars at the ends of the zones shall be parked perpendicular to the lane of travel with their emergency lights on.

10. Post Check-Point Activities:

a. The Check-Point Commander will conduct a post Check-Point de-briefing with all Check-Point supervisors.

b. Information and recommendations of the Check-Point supervisors will be forwarded to the Patrol Commander.

Springfield Police Division

Policy & Procedure

Number: 6.77
Subject: Collection of DNA-CODIS
Effective: July 1st, 2011

This directive consists of the following numbered sections:

6.77 Collection of DNA-CODIS

I. Objective

The objective of this policy is to establish consistent procedures and guidelines for collecting and submitting DNA specimen samples from individuals described in Ohio Revised Code (O.R.C.) 2901.07 and O.R.C. 2152.74.

II. Personnel Affected

The policy and procedure applies to all employees of the Springfield Police Division.

III. Definitions

A. "DNA" means human deoxyribonucleic acid.

B. "DNA Specimen" includes human blood cells or physiological tissues or body fluids.

C. "Buccal" means inner cheek/mouth cells.

IV. Policy

A. It is the policy of the Springfield Police Division that all individuals identified, as meeting a qualifying offense pursuant to O.R.C. 2901.07 and O.R.C. 2152.74 shall submit to a DNA specimen collection procedure administrated by Springfield Police Division.

B. Individuals meeting this criterion whose identity has been verified through fingerprint verification and/or through referencing a government–issued photo identification and whose computerized criminal history is marked "DNA is registered in the Ohio DNA Databank", do not need to collect a DNA sample from the arrestee/offender.

C. An individual's computerized criminal history shall be checked each time the individual is identified as having a qualifying offense.

D. It is the policy of the Springfield Police Division that all individuals identified as meeting a qualifying offense pursuant to O.R.C. 2901.07 and O.R.C. 2152.74 and have submitted a DNA specimen collected by Springfield Police Division has been recorded in the agency excel spreadsheet. This spreadsheet includes the offender, person identifiers, and date collected.

V. Procedure

A. Materials: DNA Collection kit, disposable protective gloves, fingerprint inkpad and a pen.

1. DNA Kit Components: demographic information card with directions, collector device instructions, Bode buccal collector, transport pouch, return envelope with prepaid postage.

2. New DNA kits will be stored in the Records Section supply room.

3. Fingerprint inkpads are located at Book-in and in the Patrol Work area.

B. Step 1, Identification of Individual

1. A verification of identity may be accomplished by (1) running the fingerprints through a Rapid ID device or (2) referencing government–issued photo identification.

2. The individual's information, name, BCI number, ITN number, etc., must be obtained from official records. The provided Demographic Information Card or a computer-generated card is used to document the individual's information. When errors are made on this form, simply put one strike through the incorrect information and write the correct information above or below and initial. The individual having their DNA specimen collected should not correct information on this form. If there is not enough room on the front of the card, the corrected information may be written on the back of the card. Be sure to have the collector initial this information.

3. The ITN number for every arrest can be obtained from the PSC/Book-in clerk.

4. Roll the individual's right thumb in the area provided on the Demographic Information Card. If the print is not clear, additional prints may be put on the back of the card. If the individual does not have a right thumb, another digit may be used; simply document which digit is being applied. If the individual does not have any fingers, a toe may be used. Write down which toe is being printed.

C. Step 2, Ensure Individual Meets the Requirements that Qualify for DNA Collections.

1. Qualifying offenses are referenced O.R.C. 2901.07 and O.R.C. 2152.74.

2. A quick reference is provided in training bulletin 2011-01.

D. Step 3, Collection of DNA Specimen.

1. Open the prepaid mailing envelope using tab area on back of the envelope. Please note the envelope holds the components of the kit is the prepaid mailing envelope used to return the completed DNA collector and demographic card.

2. Remove the buccal DNA collector device from the clear pouch. Write the individual's name and BCI number/ITN number on the handle of the collector. If no BCI number or ITN number is available, write down the individual's last 4 digits of the social security number.

3. Hold the buccal collector with thumb on the area marked "thumb" on the back of the collector. Place the collector in the individual's mouth. Be sure the filter paper side is against the inside of the cheek. With the filter paper pressed against the inside of the cheek, drag it firmly towards lips and out of the mouth. You should see the collector pressing against the cheek. To avoid damaging the filter paper, ONLY drag the collector in ONE direction toward the opening of the mouth and do not rub it back and forth against the cheek. Repeat this action seven more times; this may be done on one or both sides of the mouth. Move the plastic slide to cover the filter paper tip of the buccal collector. To avoid sample contamination, DO NOT touch the filter paper with your hand.

E. Step 4, Packaging of the DNA Specimen.

1. Prior to packaging the specimen the officer shall have a supervisor review the Demographic Information Card to insure that it is accurately, and completely, filled out. The supervisor shall initial next to the officers name, indicating that it has been reviewed.

2. Place the Bode buccal collector in the provided transport pouch. Peel the adhesive strip on the top flap to expose the permanent seal. Seal the flap of the envelope.

3. Initial and date the seal on the lines provided.

F. Step 5, Mailing the Completed DNA Collection Kit.

1. Place the completed Demographic Information Card and transport pouch in the prepaid mailing envelope. Seal the envelope.

2. If after sealing the mailing envelope, it is discovered that the Bode buccal collector or Demographic Information Card are not in the envelope, reopen the envelope, make the necessary corrections, and seal the mailing envelope. On the outside of the mailing envelope, state why it was reopened, initial and date. Be sure to initial and date (half on and half off) over the seal.

3. Officers can leave the completed kits on the back counter of the Records section, with the other outgoing mail. The DNA specimen shall be forwarded to BCI no later than 15 days after the date of the collection of the DNA specimen, O.R.C. 2901.07 and 2152.74.

VI. Refusals

A. If an individual refuses to provide a DNA specimen, the following steps should be taken.

1. The individual should be instructed that he/she is required to submit a DNA specimen to O.R.C. 2901.07 or 2152.74, given a direct order to do so, and informed that refusals are not permitted.

2. The individual is to be given a second direct order to submit a DNA specimen.

B. If the individual still refuses they should be charged with O.R.C. 2921.31 Obstructing Official Business, in addition to the original felony charges, and placed in jail. At arraignment the court will issue an order of compliance for the testing.

VII. Documentation

A. The arresting officer will make a written note that the arrested person submitted, refused to submit, or already has submitted (as listed on a CCH) to the DNA test in their arrest report. This notation shall be the very last line of the arrest report.

B. Any supervisor reviewing an arrest report on a person with a qualifying offense will check to make sure the test has been completed and the notation made in the arrest report.

C. When an arrest is added to Bookings, for any person who had a DNA test completed by an officer the Assigned Clerk will complete the following steps in NWS:

1. Read the last line of the arrest report to determine whether or not a DNA test was submitted, or refused.

2. In Bookings, select Inmate Activity, <F9>

3. <F6>, to add.

4. If the arrested person submitted to the test, Select Report of a DNA test, <RT CTRL>.

5. If the arrested person refused to submit to the test, Select Refusal of a DNA test, <RT CTRL>.

6. Under ACTIVITY CODE select DNA-CODIS.

7. Enter the Officer ID# for the Officer who completed the test, or documented the refusal.

8. Make any specific notes about the test in the Activity Notes section.

9. You cannot <RT CTRL>, to exit this field. Use <F12>, instead.

D. In those instances where a DNA test was initially refused, and the subject later submits to a test, it is the officer who conducted the test's responsibility to notify Records that a test was completed.

1. The Assigned Clerk will follow the steps above to add a new activity showing that the test was complete. The initial refusal activity will remain on file and will not be deleted.

E. Generating reports on DNA tests, refusals.

1. NWS has been set up to generate a report on DNA tests, and refusals, for administrative purposes.

2. This report can be accessed by all supervisors and records staff, as follows:

a) In NWS select Bookings Main Menu.

b) On the Bookings Main Menu, select Inmate Activity Report

c) On the report menu identify the date range you wish to search as well as the activity type (DNA-Report of a DNA test, REF- Refusal of a DNA test.)

d) Run the report. It will print out on the IBM printer.

Springfield Police Division

Policy & Procedure

Number: 6.78
Subject: Social MediaPolicy
Effective: July 1st,2011

CALEAStandard 26.1.69

This directive consists of the following numbered sections:

6.78 Social MediaPolicy

The use of Internet social networking sites such as Facebook, Twitter, LinkedIn, and MySpace, is a popular activity. Officers must be mindful of the negative impact that inappropriate or unauthorized postings can have upon the Springfield Police Division and its relationship with the community that it serves. This policy will identify prohibited activities by employees on such sites, and is an addition to the current Code of Conduct.

A. Purpose- the purpose of this policy is to outline expectations of officers with respectto their use of social media and socialnetworking.

B. Definitions-

1. Social Media- a variety of online sources that allow people to communicate orshare information (photos, videos, audio, text, and other multimedia files) with others via some form of online or cellularplatform.

2. Social Networking- using such internet or mobile formats as Facebook, Twitter, MySpace, LinkedIn, Usenet groups, blogs, online forums, message boards or bulletin boards, in order to communicate with others using the same groups, while also networking with other users based upon similar interests, geographical location, skills, occupation, ideology, beliefs, etcetera.

C. Policy-

1. Each officer must strive to maintain public trust and confidence in theirprofessional and personal/onlineactions.

2. Any online activity that has the effect of diminishing the public's trust and/or confidence in the Springfield Police Division will hinder the efforts of thisdepartment to fulfill itsmission.

3. Officers must be mindful that discussion of the internal operations of the division, or conduct that impacts the public perception of the division isprohibited.

4. The City may impose certain restraints on the speech of its employees, restraints that would be unconstitutional if applied to the general public. (City of San Diego v. Roe (2004), Dible v. City of Chandler (2007)) In addition, officers must be aware that posted content has the potential to be shared broadly, including with individuals with whom officers did not intend tocommunicate.

5. Any such actions taken that detract from the mission of the Springfield Police Division, or reflect negatively on your position as a police officer, will be viewed as a direct violation of thispolicy.

6. Officers shall not use any form of social media or social networking in any wayso as to disclose internal operations of the division, risks disclosure of confidential information or tarnish the department'sreputation.

D. Rules andRegulations

1. Except in the performance of an authorized duty or with explicit permission of a supervisor, officers are prohibited from using Springfield Police Divisioncomputers or cellular telephones/devices to participate in social media ornetworking.

2. Except in the performance of an authorized duty, officers are prohibited from using any social media or social networking platform while onduty.

3. Unless granted explicit permission, officers of the Springfield Police Divisionare prohibited from posting any of the following on any social networking platform (including their own sites, sites of others known/unknown to them, news media pages, or other information exchangeforums):

   a. Any text, photo, audio, video or other multimedia file related toany investigation, current or past, of the Springfield PoliceDivision.

   b. Any text, photo, audio, video, or other multimedia file related to any past or current action of the Springfield Police Division, either in homage orcritique.

   c. Personnel will not be permitted to disseminate information, to include condolences, memorials, or critique, about on-duty incidents until theChief of Police, or his designee has granted explicitpermission.

   d. Any text, photo, audio, video, or other multimedia file that is related toany occurrence within the Springfield PoliceDivision.

   e. Any badge, seal, logo, uniform, vehicle, equipment, or item/symbol affiliated with the Springfield PoliceDivision.

   f. Any wording, likeness, or material identifiable to the Springfield Police Division.

4. Officers who choose to maintain or participate in social media or networking platforms while off duty shall conduct themselves in such a manner that will not reflect negatively upon the Springfield Police Division or its mission. In the courseof operating or participating in such venues, the following rules shallapply:

   a. Unless explicitly granted permission, officers shall not identify themselvesas employees of the Springfield Police Division. All requests for permission by the individual officer shall follow the established Chain ofCommand.

b. Officers will be held responsible for the content that appears on maintained social media or networking sites and will be obligated to ensure that there is no material or posting that reflects negatively upon the division and its members.

c. Officers will be held responsible for the content that appears on maintained social media or networking sites and will be obligated to ensure that there is no material that discloses internal operations of the division, or risks disclosure of confidentialinformation.

d. Sexually graphic or explicit material of any kind shall not appear on such sites.

e. Any text, photo, audio, video or other multimedia file that infers, implies, states, or otherwise expresses the officer's views on the legal, judicial, or criminal systems shall not undermine the public's trust or confidence inthis division.

f. Any posting that detracts from this division's mission will be considered a direct violation of thispolicy.

E. Upon the implementation date for this policy, officers are expected to police their individual social networking platforms so that such platforms conform to thepolicy.

Springfield Police Division

Policy & Procedure

Number: 6.79
Subject: Currency Counting Procedure
Revised: September 11th, 2011

This directive consists of the following numbered sections:

6.79 Currency Counting Procedure

A. Policy: the following money-counting procedure shall be followed when a Officer locates currency or other means of exchange which is to be submitted as evidence, or custody.

B. Procedure

1. When a Officer locates currency or other means of exchange that is secured as evidence; seized for asset forfeiture; or controlled by the Springfield Police Division for any other reason, e.g., found property, the following money-counting procedures will be followed:

2. Where possible, photographs shall be taken of the money and the location where it was found prior to counting.

3. The investigating Officer and one (1) other Officer shall each count the money in the presence of each other, at one sitting.

4. Each Officer shall document their count, in writing, without sharing it.

5. After each Officer has made an individual count, the Officers shall compare results, identifying any possible counting errors.

6. When there is a discrepancy in the count, recounts must be made until both counters agree. During the money count process, the number of people in the immediate area or room shall be minimized.

7. Precautionary measures shall be used to preserve items of evidentiary value.

8. Reports, property receipts, and property envelopes showing money amounts shall be specific, listing money by the groups in which it was found, by number of bills for each denomination, and by total for each denomination. The grand total shall also be indicated.

9. Example:

Type	Denomination	Count	Value
US Currency	$100	2	$200
US Currency	$50	1	$50
US Currency	$20	40	$800
US Currency	$10	1	$10
US Currency	$5	1	$5
US Currency	$1	10	$10
US Currency	Quarter	10	$2.50
Grand Total-			$1077.50

10. Currency shall be placed in a designated green currency envelope and properly sealed with time, date, and case number noted on the envelope along with the names and badge numbers of the Officers who counted the currency. Only actual counters of monies shall sign the property envelope(s) containing those monies and only after agreeing that the amounts listed match their figures.

11. The property envelope(s) shall be delivered to the Property Room or placed in a secure evidence locker.

Springfield Police Division

Policy & Procedure

Number: 6.80
Subject: Non-preference Tow List Procedures and Requirements
Issued: May 16th, 2012

1. POLICY

The purpose of this policy is to provide a set of guidelines and requirements that all tow companies must meet to be placed on the Springfield Police Division's non-preference towing list. The policy also outlines the procedures used by the City of Springfield Communication Center (Dispatch) when utilizing this list.

2. REQUIREMENTS

Each tow company that makes a request to be on the non-preference tow list must pass a storage facility inspection and a wrecker inspection, prior to being placed on this list.

A. The following are the requirements for the storage facility inspections:

1) Fenced and secure area
2) Easy access to vehicles
3) Lot located within 3 miles of city limits
4) Business sign visible from street
5) Lot accessible 0800 to 1700 hours, Monday thru Friday or emergencies
6) Lot clean and free of debris
7) Lot area, minimum of 2,400 square feet (or approx. 12 vehicles)
8) Towed vehicles separate from salvage vehicles
9) Sole occupant of lot
10) Emergency phone number posted at lot
11) Weather protection available
12) Available for calls, 24 hours a day / 7 days a week

B. The following are requirements for the wrecker inspection:

1) Rated at 10,000 GVW or larger
2) State safety inspection and/or DOT inspection sticker
3) Current Public Utilities Commission of Ohio numbers (PUCO)
4) Lettering with name and telephone number of company or owner
5) Equipped with business band radio and/or mobile phone
6) Dollies (does not apply to rollbacks)
7) Broom
8) Safety or jack stands
9) Minimum of two (2) tow hooks
10) 20 foot chain
11) Mud & snow tires or tire chains

12) Fire extinguisher
13) First aid kit
14) 100 ft cable (minimum)
15) Shovel
16) Bucket or trash can
17) Road flare or fusees
18) Work lights
19) Legal emergency lights
20) Minimum five (5) gallon bucket/bag of oil dry

C. Failure to meet any of the listed requirements can prevent the tow company from being placed on the non-preference tow list. A tow company that fails an inspection will be given 14 days to address all items that are deficient and will be placed on the non-preference tow list as soon as they pass the requirements as set forth in this policy.

3. PROCEDURE

A. Procedure for using the Non-preference tow list

Dispatch will maintain a current list of valid tow companies that are on the non-preference tow list. When a non-preference tow is requested, Dispatch will go to the first available tow company on the list. Dispatch will attempt to call the one (1) phone number provided by that towing company. Secondary numbers will not be attempted. If the tow company does not answer or is not available for the tow, Dispatch will move to the next tow company on the list. The previous company that did not answer or was unavailable will not be called until the list comes back around to them.

B. Removal and/or Suspension from the Non-preference tow list

1) The Springfield Police Division has the right to suspend or remove a tow company from the non-preference tow list for various reasons. Some of the reasons for possible suspension and/or removal are, but not limited to:
2) Failing to answer the phone number provided for service
3) Refusing to respond when called
4) Not being available 24 hours a day / 7 days a week
5) Not handling tows in a safe manner to the general public and Springfield Police Division employees
6) Not responding in a timely manner, within 25 minutes of most calls
7) Violation of law
8) Failing to properly clean crash scene of any glass or other injurious substances, as required by law
9) Equipment and storage facilities will be subject to inspection at any time during the year. Failure to comply with equipment and storage standards set forth in this policy is reason for immediate removal from the non-preference tow list.

C. The Uniform Patrol Captain must approve the removal of any tow company from the Springfield Police Division non-preference tow list. A letter will be sent to the tow company stating the reasons for removal, the length of the removal and requirements that must be met to be placed back on the non-preference tow list.

4. Storage Facility and Wrecker Inspection Forms

The following forms are to be used whenever an inspection is made at a tow facility and their wreckers. Traffic Unit Officers will be utilized to complete inspections when any new company requests to be placed on the non-preference tow list. Traffic Unit Officers will also be utilized to complete inspections of current tow companies, on the non-preference tow list, once a year. The completed forms are to be kept by the Traffic Unit Sergeant.

Springfield Police Division
Non-Preference Tow List Inspection Form

Date: _____

Company Name:_____

Address: _____

Lot is owned: _____ Lot is leased: _____

Day Phone : _____ Night Phone: _____

Company Representative: _____

Insurance Company: _____Copy on file: Yes _____ No _____

Rates: Normal tow charge: _____ Storage fees: _____/day

Storage Facility Inspection

YES	NO	Item
____	____	Fenced and secure area
____	____	Easy access to vehicle provided
____	____	Lot located within three miles of City Limits
____	____	Business sign visible from street
____	____	Lot accessible 0800 to 1700 hrs Monday thru Friday or emergencies
____	____	Lot clean and free of debris
____	____	Lot area, minimum of 2400 square feet (or approx. 12 vehicles)
____	____	Towed vehicles separate from salvage vehicles
____	____	Sole occupant of lot
____	____	Emergency phone number posted at lot
____	____	Weather protection available
____	____	**STORAGE FACILITY PASSED**
____	____	**WRECKERS PASSED** (Attach passed wrecker sheets)

Any company/individual not passing this inspection will have fourteen days to comply. If the company/individual fails to pass a second time they shall be removed from the Non-preference Towing List.

INSPECTING OFFICER: _____
Rev: 5/10/2012

Page _____ of _____ pages

Springfield Police Division
Non-Preference Tow List Inspection Form

Wrecker Inspection

Date: _____

Company Name: _____

Address: _____

Company Representative: _____

Vehicle Make: _____ Model: _____ Year: _____

License number: _____ VIN: _____

Maximum safe towing capacity: _____lbs. Insurance: _____

YES	NO	ITEM
____	____	Rated at 10,000 GVW or larger
____	____	State safety inspection and/or DOT Inspection sticker
____	____	Lettering with name and telephone number of company or owner
____	____	Equipped with business band radio and/or mobile phone
____	____	Dollies (does not apply to rollbacks)
____	____	Broom
____	____	Safety or jack stands
____	____	Minimum of two (2) tow hooks
____	____	Twenty foot chain
____	____	Mud & Snow tires or tire chains
____	____	Fire Extinguisher
____	____	First Aid Kit
____	____	Minimum 100 ft cable
____	____	Shovel
____	____	Bucket or trash can
____	____	Road Flares/Fusees
____	____	Work lights
____	____	Legal Emergency lights
____	____	Minimum Five (5) gallon bucket/bag of oil dry
____	____	**PASSED INSPECTION**

INSPECTING OFFICER: _____

Rev: 5/10/2012

Springfield Police Division

Policy & Procedure

Number: 6.81
Subject: Body Armor
Issued: June 19th, 2012

1. Body Armor, Patrol Duties

   A. Soft body armor is provided to all sworn officers below the rank of Lieutenant, and is considered an integral part of their police uniform. (See applicable labor contracts.)

   B. The wearing of soft body armor is mandatory for all scheduled Uniform Patrol assignments and extra-duty details.

   C. Uniformed Officers routinely assigned to staff duties have the option not to wear soft body armor. If soft body armor is not worn, it should be kept in a location that is available to the officer. Typical, uniformed, staff duties include-

      1) Staff Services

      2) DARE

      3) Information Officer

      4) Officer-in-Charge

2. Body Armor, High Risk Situations

   A. Personnel involved in the execution of high risk tactical duties are required to wear agency provided protective vests, whenever discharging those responsibilities.

   B. Description

      1) Actively serving arrest warrants.

      2) Part of a search warrant team or raid team.

      3) High risk tactical operations-SOT

Springfield Police Division

Procedure

Number: 6.82
Subject: Firearm Function & Operability Testing
Revised: February 2nd, 2016

1. FIREARM FUNCTION AND OPERABILITY TESTING

    a. Any SPD range officer or crime scene technician may conduct firearms function and operability testing as required for court.

    b. Prior to conducting any testing the range officer assigned should ensure that there is no trace evidence on the weapon that may require testing.

    c. Officers should always wear rubber gloves when test firing any firearm that is considered evidence. This helps prevent the possibility of cross contamination should a trace evidence analysis be needed later. It also protects the officer from the possibility of contamination from a blood borne pathogen.

    d. Prior to conducting any testing the range officer will assemble, and use, the following safety items- gloves, ear protection, eye protection, ballistic vest.

    e. All operability testing will be completed at the indoor range, with the weapon pointed safely downrange.

2. MECHANICAL OPERABILITY/PRE-FIRING SAFETY EXAM FOR ALL FIREARMS

    a. It is the responsibility of the officer assigned to test a firearm for function and operability to ensure that appropriate safety function checks are performed on the firearm prior to test-firing.

    b. Below is a list of safety checks which should be considered in every case. The officer should be mindful that individual situations may require more extensive safety checks than those which are listed here.

        i. Is the firearm unloaded? (Check tubular magazines carefully.)

        ii. Is the chamber/bore clear?

        iii. Are there any signs of cracks or weaknesses in major parts of the firearm, such as the frame, slide or barrel?

        iv. Are there any loose, damaged or missing parts?

        v. Are there any dangerous modifications?

        vi. Is the barrel bulged, obstructed or loose?

        vii. Are there any loose or missing screws?

viii. CAUTION: Movement or replacement of parts may make the weapon safer, but may also significantly alter the operational characteristics.

ix. Are there any firearm recall notices that must be considered, if applicable?

x. If, during this initial examination the range officer determines that the weapon is in such poor condition that it is unsafe to fire he/she should consult with the Senior Range Officer to determine whether or not they should go any further with the testing. Safety is our primary concern.

3. TEST FIRING- AMMUNITION

a. When choosing ammunition for Test Firing, consider:

i. Was the firearm designed for the ammunition to be used (i.e., rechamberings, wildcat cartridges, +P cartridges)?

ii. Was the firearm originally designed for black powder loads (i.e., Damascus barrels)?

iii. Are there any ammunition recall notices that must be considered, if applicable?

b. Ammunition for testing can be obtained from the Property Room Sergeant.

4. TEST FIRING- PROCEDURE

a. Ensure that the downrange area is free of personnel.

b. Proper hearing protection, eye protection, ballistic vest, and rubber gloves must be worn.

c. Ensure that the exhaust fans or system is turned on.

d. The examiner should consider loading no more than one (1) cartridge into the firearm.

e. Fire the firearm.

f. Note any operational problems or malfunctions with firearm.

g. Complete the attached form. Submit a copy of form to the court and keep a copy for record.

SPD Case # _____

Defendant: _____

Date of Test: _____

Firearm: _____

I was requested to test the above listed firearm as part of an investigation conducted by this department. I received the firearm from property and took the firearm to the area that this department has designated for the test firing of firearms. I placed a cartridge into the firearm and made the firearm ready to fire. I then attempted to fire that firearm. I obtained the following

results:

_____ The firearm was operable.

_____ The firearm was not operable but was or can be readily rendered operable.

_____ The firearm was inoperable and could not be readily rendered operable.

Signed: _____ Date:_____

Credentials:

Springfield Police Division

Policy & Procedure

Number: 6.83
Subject: Workplace Emergencies
Issued: Tuesday, May 16, 2017

The following information establishes the plan of action for employees to follow in the event of a workplace emergency.

I. POLICY

This workplace emergency plan serves as the guiding document for immediate response procedures to the various types of emergencies that an employee of the SPD may face, within the confines of the police facility.

This plan augments the City of Springfield's Emergency Operations Plan (EOP), which is the guiding document for mitigating emergencies and disasters citywide.

Springfield Police Officers are designated first responders and will respond to any/all emergencies as trained and outlined in our rules, regulations, and procedures manual.

Civilian employees will respond to emergencies based on this plan.

II. EMERGENCY ACTION PLAN COORDINATOR (SAFETY OFFICER)

Upon approval and adoption of the plan, the Staff Services Captain is responsible for:

1. Ensuring all new employees are provided a copy of this plan and that they understand it.
2. Reviewing the plan:
    a. Whenever the employee's responsibilities or designated actions under the plan change.
    b. Whenever the plan is modified or updated.

III. REPORTING PROCEDURES

The following table lists types of emergencies that may occur and how they should be reported.

1. Any officer, or civilian employee, encountering one of these problems should notify their immediate supervisor and/or the Officer-in-Charge as soon as possible.

2. In the event of an immediate danger the officer or civilian employee discovering it will notify dispatch/911, as outlined below.

3. Absent an immediate danger the Officer-in-Charge is responsible for initiating any evacuation order. Once the order is given it must be communicated to all personnel.

    a. The Officer-in-Charge should bear in mind that our building is connected to the Clark County Jail and adjacent to the Courts.

    b. When notifying dispatch that any of the emergencies outlined below exist, dispatch should also be instructed to notify the employees in the BCI Regional Crime Lab, the Clark County Jail and the Courts about the emergency so they can enact their emergency plan if needed.

Type of Emergency	How to Report
Fire	Call dispatch via radio, or 911, sound fire alarm, use the intercom of inform other employees to evacuate if possible, otherwise orally communicate to all staff the order to evacuate. Gather and account for all employees at the assembly area.
Explosion	Call dispatch via radio, or 911, sound fire alarm, evacuate all possible staff through evacuation routes that are unblocked and where the structure is secure.
Weather	Severe weather emergencies will be coordinated by the Local Emergency Planning Commission as they can usually be planned for and generally follow City of Springfield EOP.
Earthquake	Minor tremors need not be reported, however, when structural damage occurs or if anyone is injured radio dispatch or call 911 immediately. Evacuate ONLY if the structure is safe and stable.
Bomb Threat	Avoid using portable radios as they may activate a detonation device. Call 911, do NOT sound any alarms, evacuate the building if directed to do so by the Officer-in-Charge or any police officer responding to the emergency. Be sure to have dispatch notify people in the adjacent buildings when this occurs.
Floods	Major Floods will be coordinated by following the EOP as they can usually be planned for.
Spill/Leak	Radio dispatch or Call 911 for large spills or gas leaks, evacuate all employees and warn adjacent buildings as well.
Violence	Radio dispatch or Call 911, keep all employees calm and provide care for any victims. Police Officers will respond to any threat in accordance with established rules, regulations, and procedures.
Medical	Radio dispatch or Call 911, conduct First Aid & CPR if properly trained, and keep in communication with Emergency Response. Always be aware of Blood- Borne Pathogens and utilize training techniques.

Terrorism	Radio dispatch or call 911. Police Officers should follow established rules, regulations, and procedures for addressing an active threat.

It is very important that, during and after any emergency situation, all employees should remain calm and work toward keeping each other safe and free from harm. It is also critical that, following evacuation, civilian employees must remain in the pre-determined assembly area until all witnesses, victims, or employees with knowledge of the event are interviewed and released by a supervisor.

IV. EVACUATION PROCEDURES

A. Emergency Escape Routes

Emergency routes are marked via ceiling mounted, lighted, EXIT displays. All have a back-up power source in case of a power outage.

B. Procedure for Employees Who Remain to Operate Critical Operations Before They Evacuate

Not applicable.

C. Employee Accountability Procedures after Evacuations

Each supervisor is responsible for accounting for all assigned employees, personally or through a designee, by having all such employees report to the predetermined designated gathering area and conducting a head count. Each assigned employee must be accounted for by name. All supervisors are required to report their head count (by name) to the Officer-in-Charge.

The designated assembly area is City Hall, 76 E. High St., basement break room.

D. Alarm System

The three types of Evacuations and associated alarm systems for notifying all employees in case of an emergency are:

Emergency	**Action to be taken**	**Alarm system**
Fire Emergency, Explosion, Bomb	Immediate evacuation	Fire alarms, intercom, personal notification.
Active shooter, Terrorist threat	Silent evacuation or *Shelter in place.	Do not set alarms. Use intercom or directly communicate with employees to evacuate.
Floods, Severe Weather	Planned Evacuation	These types of emergencies can be planned for and will be handled by the EOP therefore any evacuations will be communicated prior to the emergency.

*Shelter in place decisions should be made by the Officer-in-Charge based on the severity of the perceived threat and the potential for additional harm.

V. FIRE EXTINGUISHERS

Only employees that have been trained in the proper use, identification and techniques of a fire extinguisher are expected to use a fire extinguisher prior to evacuating. In most cases employees are at less risk if they do not use fire extinguishers. If possible however, many fires can be extinguished if caught early enough and properly attacked. The number one goal during any emergency is to protect human health and well-being, so if fire suppression cannot be accomplished without jeopardizing this, then employees must demonstrate better judgment by evacuating.

VI. EMPLOYEE ACCOUNTABILITY PROCEDURES FOLLOWING AN EMERGENCY EVACUATION

Each supervisor is responsible for accounting for all assigned employee(s) following an emergency evacuation. Whoever is in charge of the accounting of employees must have knowledge of who is in their office at all times, meaning if any employee is absent from work or on a break at the time, this individual must have knowledge of this. In any instance the following procedures apply:

1. **The assembly area is City Hall- 76 E. High St., break room in the basement.**
2. All civilian employees must report to the designated assembly area immediately following an evacuation so that they may be accounted for.
3. Police Officers working to overcome the disaster will work within their chain of command and coordinate via radio.
3. Each employee is responsible for reporting to his or her supervisor so that an accurate head count can be made. Names will be checked off for all those who report. Any employee not checked off, who was in the building at the time of the emergency will be designated as missing to dispatch.

VII. RESCUE AND MEDICAL DUTIES

All Springfield Police Officers are Emergency First Responders. In the event of any disaster they are expected to render first aid, provide assistance to those in need, and actively work to prevent further loss of life and/or property.

VI. GUEST/PRISONER ACCOUNTABILITY PROCEDURES FOLLOWING AN EMERGENCY EVACUATION

Each officer, or civilian employee, is responsible for ensuring that any guest, suspect, or prisoner in the building is removed from the building following the order to evacuate.

1. **The assembly area is City Hall, 76 E. High St, basement break room.**

2. With regard to prisoners officers should consider the following options:

    a. Release/Order to Appear.
    b. Lock them up at jail.
    c. Secure them in the back of a cruiser, and stay with them, until the crisis is over.

3. Each officer or civilian employee must report to their supervisor that a guest, prisoner, was/was not effectively removed from the building following the order to evacuate.

VII. EMERGENCIES IN THE SPRINGFIELD BCI LABORATORY

1. In the event of an emergency in the Springfield BCI Laboratory, lab personnel will follow the reporting guidelines previously listed.

2. In addition, the lab is equipped with an emergency notification system that, when activated, sets off a blue strobe light in the Information Officer's work area.

    a. The reset button for the panic alarm is located inside the server room, within the lab.
    b. This room is the behind the locked, north door at the west end of the lab.
    c. The reset button is clearly labeled as such along with instructions to complete the reset.

3. In the event the emergency strobe is activated the Information Officer and/or the Officer-in-Charge will respond to the lab with an emergency key to determine what assistance is needed.

    a. The emergency keys are kept in the locked key box, in the Officer-in-Charge's office.
        i. The RFID card should be used to gain access, first. The RFID card uses two factor authentication. Swipe the card on the reader outside the door. After moving the card away from the reader enter the PIN# written on the RFID card using the touch keypad.
        ii. The standard key should only be used in emergencies where the RFID card does not work.
    b. These keys are to be used by SPD personnel only in an emergency.
    c. ANY SPD officer, who enters the Springfield BCI Laboratory, other than by invitation of BCI personnel, **must** complete an inter-office communication detailing the following- date and time of entry, reason for entry, all other pertinent information. Copies of the memo must be forwarded to your subdivision Captain, the Staff Services Captain, and the Chief of Police.
    d. SPD officers are reminded that the Springfield BCI Laboratory has 24 hour surveillance within the facility that is recorded and stored off site.
    e. Non-emergency access to the Springfield BCI Laboratory should be made by invitation only.

VIII. EMERGENCY CONTACT NUMBERS

1. Officer-in-Charge-	937-324-7716
2. Police/Fire Dispatch, non-emergency-	937-324-7680
3. Police/Fire Dispatch, emergency-	911
4. Staff Services Captain-	937-324-7676
5. Springfield BCI Laboratory–	937-688-2585 937-688-2586 937-688-2587

Springfield Police Division

Policy & Procedure

Number: 6.84
Subject: Property Room Access, Handling of Drug Evidence, Crime Scene Technicians
Effective: April 10th, 2019

This directive consists of the following numbered sections:

6.84 Property Room Access, Handling of Drug Evidence, Crime Scene Technicians

I. Policy

A. It is the policy of the division to restrict access to all property room storage areas. This is done to maintain the integrity of the evidence stored within and to limit the possibility of accidental exposure to narcotics or other substances stored there.

B. The Springfield Police Division requires its members to follow established guidelines with regard to the safe handling of narcotics by division personnel, both during the initial collection and submission of drug evidence and when any person is handling drug evidence in the property room. The procedures outlined here will provide division personnel with a basic understanding of the types of exposure they may encounter and what to do if exposed.

C. The division has three levels of Crime Scene Technicians (CST).

1. BASIC CST- all officers are trained as BASIC CST's, and are expected to handle the routine collection of evidence, fingerprint searches, and photography on the calls to which they are assigned. BASIC CST's are generally assigned the point and shoot cameras, first. (BCST)

2. SHIFT LEVEL CST's- are specially trained, and equipped officers that are capable of processing more detailed crime scenes. SHIFT LEVEL CST's are generally assigned the advanced SLR cameras, first. (SLCST)

3. ADVANCED CRIME SCENE TECHNICIANS- assigned to, and working out of Staff Services, are highly trained in the area of evidence collection and photography. They are called in based on the level of complexity, or severity, of any given case. (ACST)

II. Procedure

A. Property room access

1. Access to property room storage areas is restricted to staff services personnel, only. Any person requiring access to these areas for maintenance or similar reasons must be accompanied by staff services personnel. They must also sign in, and out, on the forms provided.

2. Uniform patrol and detective bureau personnel have access to the sally port and common office areas of the property room for picking up evidence and submission of evidence.

3. Division personnel must enter the property room through the front, main, entrance.

4. Civilians may be granted access to the common office area of the property room only for the purposes of conducting division related business.

5. No tours or demonstrations will be conducted within the property room storage areas.

6. Persons escorted into the property room storage areas, not assigned to the Staff Services sub-division, must sign in and out on the provided log.

B. Collection of Drug Evidence and handling of submissions

1. For the purposes of this procedure drug evidence means all drugs or suspected drugs, syringes, scales, spoons, other drug paraphernalia, plastic bags, plastic wrap, and paper folds collected for submission to the property room.

2. BASIC CST's are expected to collect routine drug evidence. This generally means solids, or items that are sealed or contained in a manner that is deemed safe to handle.

   a. When collecting drug evidence not in powder form, or that is sealed or contained in a manner deemed safe, all crime scene technicians will wear:

   b. Nitrile gloves (double gloving is recommended)

3. BASIC CST's may request that a supervisor send a SHIFT LEVEL CST to collect evidence they are unsure of.

4. When collecting drug evidence in powder form, a SHIFT LEVEL CST, or ADVANCED CST, should be called to the scene for collection.

   a. The collector will wear the following during collection-

   b. Nitrile gloves (double gloving is recommended)

   c. Eye protection

   d. Particulate mask

   e. When collecting drug evidence in powder form a second person should be present, in the event a medical emergency should occur.

5. Handling drug evidence in the Property Room

a. While in the Property Room, and while handling drug evidence in powder form, repackaging drug evidence, or handling drug evidence that has been previously tested and found to contain specific high potency opioid (these high potency opioids will be marked with a TOXIC STICKER) the crime scene technician will wear:

b. Nitrile gloves (double gloving is recommended)

c. Eye protection

d. Particulate mask

e. When handling drug evidence in the Property Room, in powder form, a second person should be present.

f. If any drug evidence in powder form is spilled a second person will be present during clean up.

C. Precautions when handling drug evidence

1. Food and drink should be kept out of areas were drug evidence is being processed.

2. Cell phones should not be used while working with drug evidence.

3. Hands should be washed after drug evidence handling and before leaving the property room.

4. Hand sanitizer should not be used when handling drug evidence as they may speed absorption.

5. Surfaces were drug evidence is handled and packaged should be wiped down with Oxiclean spray after use.

D. Procedure – Exposure

1. The primary forms of exposure are needle sticks, inhalation and absorption through skin contact.

2. Specific signs consistent with dangerous opioid intoxication are slow breathing or no breathing, drowsiness or unresponsiveness, and constricted pinpoint pupils.

a. Inhalation of airborne powder is most likely to lead to harmful effects.

b. Skin contact is more common but is not expected to lead to harmful effects if the contaminated skin is promptly washed off with water.

3. If exposure occurs notify other personnel in the area and dispatch immediately.

4. If the exposure is inhalation a medic unit should be requested immediately.

5. If exposure is skin contact, wash skin thoroughly with cool water, and soap if available.

    a. Do not us hand sanitizer as they may enhance absorption.

    b. The exposed individual should be monitored for the signs of dangerous opioid intoxication. If any signs are present, or suspected, a medic unit should be requested.

    c. If naloxone is not available rescue breathing or CPR can be initiated until EMS arrives, if needed.

        1) To limit the risk of further exposure standard basic life support safety precautions (pocket mask, gloves) should be used.

6. For clothing exposure (pants, shirt, shoes) the exposed area should be sprayed with Oxiclean. This will neutralize the effects.

Springfield Police Division

Rule

Number: 7.00
Subject: Rules of the Division
Effective: June 28th, 1989

This chapter contains the rules (or absolute requirements) of the Division of Police. There is no discretion in the proper application or utilization of rules.

Although some of the rules are contained elsewhere in this Manual (arranged according to major policy or procedure topic) the lack of flexibility inherent in the concept of a police rule has caused the listing of all rules of the Division in a separate chapter.

Springfield Police Division

Rule

Number: 7.01
Subject: Knowledge and Obedience
Effective: June 28th, 1989

A. Sworn personnel of the Division shall know, understand and comply with all Rules, Policies, Procedures, and Regulations and Directives or Orders of the Divisions of Police.

B. Other employees of the division shall know, understand and comply with all Rules, Policies, Procedures and other directives or Orders of the division as are pertinent for the classification and tasks assigned by proper authority.

C. Failure to comply with this rule is neither excuse nor mitigation of alleged misconduct and constitutes a substantial presumption of dereliction or neglect of duty or performance as well as a violation of this rule.

D. Employees of the Division shall not commit any acts or omit any acts which constitute a violation of any of the Rules, Policies, Procedures, Regulations, training, Directives, or Orders of the Division of Police whether stated in the manual or elsewhere.

Springfield Police Division

Rule

Number: 7.02
Subject: Conduct Unbecoming Officers or Other Members
Effective: June 28th, 1989

A. Officers shall at all times conduct themselves, both on and off duty, in such a manner as to reflect favorably on the Division. Conduct unbecoming an officer shall include that which brings the Division into disrepute, that which reflects discredit upon the officer as a member of the Division or of the law enforcement profession, or that which impairs the operation, efficiency, effectiveness or trustworthiness of the division or the officer.

B. The Law Enforcement Code of Ethics is hereby adopted and set forth as a proper code of conduct for all sworn personnel. Violation of the Code of Ethics constitutes a violation of this rule.

C. Other employees if the Division shall conduct themselves in such a manner as to reflect favorably upon the Division and especially as regards likely public perceptions or sensitivities regarding those with privilege or access to sensitive records or information concerning individuals or the public. Conduct unbecoming a police employee shall include that which reflects discredit upon the employee as a member if the Division or that which impairs the operation, effectiveness, efficiency or trustworthiness of the Division or of the employee.

Springfield Police Division

Rule

Number: 7.03
Subject: Moral Conduct
Effective: June 28th, 1989

7.03 Officers shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any incident involving moral turpitude, which impairs their ability to perform, as law enforcement officers or which causes the Division or the Officer to be brought into disrepute.

Springfield Police Division

Rule

Number: 7.04
Subject: Officers, and other Members, Must Obey All Laws
Effective: June 28th, 1989

A. Officers shall obey the laws or ordinances of the United States and of any State or local jurisdiction in which the officers are present.

B. Violation of this rule does not require formal legal action, specifically including conviction or judgment of guilt, against any officer by a court. It is sufficient, for purposes of this rule, that proper administrative authority is able to reasonably conclude the weight of the evidence is sufficient to make a finding determination or judgment any law or ordinance was violated by an officer.

C. A conviction, determination, judgment or finding of guilt of any violation of any law or ordinance is substantial evidence of a violation of this section.

D. Officers shall expeditiously report to the Chief the details of their arrest, summons or citation for any felony or for any offense which could be punishable in Ohio as a felony or any criminal or traffic violation which could be punishable in Ohio as a misdemeanor of the first degree as well as the interim status and final dispositions thereof. When the Chief directs or authorizes a local arrest, summons or citation, no report other than interim status and final disposition is required.

E. Excluding parking citations, an officer of this Division shall not file an affidavit alleging a criminal or traffic violation by an officer of this Division without first consulting with the Chief or his designee.

F. Non-sworn members of the Division must obey all laws, ordinances, or administrative regulations which directly apply to their status as a public employee or to specific tasks or duties to which they are assigned.

G Members must promptly report reasonably construed violations of Federal, State or local laws or ordinances by or involving any member of the Division.

COMMENTARY: Requiring all members to obey the law is rather clearly job related. Because of the requirements for inter-agency cooperation and because of the unique position of privilege and trust of police employees, the City/Chief need clear notice of any arrests, summons, or indictments by any member which are relevant to police duties.

Springfield Police Division

Rule

Number: 7.05
Subject: Official Responsibility: Appropriate Response Required
Effective: June 28th, 1989

A. All members of the Division are required to give, make or cause an appropriate police service response on all matters relating to their employment.

B. Members shall not unnecessarily refer citizens requesting advice, assistance or service on public safety matters to another police unit, another criminal justice system agency or anyone higher in the chain of command. Members shall personally relay the request through the proper chain of command unless the person initiating the request personally asks them not to do so.

C. No member shall ever, under any circumstances, tell, advise, indicate or intimate any person must, may or should contact the Chief of Police, Safety Director/City Manager, Mayor or any City Commissioner on any business of the Division. Under no circumstances will the home telephone number or address of any such official be provided by any member to any private citizen.

   1. The only exception to this rule is to respond with a simple affirmative answer if any citizen initiates a question as to whether they are allowed to contact any such City official.

COMMENTARY: The public we serve deserves and expects appropriate responses to police related concerns at all times and places.

The fact a certain action or response is prohibited or restricted at a certain time or place never justifies a failure to give or cause an appropriate, authorized response.

Certain types of responses that appear to shift blame, deny responsibility or politicize services are clearly prohibited.

Springfield Police Division

Rule

Number: 7.06
Subject: Chain of Command
Revised: July 25th, 2019

This directive consists of the following numbered sections:

7.06 Chain of Command

A. All members of the division shall conduct all business relating to the Division through standard, proper channels.

B. The Chain of Command is: Police Officer; Sergeant; Lieutenant; Captain; Chief; Director of Public Safety/City Manager.

1. Or as otherwise explicitly directed or authorized by the Chief.

2. Collective bargaining negotiations shall be conducted as prescribed by laws regarding collective bargaining, applicable collective or personal contracts, or in their absence by directives.

C. Complaints and/or grievances shall always be conducted or processed as required by applicable collective bargaining or personal employment agreements.

1. All supervisors who are in receipt of a grievance, filed under one of the collective bargaining agreements, are obligated to immediately forward a copy of the grievance to the Chief of Police, through their chain of command.

2. The memo to the Chief of Police must include the supervisor's findings, or response, to the grievance.

3. In the event that the formal grievance and/or response was verbal, only, the supervisor receiving said grievance is obligated to render the grievance to writing and forward it to the Chief of Police, through the chain of command, as outlined in sections 1 and 2, above.

D. All outside training requests shall be pre-approved by the employee's Sub-Division Commander.

1. Employees who wish to attend outside training shall submit a written request, in inter-office format, to attend said training to their Lieutenant. The request must include the following-

a) An exact description of the training.

b) A detailed description as to why they want to attend the training and how the training will benefit both them, and the agency.

c) Date(s), time(s), and location the training will take place.

d) Whether or not the officer is requesting to attend on duty, or off-duty.

e) Cost of the training, if any.

2. The Lieutenant shall determine whether or not they have sufficient manpower to allow the officer to attend.

a) If manpower does not allow for the officer to be away from work during the time the training is to take place the Lieutenant should advise the officer reference same. The Lieutenant should also document the situation and put the denied request in the officers shift level file for future reference.

b) If manpower is sufficient to allow the officer to attend the Lieutenant must document their findings with regard to (2), and forward it to the appropriate Sub-Division Commander.

3. The Sub-Division Commander, and/or the Chief of Police, may approve or deny the request based solely on the needs of the organization.

a) If the request is denied the Sub-Division Commander will notify the officer reference the denial.

b) If the request is approved by the Sub-Division Commander he/she will forward the approved request to the Chief's Office, for final disposition.

1) Final approval will be issued out of the Chief's Office.

2) The Chief's Office is responsible for scheduling all outside training.

3) Additionally, a copy of all requests for payment, invoices, or other administrative documents related to the training must be forwarded to the Chief's Office upon receipt, by the officer.

4. Some training, that officers may want to attend off duty, requires that they be sworn law enforcement officers. Officers must have prior approval to attend off-duty training using the law enforcement credentials issued by the City of Springfield.

5. There are no exceptions to following the Chain of Command with regard to requests for training.

E. The official proper chain of command (channels) may be by-passed; and a direct request for a meeting, conversation or communication may be made only in the very best interests of the City.

F. No member of the Division has the authority to deny hinder, obstruct or interfere in any manner with a legitimate request for communication with or appeal to a higher authority in the proper, authorized chain of command.

G. All requests for discussing or relating any business of the Division with the Safety Director/City Manager or any other City public official shall be forwarded through the Office of the Chief to the Office of the Safety Director/City Manager

COMMENTARY: In order to assure the orderliness, effectiveness, accountability and integrity of all members and the Division-- especially managerial authority and responsibility-- as well as the propriety and effectiveness of grievance or complaint procedures, Divisional channels of administrative authority and responsibility must be carefully defined and followed.

The State of Ohio has detailed the proper roles of various elements of political and professional roles and interests by both statute and case law. While it is very important we do not confuse our duty to be responsive to the public will, it is always particularly necessary we avoid both the appearance and the practice of irregular or improper influence in the Division of Police.

In addition, the taxes paid by the public to compensate administrators with the stipulation that they perform their duties and be held accountable require we use only authorized channels which are designed to hold police managers and other public officials responsible for proper and productive use of their authority and responsibility.

Nothing in this rule prohibits a member from pursuing purely personal business as would be common to any other private citizen in a manner, which does not tend to interfere with the legitimate interests of the Division or the City.

This rule recognizes there may—upon rare occasions—be a legitimate necessity to by-pass one or more elements of the authorized chain of command; however, the member(s) involved bear the burden of sufficiently demonstrating that the proper channels could not reasonably have been used under the particular exigent circumstances.

Because the purpose of this rule is to assure and facilitate only proper administrative responsibility and accountability, this rule specifically prohibits any member from interfering with any other member’s request for communication with or appeal to legitimate higher authority as long as proper channels are followed.

Springfield Police Division

Rule

Number: 7.07
Subject: Supervisor Authority and Responsibility: Seniority in Rank
Effective: June 28th, 1989

A. Whenever two or more Command Officers of equal rank are present at a scene or situation that requires a determination as to who is in charge, the issue shall be determined as follows:

1. According to which Sub-Division or Section of a Sub-Division has primary responsibility for the scene, situation or matter;

2. If that determination cannot be clearly established or if the involved supervisors cannot agree, or of the supervisors are assigned to the same Sub-Division or Section, seniority in rank shall prevail.

B. Command Officers assigned to a Sub-Division other than that which should normally have primary responsibility for a particular scene, situation or matter shall not assume command or issue any orders, regardless of their rank, unless (1) no other supervisor is present; or (2) an emergency or very extreme situation exists; or (3) an improper order or procedure or some misconduct must be immediately corrected; or (4) when specifically authorized by a Divisional directive or by order of the Chief.

C. A supervisor who is in charge of any scene, situation, incident or matter may delegate such command to another appropriate supervisor; however, the ultimate responsibility for the situation or matter as well as the prudence of the delegation is always retained by the delegating supervisor.

D. Although supervisors do not normally have line (direct) authority for personnel of a Sub-Division other than the one to which they are assigned, staff (indirect) authority and responsibility for subordinate personnel is a fundamental obligation of management; therefore all supervisor must at all time take appropriate action to ensure the best interests of the Division. With the execution of situations listed in (B), appropriate action is generally a prompt reporting of all concerns about the personnel, acts or omission of members of other Sub-Division.

Springfield Police Division

Rule

Number: 7.08
Subject: Conflicting or Illegal Orders
Effective: June 28th, 1989

7.08 Conflicting or Illegal Orders

A. Members who are given an otherwise proper order which is in conflict with a previous order, rule, regulation or directive shall respectfully inform the superior officer issuing the order of the conflict. If the superior officer or supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances the responsibility for the conflict shall be upon the superior officer. Members shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation or directive previously issued.

B. Members shall obey all lawful orders; however, members shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, members shall request the issuing officer or supervisors to clarify the order or to confer with higher authority.

COMMENTARY: This section provides procedures for members to follow if the officer is given an order, which conflicts with the other orders or is issued an order which the member considers to be illegal. If any member receives conflicting orders, the member must notify the superior officer so the conflict may be resolved. Failure to do so may render the member liable for disobedience of both the order and this section. Any member who receives an order which he or she reasonably believe would require him or her to commit an illegal act must at least question that order, and refuse to obey it if not satisfied as to its legality. Members may not be disciplined solely for sincerely questioning the legality of an order.

Springfield Police Division

Rule

Number: 7.09
Subject: Insubordination Prohibited
Effective: June 28th, 1989

A. Officers shall promptly and properly obey all lawful orders of a superior officer. This absolute requirement includes, but is not limited to, order(s) relayed from a superior officer by an officer of like or lesser rank.

B. Clear disrespect, ridicule, derision or jocularity concerning the order of any superior officer or of any Directive of the Division or City or of any person or class of persons with lawful authority to issue orders shall be considered insubordination, especially if such conduct occurs in public; quasi-public; in the presence of an officer of lesser rank or other subordinate employees of the Division; or in such manner or way as to become disseminated to other employees or to the general public and bring any sort of disrespect, discredit or ridicule upon the Division or <u>any</u> member thereof.

Springfield Police Division

Rule

Number: 7.10
Subject: Minimum Standards of Job Qualifications
Effective: June 28th, 1989

A. All members shall obtain, retain and maintain all qualifications, certifications, licenses, permits or authorizations pertinent to their classifications and assignments as determined by the Chief and by the City.

Springfield Police Division

Rule

Number: 7.11
Subject: Physical, Mental, and Emotional Condition
Effective: June 28th, 1989

7.11 Physical, Mental, and Emotional Condition

A. All members, especially sworn officers, are personally responsible to attain and maintain physical and mental capabilities or conditions adequate for proper performance of assigned and likely to be assigned tasks, functions, positions or duties.

B. Any member who reasonably believes his or her physical or mental/emotional condition is temporarily or permanently substantially impaired for proper functioning fir assigned jobs, tasks, functions or duties shall promptly seek and accept examination, treatment or therapy which is reasonably likely to meet the needs of the City and the obligations of the particular employee.

Springfield Police Division

Rule

Number: 7.12
Subject: Duty Status and Other Obligations of Employment
Effective: June 28th, 1989

7.12 Duty Status and Other Obligations of Employment

A. The term “off duty” refers to the periodic relief from regularly assigned duties. Members of this Division are always subject to duty as defined by Law, Ordinance, this manual and directives or orders of superior authority.

B. There is no relief or absence of duty in term of appropriate responses to requirements of law and directives and especially as regards requests for police assistance or from situations, which reasonably require police or public safety personnel response or action.

C. Members shall, therefore, at all times and all places give, make or cause such police responses or services as reasonably determined by the situation as known or as it should be known by employees properly and prudently fulfilling their obligations of police employment.

D. Members shall at all times and places, including any periods of leaves of absence or suspension from normal duty, make themselves reasonably available for any and all police employment or business communication, especially those of supervisory or administrative matter relating to any such leave or suspension.

E. Members shall, at all times and places, properly respond to the lawful authority of superiors.

Springfield Police Division

Rule

Number: 7.13
Subject: Reporting for Duty
Effective: June 28th, 1989

7.13 Reporting for Duty

Employees shall report for duty at the time and place required by assignment or order and shall be physically and mentally fit to perform their duties. They shall then and there be completely and properly equipped and after roll call or similar situation shall be cognizant of information required for the proper performance of duty so they may immediately assume their duties. Judicial or lawful and compelling administrative subpoenas shall constitute an order to report for duty under this section. If a subpoena conflicts with time scheduled for duty, the officer shall promptly report such to the Shift Commander or other appropriate supervisor; however, the subpoena shall prevail.

COMMENTARY: Because many police operations function on a shift basis around the clock, it is important that officers going on duty be prompt and fully prepared to assume their duties as soon as the earlier shift is relieved. Also while there are judicial penalties for ignoring a subpoena, this section provides for administrative action if an officer fails to respond to a subpoena.

Springfield Police Division

Rule

Number: 7.14
Subject: Identification
Effective: June 28th, 1989

7.14 Identification

A. Officers shall carry their badges and identification cards on their persona at all times, except when clearly impractical or when dangerous to their safety or to an investigation. They shall furnish their name and badge number to any person requesting that information when they are on duty or while holding themselves out as having an official capacity, except when the withholding of such information is absolutely necessary for the performance of police duties or is explicitly authorized by proper authority. While on duty or in uniform only the City issued badge and identification card shall be used.

B. Off-duty officers in plain clothes may carry and use a badge, which is highly similar to the regular badge, if prior approval of a specific badge is obtained from the Chief.

COMMENTARY: Officers should be required to carry their identification at all time, on or off duty. If it becomes necessary for the officer to take police action while off duty, the officers must be able to identify himself or herself. The only exception to this requirement applies to officers in covert operations where revelation of the officers identity might be dangerous, and situations where the officer at home or outside his or her jurisdiction or has no practical way to carry his or her identification.

Springfield Police Division

Rule

Number: 7.15
Subject: Personal Appearance
Effective: June 28th, 1989

7.15 Personal Appearance

A. Officers while on duty shall wear uniforms or other clothing and/or equipment as directed and in accordance with Divisional Directives and Procedures.

B. Except when acting under proper and specific order from a superior officer, officers on duty shall maintain a neat, well-groomed business-like appearance.

C. Other employees of the Division must be neat, clean, properly attired and well groomed and must not wear hair, mustaches (beards shall not e worn) in such a manner as to bring abnormal attention to the hair, head or face solely because of style type or color.

D. The decision of the Chief or his designees as regards \interpretations of clothing or neatness and appropriate bulk, color or style of hair, in individual cases, is conclusive and failure to promptly take and effectively maintain remedial action satisfactory to the Chief is a violation of this rule as well as insubordination.

E. Off-Duty Display of Uniforms or Equipment

Members who are not on duty and not performing authorized private duty shall not wear or display any uniform or equipment items except as permitted whole expeditiously and directly traveling to or from such City assignments or authorized employment.

1. This prohibition does not apply to proper utilization of defensive weapons/equipment or of special permission is obtained from the Chief.

Springfield Police Division

Rule

Number: 7.16
Subject: Occupational Ability andPerformance
Effective: June 28th,1989

7.16 Occupational Ability andPerformance

A. All employees of the Division shall maintain competency sufficient to properly and productively perform general and specific duties and assignments and assume the responsibilities of their personal positions andassignments.

B. All Command Officers in the classified (civil) service must maintain skills and competence sufficient to properly perform the general duties of all subordinate officers as well as the specific duties, skills, tasks orcommon assignments generally applicable to all sworn officers of this division as implied by Peace Officer status or as required by this manual training and subsequent Directives orOrders.

1. The phrase “implied by Peace Officer status” refers to laws, ordinances, regulations, or guidelines enacted by the State,City, Ohio Peace Officer Training Council or other competent government authority.

2 Other duties, skills, tasks or common assignments are set forth in the Divisional Manual as amended by General Orders or other written directives. Such common assignments generally refer to Patrol or Investigative functions and do not include specialized expertise in narrow fields such as fingerprint analysis and soforth.

C. All employees shall perform their duties and assume the responsibilities of their positions in a manner, which reflects and maintains the highest standards of efficiency and effectiveness in carrying out the function, mission, goals and objectives of thedivision.

D. Unsatisfactory performance may be demonstrated by a lack ofknowledge of the application of laws; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the rank, grade, position or assignment; the failure to take appropriate action on the occasion of a crime or traffic violation or any other disorder, problem, complaint, or condition deserving police or Divisional attention; the failure to fully and properly comply with lawful and proper instructions of appropriate supervisors; the absence from duty, post or assignment with leave of properauthority.

E. In addition to other indicators of unsatisfactory performance, thefollowing will be considered prima fascia evidence of unsatisfactory performance: poor employee evaluations—especially of repeated, written record of repeated infractions of rules, regulations, policies, procedures, directives, training or orders of the Division, of the City, or of appropriate supervisors.

COMMENTARY: All sworn officers and other employees are required to maintain skills and abilities as well as reasonable levels of performance for any tasks or duties to which they may reasonably and lawfully be called orassigned.

Any sworn officer may be compelled to perform basic peace-keeping/public safety duties; therefore, all must maintain reasonable levels of competence for such tasks or duties.

Springfield Police Division

Rule

Number: 7.17
Subject: Courtesy
Effective: June 28th,1989

7.17 Courtesy

A. Officers and other members shall be courteous to the public we serve. Officers and other members shall be tactful in performance of duties and shall control their tempers and exercisereasonablepatience and discretion, avoiding argumentative or obnoxious remarks or gestures, even when provoked.

B. When in contact with a member of the public, employees of thisDivision shall address person by us of appropriate, propertitles.

1. An appropriate proper title shall mean the use of Mr., Ms., Mrs., Dr., Sir, Ma'am or any other similar title which is common to professional or businesscourtesy.

2. While the proper manner of addressing juveniles is more difficult to define, employees shall avoid such terms as: sis, son, girl, boy, kid, lad, etc., unless there is good reason to believe the terms will not be taken as demeaning by the particular juvenile. Younger juveniles are usually appropriately addressed by their first names. Older juveniles, especially those exercising "adult privileges" such as operating a motor vehicle, are best addressed asadults.

C. Members shall not use disrespectful, coarse, violent, insolent, profane or obscene language or gestures when addressingany person.

1. Members shall avoid using any abusive or insultinglanguage; racial, sexual or ethnic slurs; "trigger words;" disrespectful or overbearing language or conduct, attitudes, orbearing.

2. Members shall avoid a lack of proper attention or concerns as well as language pr conduct, which indicates derogatory or unnecessary reference to race, sex, age, disability, religion, politics or economic or socialcondition.

Springfield Police Division

Rule

Number: 7.18
Subject: Requests for Assistance
Effective: June 28th, 1989

7.18 Requests for Assistance

When any person applies for assistance or advice or makes complaint or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established Divisional procedures.

COMMENTARY: Like discourtesy, inattention, delay in response or failure to respond to requests for assistance are major causes of complaints against a police department. To the party requesting assistance t, the matter is of paramount importance; and an attitude indicating a lack of concern or a failure to respond cannot be handled immediately, the requesting party should be informed of the nature and reason for the delay. It is improper for an officer to intentionally and unreasonably fail to respond to or delay response to a call.

Springfield Police Division

Rule

Number: 7.19
Subject: Use of Tobacco Products
Effective: June 28th, 1989

7.19 Use of Tobacco Products

A. Officers, when in uniform, may use tobacco as long as:

1. They are not in a formation.
2. They do not have to leave their assignment or post for the sole purpose of doing so.
3. They do so in an appropriate and reasonably inconspicuous manner whenever in public view; and
4. They are not engaged in traffic or crowd direction or control.

B. When on duty and in direct contact with the public, no police employee shall use tobacco in any form unless the contact or interview is of prolonged duration; and the employee has clearly obtained permission to use tobacco from the public with whom they are in direct contact.

C. While on duty or in uniform, officers shall strictly comply with all verbal or written restrictions regarding smoking or other use of tobacco-especially in areas posted or communicated as “no smoking” areas.

Springfield Police Division

Rule

Number: 7.20
Subject: Dangerous Games, Wrestling or Scuffling, Horseplay Prohibited
Effective: June 28th, 1989

7.20 Dangerous Games, Wrestling or Scuffling, Horseplay Prohibited

A. Members, while on duty or in uniform, shall not engage in any wrestling, games or horseplay which may be reasonably determined to be inherently dangerous to any person or to the property of the City or of any person.

B. Games or “horseplay” with any police equipment are absolutely prohibited whether on or off duty.

Springfield Police Division

Rule

Number: 7.21
Subject: Use of Divisional Vehicles
Effective: June 28th, 1989

7.21 Use of Divisional Vehicles

A. Members shall use police vehicles only as specifically authorized by the City, the Chief, or by his designee.

B. Police vehicles shall not be used when off duty or for any personal business or purpose, except as properly authorized by competent authority.

C. Persons who are not employees of the City shall not be transported by, or be permitted to occupy space in or upon any police vehicle, except as reasonably necessary to proper performance of clearly authorized police tasks or duties.

D. City vehicles shall not be operated outside the City limits except as reasonably appropriate to lawful and proper pursuit or as otherwise reasonably related to properly authorized duties, travel, or uses.

E. Police escorts are prohibited. No member shall for any reason, use a Police Division vehicle displaying, utilizing, or sounding any emergency warning devices to escort any other vehicle.

This rule does not apply to parades, funerals or similar purposes explicitly authorized by this manual or by the Chief of Police.

Springfield Police Division

Rule

Number: 7.22
Subject: Operating Vehicles
Effective: June 28th, 1989

7.22 Operating Vehicles

A. Officers shall operate City and other official vehicles in a careful and prudent manner and shall obey all laws and all departmental orders pertaining to such operation. Loss or suspension of any driving license (privileges) shall be immediately reported to the Division. Loss of driving privileges, for any reason, may be cause of disciplinary action as the privileges to operate a motor vehicle is an absolute job requirement for all sworn personnel.

B. Members, other than officers, shall operate all City vehicles in a careful, lawful and prudent manner. Loss or suspension of any driving license privileges must be promptly reported to the Division, if the member ever is allowed to operate a City vehicle.

COMMENTARY: Police officers, especially patrol officer, spend a lot of time operating motor vehicles; citizens observe and complain about bad driving by police officers. This undercuts the Department's enforcement of the motor vehicle laws. Also our contemporary use of motorized patrol and response to incidents make the general and legal ability to operate a motor vehicle mandatory for all officers.

Springfield Police Division

Rule

Number: 7.23
Subject: Use of Division Equipment
Effective: June 28th, 1989

7.23 Use of Division Equipment

Officers shall utilize Divisional equipment only for its intended purpose, in accordance with established Divisional training and procedures, and shall not abuse, damage or lose Divisional equipment. All Divisional equipment issued to officers shall be maintained in proper order and shall be available for use, examination and employment at any reasonable time.

COMMENTARY: Police officers are entrusted with great deal of very valuable equipment and must exercise the utmost caution in its use and maintenance. Also, especially in the case of vehicles, officer should not be permitted to use departmental equipment for personal business, except where specifically provided for by the department.

Springfield Police Division

Rule

Number: 7.24
Subject: Police Communications and Information Systems
Effective: June 28th, 1989

7.24 Police Communications and Information Systems

A. Members shall use all police communications equipment only as directed or otherwise clearly authorized by Divisional directives and training. If codes are used, only the authorized police ten-code shall be used and all unnecessary use of radios or related equipment is prohibited.

B. Members shall use or operate Divisional communications/information equipment and systems only as required or authorized by the appropriate regulatory or administrative agencies, including the Division.

C. All officers through the rank of sergeant shall, when first beginning any tour of duty by vehicle or foot or when beginning operation of any vehicle assigned during any tour of duty, promptly notify communication of:

1. The proper agency unit codes.

2. If appropriate, the assigned district, sector or beat.

3. If appropriate, the general nature of any assignment and approximate times which might prevent an immediate assignment from communications.

4. The OIC of each unit or Sub-Division must promptly notify communications of all vehicle assignment or personnel assignments/changes during all tours of duty.

D. When called or contacted by communications, members shall, whenever reasonably appropriate, promptly respond with the proper unit code and the member's actual location by address, building or intersection.

E. When leaving the City in pursuit or to serve warrants or subpoenas or on any reasonably similar police enforcement duties, officers shall promptly notify communications of that fact, the reason and the area or direction of travel. Upon return to the City, officers shall promptly notify communications.

1. When on other assignments, which require out-of-City travel, all officers must notify the Communications Center prior to leaving the City.

F. When ending any tour of duty, officers using vehicles or assigned to districts, sectors, beats or foot patrol of any type, shall promptly notify communications.

Springfield Police Division

Rule

Number: 7.25
Subject: DivisionalReports
Effective: June 28th,1989

7.25 DivisionalReports

Officers shall submit all Divisional or other required reports, whether written or verbal, on time and in accordance with established departmental policies and procedures. Reports, whether verbal or written, submitted by officers shall be truthfulandcomplete; and no officer shall knowingly state, enter, omit or cause to be stated, entered or omitted any inaccurate, false or improper information.

COMMENTARY: The integrity of the Division and the police record system mustbe maintained. This must include both criminal and administrative matters, or records, as well as information used by management for any police or City function or purpose, specifically including personnel guidance ordiscipline.

Springfield Police Division

Rule

Number: 7.26
Subject: Processing Property and Evidence
Effective: June 28th, 1989

7.26 Processing Property and Evidence

Property or evidence which has been discovered, gathered or received in connection with Divisional responsibilities shall be processed in accordance with established Divisional procedures and training. Officers or other members shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold property or evidence in connection with any investigation or other police action or duty, except in accordance with established Divisional procedures.

COMMENTARY: Maintenance of the “chain of evidence” is essential to a criminal investigation. Improper handling of evidence may imperil the prosecution of the offender. Police officers frequently come into possession of quantities of very valuable property, and the department must be diligent in preventing loss, destruction or alteration of such property. System and procedures for its protection must be established so that any impropriety is discovered immediately and the person responsible is identified. Possession of property or evidence outside of the established system or chain is prima fascia evidence of improper conduct.

Springfield Police Division

Rule

Number: 7.27
Subject: Seized Property and Proper Receipts
Effective: June 28th, 1989

7.27 Seized Property and Proper Receipts

A. In rendering police service, no member shall seize or obtain control over any property of another without a prompt, proper and appropriately detailed receipt being provided the owner or person previously in control of any item or thing.

B. Members releasing such articles or property to any person shall immediately obtain a signed receipt from the person receiving the items or things and otherwise properly document or cause to be documented pertinent facts or information regarding such releases and receipts.

Springfield Police Division

Rule

Number: 7.28
Subject: Service of Judicial Process Outside the City
Effective: June 28th, 1989

7.28 Service of Judicial Process Outside the City

A. Officers shall not serve or execute any subpoena, warrant, summons or citation outside the corporate limits unless both of the following apply:

1. Prior permission of the appropriate unit supervisor.

2. The prior knowledge and/or assistance of the law enforcement agency having primary responsibility for the particular geographic area.

Springfield Police Division

Rule

Number: 7.29
Subject: Subpoenas, Evidentiary Conferences, & Testimony
Effective: June 28th,1989

7.29 Subpoenas, Evidentiary Conferences and Testimony

A. Any member subpoenaed to testify or wishing to agree to testify for the defense in any hearing or trialoragainst the City or Division in any matter must, immediately upon receipt of subpoena or immediately upon agreement of intent to testify, whichever is first, notify their Sub-Division commander.

B. Prior to giving any such testimony or information, all members mustnotify and confer with the appropriate prosecutor or the City LawDirector.

C. Except when subpoenaed, no member, not then the defendant, shall discuss or confer upon any evidence, witnesses or informants with any "defense" counsel or investigator relating to any Divisional investigationor informationwithout the prior knowledge of an appropriatesupervisor.

D. Members appearing as witnesses before any court or before any competent administrative authority are required to answer all lawful questions or render such relevant material, evidence or statements as it may be the authority of the judicial, prosecutorial or administrative authority to compel. Members shall render such evidence in acompletely truthful manner, and in a courteous and otherwise properfashion.

COMMENTARY: This section is designed to protect the "discovery" process set forth by law and otherwise allow the City or its legal staff sufficient knowledge of the uses of members authority of knowledge of all matters directly related to the powers and privileges of police officer or access to evidence orrecords,

It also requires all members be truthful in all judicial, quasi-judicial, or administrative matters.

Springfield Police Division

Rule

Number: 7.30
Subject: Abuse of Process
Effective: June 28th, 1989

7.30 Abuse of Process

Officers shall not make false or malicious accusations of a criminal or traffic charge. For the purposes of this rule, an “honest mistake” based upon proper investigation and reasonable and prudent belief is not a false statement, arrest, or accusation.

COMMENTARY: This section is designed to prevent false allegations or charges. Withholding and manufacturing of evidence are covered by 7.26 and other rules.

Springfield Police Division

Rule

Number: 7.31
Subject: Neglect of Duty
Effective: June 28th, 1989

7.31 Neglect of Duty

A. No member shall neglect to perform any duty imposed by law, ordinance, or directive if it is within their power to do so alone or with available assistance.

B. Members shall not engage in any activities or personal business, entertainment or pleasure which would be likely to cause them to neglect or be inattentive to duty.

COMMENTARY: This rule is more narrowly drafted than most departmental neglect of duty rules. It covers conducting personal business or attending to personal business or pleasures which might distract employees form their responsibilities or hamper them from responding to calls for service.

Springfield Police Division

Rule

Number: 7.32
Subject: Leaving Duty Post
Effective: June 28th, 1989

7.32 Leaving Duty Post

Employees shall not leave their assigned duty posts during a tour of duty, except when authorized by proper supervisory authority.

COMMENTARY: An officer's failure to remain on his or her assigned post can have serious repercussions, which endanger the safety of other officers and the public. There may, however, be occasions when an officer's duties will require him or her to leave an assigned post. Those occasions, which can be anticipated, should be described in a separate general order on this subject.

Springfield Police Division

Rule

Number: 7.33
Subject: Abuse of Position
Effective: June 28th, 1989

7.33 Abuse of Position

A. Use of Official Position or Identification. Officers shall not use their official position, official identification cars or badges for:

1. Personal or financial gain.

2. Obtaining privileges not otherwise available to them except in the performance of duty or office.

3. Avoiding consequences of illegal acts.

Officers shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief or the City.

B. Use of Name, Photograph or Title. Officers shall not authorize the use of their names, photographs or official titles which identify themselves as officer in connection with testimonials or advertisements of any commodity or any type of commercial enterprise, without the explicit prior approval of the Chief.

COMMENTARY: This section prohibits an officer from loaning or abusing identification cards or badges as well as commercial exploitation of official position.

Springfield Police Division

Rule

Number: 7.34
Subject: Authority to Leave Assigned Areas
Effective: June 28th, 1989

7.34 Authority to Leave Assigned Areas

A. Except in fresh pursuit of criminal or traffic violation suspects or to gather additional investigative information for assigned reports, sworn officers shall not leave their assigned districts, sectors, beats or areas without specific and explicit supervisory or administrative permission to do so.

In addition, whenever leaving any assigned area, the communications center shall be notified.

B. Officers shall obtain meals or beverages only within their assigned districts or areas. This rule may be modified by the officer in charge of Headquarters only as may be reasonably required by an absence of availability of such services in a district or area of assignment or for special events and then only within written or verbal directives and with prudence as regards the authorized locations.

C. Officers, other than Command Officers, may not leave their area for meal breaks or take meals or other breaks without the explicit prior knowledge of the police dispatcher and, if required, the permission of the OIC. Extended absences from the cruiser require appropriate notice to the communications center regardless of the reason.

D. Sergeants may not take breaks or meals without prior notification to the police dispatcher. Extended absences from a cruiser require prompt notification to the dispatcher.

E. Meal breaks are limited by the reasonable requirement of police services and to not more than 30 minutes.

Other breaks are limited to reasonable requirements of police services and to no more than 15 minutes as well as to no more than one during each four hours of duty. No part of any meal or other break shall be taken or authorized during the first or last hour of regularly assigned duty.

Springfield Police Division

Rule

Number: 7.35
Subject: Necessary Relief from Prolonged Duty Post
Effective: June 28th, 1989

7.35 Necessary Relief from Prolonged Duty Post

Members assigned to duty of a prolonged nature which subjects them to inclement weather or other significantly difficult or hazardous exposures are entitled to appropriate relief or breaks as authorize by the officer in charge of the situation or Headquarters.

Whenever practical, the supervisor in charge of the situation or of Headquarters shall schedule relief assignments.

If any member needs a non-scheduled relief from such duty, such a request shall be made to the appropriate authority and such shall be expeditiously granted to the extent permitted by the existing staffing situation.

Springfield Police Division

Rule

Number: 7.36
Subject: Sleeping on Duty
Effective: June 28th, 1989

7.36 Sleeping on Duty

Employees shall remain awake and alert while on duty. If unable to do so, they shall report to their superior officer who shall determine the proper course of action.

COMMENTARY: Sleeping on duty is a serious problem for some police officers. Irregular hours, emergency situations and long periods of relative inactivity take their toll on the human body. However, sleeping on the job is not only dangerous; it is a waste of the taxpayer's money and harmful to the reputation of the department when a sleeping officer is discovered by a citizen. If an officer is not able to stay awake and alert on the job, the supervisor should take appropriate action such as relief from duty for vacation or personal time usage, reassignment and/or disciplinary measures.

Springfield Police Division

Rule

Number: 7.37
Subject: Fictitious Illness or Injury Reports
Effective: June 28th, 1989

7.37 Fictitious Illness or Injury Reports

Employees shall not feign illness or injury, falsely report themselves ill or injured or otherwise deceive or attempt to deceive any official or agent of the City as to the condition of their physical or mental health.

COMMENTARY: This section is aimed at preventing misuse of sick or injury leave. While most departments have procedures for reporting illness, with medical certification required in some instances, this section adds administrative penalties to the false reporting of illness or injury. The section is also aimed at preventing false claims of injury for purposes of injury leave, workman's compensation or disability retirement. Of course, care must be exercised in distinguishing between an outright false report or claim and one involving an honest difference of licensed medical opinion.

Springfield Police Division

Rule

Number: 7.38
Subject: Alcoholic Beverages and Drugs in Police Installations or Vehicles
Effective: June 28th,1989

7.38 Alcoholic Beverages and Drugs in Police Installations orVehicles

Officers or other members shall not store or bring into any police facility or vehicle: alcoholic beverages, controlled substances, narcotics or hallucinogens; except alcoholic beverages, controlled substances, narcotics or hallucinogens which are seized or held as lost property, evidence or contraband or which are explicitly prescribed for the member.

COMMENTARY: Police officers should not have drugs in police facilities unless the drugs are being held as evidence, etc. Also in order to avoid the appearance of impropriety or temptation, police facilities should not be used for personal liquor. All members of the Division must comply with thisstandard.

Springfield Police Division

Rule

Number: 7.39
Subject: Use of Alcohol On Duty or in Uniform
Effective: June 28th, 1989

7.39 Use of Alcohol On Duty or In Uniform

A. Officers shall not consume alcoholic beverages while in uniform or while on duty except in the performance of duty and while acting under proper and specific orders from a superior officer.

B. Officer shall not appear for duty, be on duty or be in any recognizable portion of the uniform while under the influence of intoxicants to any degree whatsoever or with any odor of intoxicants on their breath, person, or uniform, except as permitted in (A).

C. The Chief of Police has authority to explicitly modify this rule for certain limited business or social functions.

COMMENTARY: This section prohibits officers from drinking alcohol while on duty or in uniform, except when under orders to do so. Some chiefs may choose to modify this rule to permit officer to drink on duty in certain limited situations, such as when in plain clothes and at some social or business functions, This rule also applies to off-duty drinking which impacts in certain ways upon the officers' duty time.

Springfield Police Division

Rule

Number: 7.40
Subject: Possession or Use of Drugs
Effective: June 28th, 1989

7.40 Possession or Use of Drugs

A. Officers shall not possess, control or use any controlled substances, narcotics or hallucinogens except when and as prescribed in their treatment by a physician or dentist. When controlled substances or narcotics are prescribed or whenever a prescription or non-prescription medication which is likely to impair normal physical, mental or emotional capabilities is being used, officer shall promptly notify their Sub-Division Commander and Shift or Unit Commander in explicit written form.

B. Members other than sworn officer shall not, while at work, possess, use or control any narcotics, controlled substances or hallucinogens except when and as prescribed in their treatment by a physician or dentist.

COMMENTARY: Since nonprescription possession or use of controlled substances is in most cases a criminal act, this section does not add to the rule of conduct any prohibition not applicable to the general public or applicable to the officer through S 7.04. However, this section is more specific to prescribed drugs, and it requires the officer to notify the department of any authorized medical use of such substances as well as use of other medication likely to impair proper functioning. This notification alerts the department to possible physical or mental effects of drug use and gives the department an opportunity to take appropriate action.

Springfield Police Division

Rule

Number: 7.41
Subject: Gambling
Effective: June 28th, 1989

7.41 Gambling

Officer shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty and while acting under proper and specific orders from a superior officer.

COMMENTARY: While not all forms of gambling are illegal, those which are should not be engaged in by police officers any more than should other forms of illegal activity. All illegal activity is prohibited by section 7.04; this section simply serves to point out the specific rule in regard to gambling. It also serves to clarify that gambling may be authorized when necessary in the performance of the officer's duties; for example, when the officer is operating undercover in a gambling investigation

Springfield Police Division

Rule

Number: 7.42
Subject: Associations
Effective: June 28th,1989

7.42 Associations

A. Officers shall avoid regular, continuing or frequent associations or socialization with person under criminal investigation under indictment,or who have a reputation in the community or in the Division for present or continuous involvement in felonious or serious criminal behavior. Such restrictions specifically include vice offenses, or any organized criminal conspiracies. Exceptions are as necessary to the proper performance of official duties or where unavoidable because of spousal or familial relationships of theofficers.

B. Other members must, to the extent it is relevant to any position or trust they hold, avoid regular or continuing personal socialization orassociation with those person whom they know or should know are involved in present or continuing felony or other serious criminal behavior unless such is unavoidable because of spousal or familyrelationships.

C. Such associations are particularly improper and prohibited after a supervisory warning or directive regarding such persons orplaces.

D. No officer or other member of supervisory rank, supervisory authority or position, or any officer assigned as an FTO or similar function shall continually associate with, frequently socialize with, or engage inpersonal or business relationships with anyprobationarymember of the Division unless such is unavoidable due to a spousal or familial relationship or unless the business relationship began prior to the probationary member's employment with the Division. No supervisor shall become financially or otherwise personally indebted to any probationarymember.

E. No probationary member of the division shall continually associate with, frequently socialize with a member of supervisory rank, position or authority or with any officer assigned as an FTO unless such is unavoidable because of a spousal or familial relationship or unless the business association began prior to the beginning of the probationary member's employment with the Division.

COMMENTARY: All of the prohibited associations have a clear relationship to conflict of duties or loyalties as well as to the reputation, efficiency or effectiveness ofthe division or its members. Case law has repeatedly established both he need and the right regarding such restrictions, including those concerning subordinate members and supervisors. See also7.47.

Springfield Police Division

Rule

Number: 7.43
Subject: Visiting Prohibited Establishments
Effective: June 28th, 1989

7.43 Visiting Prohibited Establishments

A. Officers shall not knowingly visit, enter or frequent a house of prostitution, gambling house or any establishment wherein the laws of the United States, the State or the local jurisdiction are regularly violated except when in the performance of duty or while acting under proper and specific orders from a superior officer.

B. Officers shall not remain in places where they know or should know illegal drug or liquor sales, illegal gambling or any other illegal activity is being conducted, except as authorized by proper authority.

COMMENTARY: Except in the performance of duties, a law enforcement officer should not be in a place where the officer knows illegal activity is taking place. Of course some leeway must be granted, for if the officer has no reason to know of illegal activity, he or she should not be held strictly accountable. Also if the illegal activity is occasional or sporadic or limited to a few persons in a public establishment (such as a bookie working out of a bar) the officer should not always be presumed to have knowledge of the illegalities.. In the other hand if it can be shown that the officer has actual knowledge, or at least should have known, the officer should be held accountable.

Springfield Police Division

Rule

Number: 7.44
Subject: Restriction in Payment of Bail
Effective: June 28th, 1989

7.44 Restriction in Payment of Bail

Members shall not pay, arrange, seek, offer, secure or provide bail for any person other than a relative; and in no case may they accept any fee, gratuity, reward or compensation other than exact repayment of any funds necessary expended to provide bail to a relative.

Springfield Police Division

Rule

Number: 7.45
Subject: Improper Use of Divisional Address, Telephone Numbers, Letterheads or Forms Prohibited
Updated: August 15th, 2019

7.45 Improper Use of Divisional Address, Telephone Numbers, Letterheads or Forms Prohibited

A. Except as provided by Ohio law, no member shall use, list, report or indicate the police facility or any police telephone number as his or her personal residence or personal business address or phone number for any personal or private purpose.

B. No member shall use Divisional letterheads, forms or mail for personal or private business.

C. No person shall use Divisional letterheads, except as authorized by the Chief or his designees.

D. No member shall send or transmit any correspondence out of the Division except as authorized by the Chief.

Springfield Police Division

Rule

Number: 7.46
Subject: Intervention in Cases or Assignments of Another Officer
Effective: June 28th, 1989

7.46 Intervention in Cases or Assignments of Another Officer

A. Officers shall not intervene or interfere with cases being handled by other officers of the Division or by another governmental agency unless:

1. Ordered to intervene by a superior officer; or

2. The intervening officer reasonably believes beyond a reasonable doubt that a manifest injustice would result from failure to take immediate action.

B. Officers shall not undertake any investigation or other police official action not part of their regular or assigned duties or tasks without obtaining permission from their superior officer unless the exigencies of the situation require immediate police action (and it is not reasonably possible to have the more proper officer or unit handle the matter).

C. "Unofficial" investigations, those without a prior written report or complaint properly file through normal police channels, may not be initiated or conducted without the prior explicit and specific permission of the Investigations Commander within the general authorization of the Chief or when directed by the Chief.

D. If officers or other members become involved in any police dispatch, incident, assignment, or matter in which they are personally involved with any party to that matter they shall report such to their superior officer and request removal from that incident or matter.

COMMENTARY: Each police officer in a department draws his or her police authority from the same source—generally the state law. Within the confines of whatever administrative restrictions may be placed upon him or her, each officer's power to make arrests is exactly the same as every other officer's power. For purposes of administrative efficiency, some officers are assigned primary responsibility for certain kind of offenses—vice, for example, or burglary. Where such assignment of responsibility has taken place, it would disrupt department operations for officers to involve themselves in case assigned to other units of officers. Occasionally two units or officers will find their areas of involvement overlapping and possibly conflicting—as where the check unit wishes to arrest and bring charges against a person, but the narcotics unit wishes to have the person free to act as an informant. In such cases it is mandatory that the decision be left to a ranking officer with authority over both units and officers.

All officers are allowed to perform only such investigations as are clearly assigned to them. Personal or “unofficial” investigations are prohibited as such may lead to inefficiency, ineffectiveness, allegation of misuse of police powers or privileges, or violations of some persons’ civil rights; therefore, such investigations are generally prohibited.

Springfield Police Division

Rule

Number: 7.47
Subject: Payment of Debts
Effective: June 28th, 1989

7.47 Payment of Debts

A. Officers shall not undertake any financial obligations which they know or should know they will be unable to meet and shall pay all just debts when due. An isolated instance of financial irresponsibility will not be grounds for discipline except in unusually severe cases; however, repeated instances of financial irresponsibility may be cause of disciplinary action. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for disciplinary action, provided that a good faith effort to settle all accounts is undertaken.

B. Officers and other member shall not co-sign a note for any superior officer or for any probationary employee, unless that person is an immediate family member. Superior officer and other supervisors shall not become personally financially indebted to subordinate members other than immediate family members.

COMMENTARY: The usual reason given in favor of a rule prohibiting “bad debts” are as follows: (1) financial difficulties may lead to corruption and bribe-taking; (2) it is embarrassing to the department to have a “deadbeat” as a police officer; (3) financial irresponsibility may be indicative of other personal or character defects which may have a negative impact on job performance; and (4) the paperwork necessary to administer a garnishment or wage assignment of an employee’s wages is costly and time consuming for the agency or City.

There are many reasons why assisting a creditor is inappropriate the most important of which is that the officer may have valid legal reasons for not paying the debt. The department is in no position to determine the validity of the creditor’s claim against the officer, and should not get involved in a non-adjudicated claim of indebtedness.

The Consumer Protection Act of 1972 provides that an employer cannot discharge an employee for a single garnishment. If, however, the administration of garnishments is a serious problem for the department, it may legitimately take disciplinary action against an employee with a history of garnishments. The conduct of the officer in such a case may be found to be clearly “job-related.” If the Division is concerned that, because of financial problems, the officer may be a target for corruption, it should deal with the corruption problem directly or assist the officer in straightening out his or her financial difficulties or both. If, after counseling, it is rather obvious an officer’s Division or significantly hampering his or a superior of probationary officer’s efficiency or effectiveness, there may be a violation of this or other rules.

Springfield Police Division

Rule

Number: 7.48
Subject: Endorsements & Referrals
Effective: June 28th, 1989

7.48 Endorsements and Referrals

Officers and other members shall not recommend or suggest in any manner, except in the transaction of purely personal business, the employment or procurement of a particular product, professional service or commercial service (such as an attorney , ambulance service, towing service, bondsman, mortician, etc.) In the case of ambulance or towing service, when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, officer shall proceed in accordance with established departmental procedures.

COMMENTARY: In order to avoid any possibility of the appearance of conflict of interest or “kickback” arrangements, officers and other employees must be prohibited from recommending particular products or services related to the performance of their duties.

Usually this section will apply to an officer’s dealing with person outside the department. Although general information may be provided, there must be no appearance that the officer or other employee or the department has taken any part in selecting the product or service, except as stated.

Springfield Police Division

Rule

Number: 7.49
Subject: Public Statements & Appearances
Effective: June 28th, 1989

7.49 Public Statements and Appearances

A. Officers shall not publicly criticize or ridicule the Division, its policies or other officers by speech, writing, or other expression, where such speech, writing or other expression is defamatory, obscene, and unlawful, undermines the effectiveness of the Division, interferes with the maintenance of discipline or is made with reckless disregard for the truth or falsity.

B. Officers shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information or any other matters of the Division while holding themselves out as representing the Division in such matters, unless with proper authority. Officers may write or lecture on "Division" or directly related subjects only with the prior authorization of the Chief. In other matters, the use or declaration of any police rank or position is prohibited without the prior approval of the Chief.

C. Officers and other employees shall not while on duty or in uniform make any public statements concerning the policies, rules, procedures, directives, orders or any other business of the Division, without prior explicit authorization of the Chief or in answer to subpoena or other lawful and compelling order from competent public officials.

COMMENTARY: This section recognizes the officer's First Amendment rights to freedom of speech as well as the need of the Division to operate without unlawful or destructive criticism. A blending of these factors is present in the rule, which has been upheld by more than one federal district court. The second segment of the rule limits officers' statements when officers are holding themselves out as representatives of the Division. Section (C) of the rule requires all employees to perform only assigned public tasks or duties while actually receiving public tax dollars for police work or while in uniform. Conducting personal, group, or association business of any type, other than as explicitly authorized by the Chief, while on duty and out of uniform may be "protected speech" as long as they are not in violation of this rule or other lawful rules or directives.

Springfield Police Division

Rule

Number: 7.50
Subject: Personal Publicity; Personal Business Restrictions; Misuse of Privilege
Effective: June 28th, 1989

7.50 Personal Publicity; Restrictions in Personal Business; Misuse of Privilege

A. No member shall seek, cause or knowingly allow personal publicity relating to their employment with the Division of Police

B. No member shall, in any way, endorse any product or service, which is connected with Police employment, except as explicitly authorized by the Chief of Police.

C. No member shall make any speech, presentation or release of information, as a member of this Division, without prior authorization of the Chief of Police.

D. No member shall engage in any outside employment, business or financial interest in any outside business without the prior written approval of the Chief of Police. Probationary members are specifically denied any outside employment until such probation is explicitly terminated.

E. No member shall exercise any privilege or access of police employment in furtherance of any such outside employment or interest.

COMMENTARY: This rule is designed to prevent or prohibit any commercial, business, or personal misuse of privileges, powers, or access related in any way to police employment.

Section (E) does not contravene or restrain any clearly and properly authorized police off-duty employment activity, privileges, powers, or access.

It does prohibit any personal, business, or commercial activities related to police authority, privileges, or access which are not clearly authorized for a proper Divisional purpose.

Springfield Police Division

Rule

Number: 7.51
Subject: Security and Privacy of Records and Information Systems
Effective: June 28th, 1989

7.51 Security and Privacy of Records and Information Systems

A. No member of this Division shall access, read, copy, use, release, communicate or make available any Division Record, especially any criminal, traffic or juvenile record of any person, unless both the member and any person to whom the record is thus likely to become available have both the police need and the right to know such record. Peace Officer Status does not automatically constitute either "right" or "need."

B. No member of this Division shall access, read, copy, use, release, communicate or make available any local, any agencies, any State's or any national or regional record, history, or entry in any computer teletype or computer network unless both the member and any person to whom the record or information is thus likely to become available have both the police need and the right to know such record, date, or information and unless any person to whom the record will likely be communicated or shared is also a member of the Springfield Division of Police, or of a local court or of the Clark County Sheriff's Department, or a properly authorized law enforcement agent assigned to work with a member of this agency on a matter or person involved in the computer access. Peace Officer States does not automatically confer "right" or "need."

C. Any violation of the State or Federal Public Information, Records Security or Expungement Acts or similar applicable regulation issued within those acts or of (A) or (B) or (D) of this rule is a major violation which creates a presumption comparatively severe disciplinary action is appropriate for a first violation.

D. No member of this Division shall operate any keyboard or any other portion of any teletype or computer system used by this Division or regulated by LEADS/NCIC/NLETS unless the member is completely and currently licensed or authorized by LEADS/NCIC/NLETS/CCH for the specific task or type of access.

COMMENTARY: This rule enforces the various records privacy and public information laws and regulations as well as the expectations of many private citizens and restricts access by all members to "need to know" situations.

The rule incorporates the rules of all records or information systems used by the Division.

Springfield Police Division

Rule

Number: 7.52
Subject: Dissemination of Information
Effective: June 28th, 1989

7.52 Dissemination of Information

Members shall treat the official business of the Division as confidential. Information regarding official business shall be disseminated only to those for whom it is intended in accordance with established departmental procedures. Officers and other members or persons assigned to work with Divisional records or storage, access, or retrieval device may access, read, remove or copy police information, official records or reports only in accordance with established divisional procedures. Members shall not divulge the identity of persons giving confidential information except as authorized by proper authority.

COMMENTARY: Police officers and other police or City employees regularly come into possession of information of extreme sensitivity. The confidentiality of this information must be maintained. Confidential information must not be used to the officer's personal benefit or to damage the reputation of any person or to assist any person in avoiding the consequences of criminal acts.

The unauthorized access or act is the violation of this rule, not any real or theoretical "damage" or consequences.

Springfield Police Division

Rule

Number: 7.53
Subject: Obstructing Lawful Process
Effective: June 28th, 1989

7.53 Obstructing Lawful Process

No member shall, in any manner except under lawful and proper order, offer, provide, make available or communicate any information, evidence or any assistance which might reasonably be construed to directly or indirectly assist any person to evade, obstruct or delay arrest or apprehension; service of any warrant, court order or subpoena; proper conviction, sentence or punishment for any matter related to law enforcement; the authority of courts to punish for contempt; the serif or execution of a civil judgment or a judicial or lawful administrative or regulatory hearing, decision, finding or judgment.

Springfield Police Division

Rule

Number: 7.54
Subject: Gifts, Gratuities, Rewards, Bribes, Irregular or Improper Compensation
Effective: June 28th, 1989

7.54 Gifts, Gratuities, Rewards, Bribes, Irregular or Improper Compensation

A. Officers and other members shall not solicit or accept any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service, entertainment or personal favor or privilege) for the benefit of the officers(s) or member(s) or Division, of it may be reasonably inferred the person, business, organization, association or group:

1. Seeks to influence action or inaction of an official nature or seeks to affect the performance of non-performance of an official duty, task or mission; or

2. Has an interest, which may be substantially affected by the performance or non-performance of any official duty, task, mission, or privilege.

B. Officers and other members shall not willfully, knowingly or recklessly solicit or accept any gift, discount, food, beverage, service, entertainment, loan, promise, favor, or privilege which may be reasonably inferred to be related to official capacity or police employment status unless:

1. It is uniformly and regularly offered to all person of similar employment, and

2. The member offers and is refused to pay any proper or normal compensation, price or fee, and

3. Acceptance of such gift, gratuity, reward, compensation, discount, favor or privilege does not violate any law, any ordinance, City Charter or pertinent administrative regulation or directive. All members are encouraged to obtain copies and interpretations of relevant City charter provisions, ordinances or directives from the City Law Director.

C. This rule does not contravene any law, ordinance, regulation, or written employment contract of the State or City which restricts, gives, or allows certain prerequisites of public employment or office.

Springfield Police Division

Rule

Number: 7.55
Subject: Meals/Work Breaks
Updated: October 3rd, 1991

7.55 Meals/Work Breaks

A. Officers shall be permitted to suspend patrol or other assigned activity, subject to immediate call at all times, for the purpose of having meals or other breaks during their tours of duty; but only in such a manner, for such period of time, and at such time and place as established by Divisional Directives.

B. Other members shall take breaks as permitted by City policy for non-sworn personnel and the reasonable necessities of public safety employment.

COMMENTARY: Most departments place fairly rigid restrictions on when and where an officer may take his or her meals while on duty. This section serves to enforce those rules. The officers on the shift do not eat at the same time, that they do not go too far from their assigned post for a meal, and so that members of the public may not fairly perceived lax attitudes toward duties, duty areas, or patrol or investigative assignments.

From the office of:
Roger L. Evans
Chief of Police

To: All Sworn Personnel
All Communications Personnel

Date: October 3, 1991

Re: Requesting permission for and length of meal breaks

Due to a great deal of confusion and the obvious lack of fair and equal adherence to the granting of and length of meal beaks, the subject was presented to and discussed at the last two Labor-Management conferences. After considerable discussion, it was decided to issue the following statements to insure a clear understanding and adherence to our meal break policy.

1. All requests for a meal break by persons assigned to the Uniform Patrol Sub-Division (including Traffic Unit) will no longer be made to the Communications Center for approval, but to the Officer-in-Charge of the Shift.

2. All persons assigned to the Investigation Sub-Division and the Staff (Technical) Services Sub-Division shall notify the Communications Center of the location and arrival as well as completion time of meal breaks.

3. All sworn personnel in the ranks of Patrolman, Sergeant and Lieutenant are permitted no more than thirty (30) minutes, time and conditions permitting for meal breaks. This time limit will be adhered to. Requests for meal breaks during the first and last hours of tours of duty will be denied.

Unless there exists grave reasons resulting from existing conditions during the tour of duty as the time, which would prohibit doing so, Shift Commanders will make every effort to honor requests for meal breaks in compliance with regulations and this communication.

Signature
Roger L. Evans
Chief of Police

(Note: Generally, only one (1) car at a restaurant, at a time. Two (2) cars, but only three (3) officers at a restaurant at one, time is also permitted.)

Springfield Police Division

Rule

Number: 7.56
Subject: Residency
Effective: June 28th, 1989

7.56 Residency

Residency shall be in conformance to Labor or Personal contract or in their absence, as directed by proper authority.

Springfield Police Division

Rule

Number: 7.57
Subject: Telephone & Residence Requirements
Effective: June 28th, 1989

7.57 Telephone and Residence Requirements

Officers shall have a working telephone, and shall immediately report any changes of telephone numbers or actual residence addressed to the Chief and their Unit Commander. Staying or temporarily residing at any location or locations other than the one last reported to the Chief (except during authorized vacation or equivalent temporary, personal, recreational, or sick leave) for a period of more than three days (72 hours) absolutely requires a prompt report of all actual temporary or permanent phone numbers or addresses.

COMMENTARY: Police officers may be called to active duty at any time. The police department must have an efficient means of getting in touch with its officer at all times, especially in emergency situations. Therefore it is necessary that each officer have a telephone the—most efficient method of communication. The cost of maintaining the telephone is the responsibility of the officer, just as is the cost of getting a haircut and of travel to the worksite.

Prompt reporting of all changes in telephone number or actual address is required for the same reasons.

Springfield Police Division

Rule

Number: 7.58
Subject: Use of AlcoholOff-Duty
Effective: June 28th,1989

7.58 Use of Alcohol OffDuty

Officers, while off duty, shall refrain from consuming alcoholic beverages to the extent that it results in or substantially contributes to impairment, intoxication or obnoxious or offensive behavior and which discredits them or the Divisionorwhich renders the officer unfit to report for their next regularorpreviously assigned tour of duty, including scheduled court appearance and so forth.

COMMENTARY: This section prohibits off-duty drinking which results in discrediting officers or the department or which causes officer to be unfit for scheduled assignments. Most officers state that off-duty drinking is their own private business and should not be interfered with by the department. This rule is drafted to be a reasonable approach to the officers' contentions as well as a protection to the department's legitimate interests such as the efficiency, effectiveness, and reputation of the department or its members. Being available for timely and unimpaired scheduled work is certainly a valid public safety employerinterest.

Springfield Police Division

Rule

Number: 7.59
Subject: Financial Disclosure
Effective: June 28th, 1989

7.59 Financial Disclosure

Upon the order of the Chief or the Chief's designee, officers shall submit appropriate financial disclosure statements in accordance with an order in connection with a complaint in which this information is material to an investigation or to a Divisional procedure. These statements are to be maintained by the Chief only for the purpose they were obtained and shall not be available for other public disclosure.

COMMENTARY: Upon appropriate orders or when an officer is the subject of an internal investigation, the officer may be required to submit personal financial data. In some jurisdictions local law requires certain public employees to file regular "financial disclosure" statements to guard against conflicts of interest or corruption.

Springfield Police Division

Rule

Number: 7.60
Subject: Off-Duty Arrests/Off-Duty Altercations
Effective: June 28th, 1989

7.60 Off-Duty Arrests/Off-Duty Altercations

A. While off duty, officer shall not make arrests other than those generally authorized.

1. Whenever practicable, off-duty officer shall summon on-duty personnel to make arrests of any type.

2. This rule does not relieve any officer from any obligations of police employment or duty including off-duty arrest which are authorized by policy or procedure.

B. Members involved in any fight, struggle, fracas or altercation of any kind while off-duty shall immediately notify the Officer-in-Charge of Headquarters.

1. A Street Supervisor shall be promptly dispatched to the scene and make a prompt detailed written report of the incident and of the involvement of the member to the Chief with a copy to the appropriate Sub-Division Commander.

2. The member(s) involved in any such incident shall promptly submit a detailed written report to the Chief with a copy to the Sub-Division Commander.

Springfield Police Division

Rule

Number: 7.61
Subject: Truthfulness
Effective: June 28th, 1989

7.61 Truthfulness

Upon the order of the Chief, the Chief's designee or a superior officer, officers shall truthfully and completely answer all questions specifically directed and narrowly related to the scope of employment and operations of the division which may be asked of them.

COMMENTARY: This section requires an officer to respond truthfully to any questions under certain conditions. The section is not limited to internal investigations. An officer who is the subject of an internal investigation may be ordered to answer questions, even though the answers might incriminate the officer. Failure to obey an order to answer all questions may result in discipline of the officer. However, the answers, which the officer gives in such a situation, may not be introduced against him or her in a criminal prosecution of the officer. If it is intended that the officer's statements be used in a criminal prosecution, the officer must be given Miranda warnings; and the officer's constitutional privilege then becomes operative and must be honored.

Springfield Police Division

Rule

Number: 7.62
Subject: Compensation for Damages
Effective: June 28th, 1989

7.62 Compensation for Duty Related Damages to Property or Person

Members shall not accept any money or other compensation for personal property damage or losses directly relate to police employment or for personal injury arising from police duty unless such claims are made and compensation received through a court, a probation or parole authority or with the prior detailed knowledge of the Chief of Police.

COMMENTARY: Upon occasions members may be entitled to compensation for injury or for damages or losses to property which is personal or for which they are personally responsible; however, no such compensation for police related injury, damages or losses may be accepted or received unless one of the three stipulated methods is properly used.

Springfield Police Division

Rule

Number: 7.63
Subject: Labor Activity
Effective: June 28th, 1989

7.63 Labor Activity

A. Officers and other members have the right to join labor or professional organizations or associations, but nothing shall compel the Division to recognize or to engage in collective bargaining or grievance proceeding with any such organizations except as provided by law or labor contract.

B. Officers and other members shall not engage in any unlawful or non-contractual strike. "Strike" includes the concerted failure to report for duty, willful absence from one's position or post, unauthorized holidays, sickness unsubstantiated by a physicians statement, the stoppage of work or the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment for the purposes of inducing, influencing or coercing a change in conditions, compensation, rights, privileges or obligations of employment.

COMMENTARY: Public employees have a constitutional and statutory right to join labor organizations. However, while the Constitution allows police officers and others to join a union, it does not require the employer to recognize or negotiate with that union.

Ohio has statutes, which do require the public employer to recognize a collective bargaining organization under certain conditions.

An "employee association" is not substantively different from a union unless it is a purely social group and does not seek to represent members' interests with an employer.

Springfield Police Division

Rule

Number: 7.64
Subject: Respect for the National Flag/Anthem
Effective: June 28th, 1989

7.64 Respect for the National Flag/Anthem

A. All members shall at all times while on duty or in uniform properly display respect for the National Flag and Anthem.

B. Officers in uniform shall render appropriate “military” honors to the Flag and the Anthem.

1. The right hand salute shall be appropriately rendered either upon command or upon the immediate approach of the Flag or beginning of the Anthem.

2. Members in civilian clothes shall render the customary “civilian” honors in an appropriate manner.

C. Valid exceptions may be legitimate concerns for safety of persons or property due to necessary police tasks being performed at such times or places.

Springfield Police Division

Rule

Number: 7.65
Subject: Citizen Complaints
Effective: June 28th, 1989

7.65 Citizen Complaints

Officers shall courteously and promptly record in writing any complaint made by a citizen about any officer of the Department. Officers may, when such is approved by procedural authority, attempt to resolved the complaint; however, officers shall never attempt to dissuade any citizen from lodging a complaint, encourage withdrawing any complaint, or fail to properly record any complaints against any member or the Division. Officers shall follow established divisional procedures for processing complaints.

COMMENTARY: It is the responsibility of every officer to record complaints from citizens regarding police service or performance. An officer may attempt to explain an incident or a department policy to a citizen. Any officer receiving a citizen's complaint shall record the complaint on the appropriate forms and forward them to the appropriate persons.

(See also section 6.02)

Springfield Police Division

Rule

Number: 7.66
Subject: Training and Qualifications Required
Effective: June 28th, 1989

7.66 Training and Qualifications Required

A. All sworn officers in the classified civil service must, if scheduled, attend and satisfactorily participate in all training and education unless it is impossible to do so due to unavoidable conflicts with other important police duties.

B. All sworn officer in the classified civil service must semi-annually attain at least minimum qualification scores in the proper use of the issue handgun and annually with all other firearms issued or authorized for normal police duties. This requirement includes but is not necessarily limited to the issue handgun, the general issue shotgun and the general issue 5.56 mm rifle.

C. No member of the Division shall carry, control, use or receive for duty any firearm with which he or she is not at least minimally qualified as determined by the Training Staff using current training and qualification standards.

D. Sworn officers in the classified service who are not certified as minimally qualified to use normally issued defensive weapons while on duty shall not carry, use or immediately control any firearms or other defensive weapons under color of police authority while on or off duty. If after reasonable efforts at training and re-training an office cannot become so qualified, there shall be a strong presumption such officer is no longer qualified or competent to continue employment as a sworn police officer of the City of Springfield.

Springfield Police Division

Rule

Number: 7.69
Subject: Arrest, Search, and Seizure
Effective: June 28th, 1989

7.69 Arrest, Search and Seizure

Officers shall not make any arrest, search or seizure, which they know or should know, is not in accordance with law and Divisional Directives or training.

COMMENTARY: Officer should make only those arrests, searches and seizures which are legal and in accord with departmental policies, procedures, and training.

Springfield Police Division

Rule

Number: 7.70
Subject: Use of Weapons
Effective: June 28th, 1989

7.70 Use of Weapons

Officers shall not use, handle or store weapons in a careless or imprudent manner. Officers shall use weapons in accordance with law, divisional procedures, with the guidelines of safety and as instructed by divisional trainers.

COMMENTARY: Weapons should not be handled or stored improperly. Departmental procedures and training establish the proper methods for use of weapons.

Springfield Police Division

Rule

Number: 7.74
Subject: Police Patrol Rifle
Effective: November 3rd, 2005

7.74 Police Patrol Rifle

I. Policy

A. The Police Patrol Rifle is used in situations where an officer has pre-existing knowledge that an incident involves substantially elevated risk of death or serious bodily injury, and the advantages of the weapons long-range or firepower capabilities are better suited to the imminent threat than the police shotgun.

B. Patrol Rifle's are assigned to individual officers, at the discretion of the Chief.

1. Each officer assigned a Patrol Rifle is expected to have it in his or her possession during any shift of duty.

2. Each officer is required to maintain the weapon in a state of readiness.

II. *Procedure*

A. The Patrol Rifle is intended as an additional tool for use when the primary firearm, or shotgun, would be handicapped by distance and accuracy or hindered by penetration power. Examples include:

1. Active shooter(s)
2. Perimeter positions
3. Arrest of armed suspects
4. Searching for armed suspects
5. Sniper incidents

- *Read also: Rule 6.39- Special Operations Procedure*

B. Rules of Engagement

1. Any officer firing a Patrol Rifle must be aware that a fired round that misses it's intended target has the potential to cause death or serious physical harm at ranges over one- (1) mile.

- The officer needs to consider the backdrop and the potential for injury to innocent by-standers in relation to the imminent threat, prior to firing.

2. The Patrol Rifle should normally be carried with the sling over one shoulder, the weapon in front of and across the body, with the barrel pointed down.

3. The Patrol Rifle equipped officer should maintain a standoff distance from any subject against whom it may be used.

a. The Patrol Rifle equipped officer should not normally be involved in the handcuffing or searching of a suspect.

b. If such a search must be made, the Patrol Rifle is slung prior to making contact with the suspect. Whenever possible, a "cross-body" (behind the back) sling technique should be utilized to minimize weapon encumbrance and maximize weapon retention.

c. The Patrol Rifle should **always** be set to safe mode prior to being slung in this manner.

C. Fire Rate Selection.

1. The issued Patrol Rifle is select fire, giving the officer the option of choosing semi-auto fire or full-auto fire.

   a. Under almost all circumstances, the Patrol Rifle should be set to semi-auto fire. This method of fire is more controllable at the relatively short distances the weapon is intended to be used.

   b. Should a situation arise where full-auto fire is necessary, such as an imminent threat of serious physical harm from a hostile subject encountered in "Close Quarters," the weapon can quickly be switched to full auto operation.

   c. All full auto fire must be "aimed and controlled" bursts of fire.

D. Patrol Rifle Conditions of Readiness

1. Condition Four- *Safe Condition*: An administrative or "inspection" condition. The bolt is locked to the rear; the magazine well and chamber are empty, the manual safety is "on."

2. Condition Three- *Cruiser Carry*: Utilized whenever the rifle is transported, either on foot or in a motor vehicle, and there is no expectation of imminent threat. The bolt is closed on an empty chamber and the manual safety is engaged. The officer may transport the rifle with an empty magazine well, or he/she may insert a loaded magazine into the magazine well.

3. Condition Two- *Tactical Ready*: When the probability of hostile contact is high, the rifle's condition of readiness is upgraded to reflect the need for a fluid and rapid response. In this condition, a loaded magazine is inserted into the magazine well, the bolt is closed on a loaded chamber, and the manual safety is on.

4. Condition One- *Fire Ready*: This condition of readiness has a loaded magazine in the magazine well, the bolt closed on a loaded chamber, and the safety off. Transition from the "*Tactical*" condition to the "*Fire Ready*" condition is **only** performed when there exists an imminent lethal threat. Therefore, the manual safety is only disengaged when the weapon is being committed to firing at the threat. The officer rotates the selector switch to the desired position, as the muzzle of the weapon is being raised to engage the threat.

E. Weapon Ammunition, Maintenance, & Modifications

1. The Patrol Rifle is issued with three- 30 round magazines, a soft case, and specialized ammunition. <u>No other ammunition is permitted.</u>

2. Officers assigned Patrol Rifles are limited to basic field stripping and cleaning of the weapon.

3. The Patrol Rifle must be cleaned each time it is fired, and carried only in a clean condition.

   a. Only the issued CLP cleaner is to be used, when cleaning the rifle.

   b. Under no circumstances should any type of copper bore solvent be used to clean the barrel of the M-4 rifle.

4. It is the individual officer's responsibility to report, in a timely fashion, any weapon problems or malfunctions to the officer in charge of firearms, for repair.

5. The agency armorer, and the assigned range officers, has the responsibility of inspecting all issued rifles for safety, cleanliness and reliable functioning- to include simple maintenance- on a monthly basis.

6. No permanent modifications can be made to the weapons.

7. Permitted modifications-

   a. Assigned officers may choose to install a different sling, or an optical sight at their own expense.

   b. Sling changes and optical sights must be approved by the Chief, and noted in the weapons log.

   c. The officer must re-qualify, whenever an optical sight is installed.

G. Weapon Proficiency Testing

1. Officers entrusted with a Patrol Rifle are required to demonstrate proficiency annually.

2. Officers failing to meet/maintain proficiency standards with the patrol rifle are not permitted to carry it until they have qualified.

3. Any officer experiencing an "accidental discharge" of the weapon shall be considered immediately "de-certified" with that weapon until such time that he/she can be re-certified, **and** the Chief decides to re-authorize.

Springfield Police Division

Rule

Number: 7.75
Subject: Canine
Effective: June 30th, 2014

CALEA Standard 41.1.4 Agency Animals

This directive consists of the following numbered sections:

7.75 Canines

A. PURPOSE

1. To establish guidelines for the management of the Springfield Police Division's Canine Unit and the use of Police Canines in field operations.

B. POLICY

1. The use of the canine is an effective tool in law enforcement. Therefore, it is the policy of the Springfield Police Division to maintain and operate a Canine (K-9) Unit trained in narcotics detection, tracking, and searches. The Canine Team(s) can also be used for public relations demonstrations.

2. The canine team(s) will patrol in a modified, specially equipped vehicle designated for such duty and clearly marked "Canine Unit". The canine team may be assigned to a specific patrol district when necessary, but should be available to respond to calls for service throughout the City, which may be better served by a police canine.

C. PROCEDURE

1. Definitions:

a. Canine Officer/Handler – A police officer specifically trained in the care, handling, training and tactical application of the canine.

b. Canine Team – A canine handler and his/her assigned Police Canine.

c. Canine Unit Supervisor – A designated Division sergeant assigned and trained in the task of supervision, administrative oversight and coordination of the canine team.

2. Organizational Structure:

a. The overall administrative duties of the Canine Unit shall be the responsibility of the Uniform Patrol Commander.

b. Canine Unit Administrative chain of command shall be, Canine Unit Supervisor, Evening Shift Commander, Uniform Patrol Commander, and Chief of Police.

c. In the absence of the Canine Unit Supervisor, the Canine Team shall be under the supervision of the on-duty Shift Commander.

3. Tactical use and application of the Canine Unit shall be at the discretion of the individual canine officer.

4. Canine Unit Supervisor Responsibilities:

   a. Provide administrative support for Canine Unit training needs.

   b. Ensure maintenance and storage of Canine Unit activity records, training records and training aid logs and drug detection logs.

   c. Ensure that required training occurs and is properly documented.

   d. Periodically attend training sessions to stay familiar with current training trends.

   e. Inspection of personnel, canines, vehicles, and the homes of the Canine Team(s).

5. Canine Officer/Handler

   a. The Chief of Police shall make appointment of a Canine Officer/Handler.

   b. Canine Officers/Handlers will be required to:

      1. Successfully complete an initial training program and any assigned additional training sessions.

      2. Have a strong desire to work with canines as they relate to law enforcement, a willingness to care for and train a canine and a minimum five-year commitment as a Canine Officer/Handler.

      3. Maintain a residence with sufficient space for a kennel or enclosed secure area approved by the Canine Unit Supervisor.

   c. Canine Officers/Handlers will be assigned a take-home marked police department canine vehicle. The canine vehicle shall be used and cared for in accordance with existing policy governing department vehicles and property.

      1. Each Canine Team will use their assigned canine vehicle for routine patrol functions.

      2. Only Canine Unit dogs will be transported in canine vehicles.

6. Training

   a. Informal training will be conducted at a minimum on a weekly basis in the following areas. The training may be conducted on- or off-duty.

1. Canine agility;

2. Evidence location;

3. Obedience; and

4. Tracking

b. Formal training will normally be conducted one (1) day per week. During formal training the canine team may train with canine teams from other agencies. The canine teams will train in realistic situational problems and should include four or more of the following areas:

1. Area Search

2. Building Search

3. Canine Agility

4. Criminal Apprehension

5. Evidence Location

6. Gunfire Reaction

7. Handler Protection

8. Narcotic Detection

9. Obedience

10. Tracking

c. The Canine Officer/Handler training will be conducted by Division approved police canine trainers and/or training.

d. When on duty, it shall be the responsibility of the Canine Officer/Handler to conduct the regularly required weekly training to obtain annual certification with his/her assigned canine. If the handler is conducting training while off-duty and such training requires the use of the police division's marked canine vehicle, approval by the Canine Unit Supervisor is required.

e. The Canine Officer/Handler shall be responsible for maintaining all daily, weekly, annual training logs.

7. Canine Officer/Handler Responsibilities are as follows:

a. The Canine Officer/Handler is at all times responsible for the tactical use and control of their assigned canine.

b. Canine Officers/Handlers shall not carelessly or recklessly handle a department canine.

c. Be responsible for the care of the canine, including but not limited to seeking medical attention when necessary, maintaining up-to-date vaccinations, proper feeding/watering, grooming and exercising.

d. At home or in-house kenneling facilities shall be properly maintained and kept clean. Any kennels used for the shelter or housing of the canine shall provide protection from the elements. As a condition of assignment to the Canine Unit, Canine Officers/Handlers at-home kenneling facilities shall be subject to periodic inspection by the Canine Unit Supervisor or other authorized supervisory authority.

e. The Canine Officer/Handler shall be required to maintain the health of their assigned canine.

    1. The Canine Officer/Handler shall, as soon as practical, advise the Canine Unit Supervisor of any illness or injury involving their assigned canine.

    2. A division-approved veterinarian on a regularly scheduled basis shall examine canines.

f. Whether on or off-duty, Canine Officers/Handlers shall be responsible for maintaining the security of his/her assigned canine and canine vehicle.

g. Canines shall not be maintained in vehicles/kennels for excessive periods. Canine Officers/Handlers are encouraged to take their canine out of the vehicle as frequently as possible. Canine Officers/Handlers shall maintain a proper ambient temperature for the canine, anytime the canine is in the canine vehicle/kennel.

h. Whether on or off-duty, Canine Officers/Handlers shall maintain control over their canines.

    1. The Canine Officer/Handler shall keep his/her canine on a lead or under complete control at all times.

    2. The Canine Officer/Handler shall ensure that unapproved civilian or police personnel are not exposed to their assigned canine.

i. Upon request by the Canine Unit Supervisor or other authorized supervisory authority, Canine Officers/Handlers shall ensure the availability of Canine Unit records as soon as practical. Canine Officers/Handlers shall, as soon as possible after the end of each month, provide the Canine Unit Supervisor with a Monthly Canine Activity Report.

j. Canine Activity Report. The Monthly Canine Activity Report shall reflect all canine activities for the month previous, including tracks, searches, recoveries, apprehensions, drug detections and training.

1. Drug detection records shall be readily available to other units or agencies that may need them for seeking search warrants or other information.

k. Canine Utilization and Procedures: In accordance with their training, the Canine Unit may be used for the following purposes:

1. Building Searches: Police Canines are available with supervisory notification to search buildings/structures under the following guidelines:

a. The perimeter should be secured and no one allowed to enter.

b. When a canine building search is anticipated, department personnel should stay clear of the suspected entry point and avoid conducting a preliminary search so as not to interfere with the canine's ability to discriminate scents.

c. All attempts should be made to contact a key-holder to determine if there are any special conditions the Canine Officer/Handler should know before entering.

d. A back-up officer(s) to the Canine Team will be assigned as needed.

e. The Canine Officer/Handler will advise police personnel when the canine is being deployed.

f. The canine officer will alert the building verbally. The warning given will state that a police canine will be released in the building if the person(s) fails to make himself or herself known. The warning will be issued no less than three (3) separate times before any entry is made. Adequate time will be given for a response to the warnings. The canine will then proceed to search the building. The decision to search on or off leash will be left to the canine officer and be dependent upon existing internal conditions.

g. The canine officer will normally alert verbally on each floor to be searched. The safety of the officer(s) searching the building will determine whether the alert will be given on all floors. The canine officer will make the decision regarding all warnings of deployment based on knowledge, training and information available at the time.

h. The canine officer will make the decision to search on or off leash. Backup officer(s) may accompany the canine team as cover. The canine officer or backup officer(s) will keep the perimeter units updated with the location and direction of the track by radio communication. This will allow the perimeter

units to move accordingly in an effort to keep the perimeter secure.

2. Track: Police Canines are available with supervisory notification to track lost/missing persons or suspects.

    a. Preservation of the scene is critical. As such, unless a suspect is in sight of investigating officers, and is being followed or pursued maintaining visual contact, officers should not attempt to follow a believed trail or search an area. Officers should particularly remain clear of the area where the suspect was last seen.

    b. The area involved should be secured to the extent possible and no one allowed to enter.

        1. Generally, all vehicles should be turned off as carbon monoxide destroys the human scent.

        2. When the Canine Team begins a search for a suspect, a back-up officer will be assigned. The back-up officer shall follow instructions as directed by the Canine Officer/Handler.

        3. The Canine Officer/Handler will advise police personnel when the canine is being deployed.

3. Article Search: Police Canines are available with supervisory notification to search for articles.

    a. When searching for an article (loss/discarded/evidentiary) the area should be secured to the extent possible and no one allowed to enter.

    b. The search will be conducted as determined by the Canine Officer/Handler.

    c. The Canine Officer/Handler will advise police personnel when the canine is being deployed.

4. Area Search: With supervisory notification, area searches can be used for various functions, i.e. search for wanted or lost/missing persons or eliminate an area of search where person(s) may or may not have been.

    a. The area should be secured to the extent possible and no one allowed to enter.

    b. A back-up officer will be assigned and shall follow instructions as directed by the Canine Officer/Handler.

c. The Canine Officer/Handler will advise police personnel when the canine is being deployed.

5. Narcotics/Drug detection – with supervisory notification, the use of Police Canines in a drug detection capacity is authorized in the following situations and under the following conditions:

a. Random exploratory sniffing of luggage, parcel/packages, or other inanimate objects may be conducted in public facilities as authorized by the Canine Unit Supervisor or other authorized supervisory officer.

b. Exploratory sniffing in these facilities shall be confined solely to those areas open to the public and whenever possible, with advance knowledge and consent of the appropriate facility manager.

c. Exploratory sniffing shall be conducted without interference or annoyance to the public or interruption of facility operations.

d. Officers may reasonably detain specific related items for purposes of a canine sniff if reasonable suspicion exists.

e. When a drug detection canine alerts to any item, applicable case law shall be followed.

1. The use of a narcotics detecting canine to search a person for narcotics is prohibited.

2. Drug detection canines may be used to sniff the exterior of motor vehicles (exempt from supervisory notification) when:

3. Pursuant to a lawful traffic stop

4. All sniffs by canines will comply with all applicable case law.

6. Asset Forfeiture (Money Line-ups)

a. A Canine Team may be summoned to sniff suspected drug money.

b. The officer initiating a forfeiture action will be responsible for ensuring that legal guidelines are followed.

c. Asset forfeiture, money, and line-ups are to be conducted in a Department facility, NOT at the scene.

d. A member from the requesting unit, i.e., Narcotics Unit, Persons Unit, Property Unit, will be present when performing

the money line-up and will ensure that all appropriate information as to the amount of money, personnel present, etc., are documented in his/her supplementary incident report.

7. Requests For School Searches:

   a. Requests by local school districts for the purposes of searching for and seizing controlled substances shall only be authorized after the following criteria have been met:

   b. The School Administrator and/or Principal or his/her designee shall make the request to the Chief of Police or his/her designee. When applicable, the assigned School Resource Officer may assist with such requests.

   c. The request, whether permitted or denied, will be processed expeditiously.

8. School Search Procedures

   a. No body/person searches will be performed (student/faculty).

   b. Student lockers, hallways, classrooms, public access areas and school parking lots, or other areas designated by the school superintendent, are areas wherein the canine can conduct a search.

   c. The Canine Officer/Handler will advise of lockers or areas where the canine gives indications for the purpose of entering and seizing controlled substances by school officials. The Canine Officer/Handler will not pry into, open these areas, or make arrests.

9. Public Relations Demonstrations, as authorized by the Chief of Police or his/her designee, the Canine Unit shall be allowed to demonstrate to the public, the functions of canines in law enforcement.

   a. Demonstrations by the Canine Officer/Handler shall be permitted only after a request has been made and approved through the Canine Unit Supervisor.

   b. Police Canines shall be utilized within their individual limitations with the safety of the public and the canine as the foremost concern.

   c. During any public demonstration, Canine Officers/Handlers shall be required to exercise proper control over their canine.

d. When on-duty and not on assignment, Canine Officers/Handlers shall be allowed to field impromptu citizen inquires about their canine.

e. Public Relations Demonstrations shall be documented, advising the name of the sponsor group and forwarded to the Canine Unit Supervisor.

10. Crowd Control: The canine team is not normally used for basic crowd control situations, however it is recognized that the canine team may be used effectively in controlling and/or moving large groups of people. The canine team may be used in crowd control situations under the following circumstances:

a. When, in the opinion of a Sergeant or OIC, the presence of a canine team will prevent or deter a serious breach of the peace;

b. When, in the opinion of a Sergeant or OIC, it is necessary to prevent or avoid injury to a police officer or citizen;

c. When specifically assigned by the Chief or Police or his designee at any event where large crowds are expected.

d. The canine shall not be used to prevent, deter, intimidate or threaten any person or group gathered in a lawful manner while exercising their constitutional rights

8. Use of force:

a. Canine handlers will function in accordance with departmental-Use of Force procedures;

b. The handler must exercise good judgment when the possibility exists that the canine might injure a suspect.

1. Any instance when the handler knowingly permits his or her canine to make or continue to make an unjustified attack upon any person will be considered as unnecessary and excessive use of force.

2. A Use of Force Report and an Incident Report shall be completed any time a department canine grabs, bites, nibbles, pinches or in any other manner comes into contact with a suspect. This includes accidental bite situations.

a. In a case involving an accidental bite, the canine officer shall also file a dog bite report.

b. Normally the canine officer will complete the Use of Force Report and dog bite report. If the canine officer is incapacitated or otherwise incapable of completing the reports, the Sergeant or OIC shall be responsible for making sure they are completed.

3. Unintentional/Accidental Canine Bite Procedure – In the event of an unintentional and/or accidental canine bite, except those that occur during authorized training, whether or not in the line-of-duty, the Canine Officer/Handler shall:

a. Summon a supervisor to the scene.

b. Examine the affected area to determine the seriousness of the injury and obtain medical treatment for the person. Medical personnel should examine the affected area irrespective of the perceived seriousness of the bite or injury.

c. Photograph the affected area and if possible, before and after medical treatment. Photographs should also be taken of any property damage caused by the canine,
i.e. clothing, personal effects.

d. Make no statements to anyone as to fault or liability. The only exception would be when responding to an inquiry by a supervisor.

e. As soon as practical, Canine Officers/Handlers shall file a detailed inter-office communications in addition to any other required paperwork of canine bites and/or any injury or any damage to a persons clothing or personal effects as a result of any action on the part of the canine. Copies shall be forwarded to the proper chain of command to the Chief of Police, Uniform Patrol Commander, Shift Commander and Canine Unit Supervisor.

f. The Canine Handler will notify the Canine Unit Supervisor if, after biting a person, the canine begins to exhibit abnormal behavior. The Canine Supervisor will ensure that arrangements are made for the canine to be placed under observation with the designated department veterinarian in accordance with applicable laws. Ohio law (955.261 (D) exempts Police Canines from being placed under observation while the police dog is under the care of licensed veterinarian and while being used for law enforcement purposes.

9. Training Aid (Controlled Substance) Procurement Procedures

a. Controlled substances used for drug detection training by division canines shall be obtained from adjudicated cases that have been analyzed and awaiting destruction by the Evidence Collection Unit as authorized by the Chief of Police.

b. It shall be the responsibility of the Canine Unit Supervisor to procure training aids from the Evidence Collection Unit/Crime Lab.

c. The Canine Unit Supervisor shall maintain a log detailing the following information:

1. The original incident/case number of the adjudicated controlled substance and the corresponding original property receipt number.

2. The type of controlled substance

3. The total weight in grams of the controlled substance when received from the Evidence Collection Unit/ Crime Lab

4. Date and time of transfer

5. Signatures of the Canine Unit Supervisor and property/evidence clerk

d. The Controlled Substances Training Aids Log will be maintained in a ledger and stored in the designated canine unit controlled substances secured area, with access via combination and/or lock key limited to the Canine Officer/Handler, Canine Unit Supervisor and the Chief of Police.

e. The Uniform Patrol Commander will conduct periodic audits of the Controlled Substances Training Aids Log.

10. Training Aid Storage and Security

a. Each type of controlled substance will be secured in a separate airtight container and stored inside the secured area designated for the storage of canine unit training aids.

b. When a training aid is utilized for a training exercise, its removal from the secured storage area and subsequent return to the secured storage area will be recorded by the Canine Officer/Handler in the Controlled Substance Training Log that will note:

1. The date and time the training aid was removed and returned

2. The total weight of the training aid (in grams)

3. The name and signature of the Canine Officer/Handler removing and returning the training aid

c. Only the Canine Officer/Handler and/or Canine Unit Supervisor are authorized to remove or return training aids to the secured storage area.

d. At least annually, the Uniform Patrol Commander will conduct an unannounced inspection of training aids to ensure security.

e. Training Aid Disposal

1. The Canine Unit Supervisor will forward the training aid to the Evidence Collection Unit for destruction.

2. The Property/Evidence Clerk receiving the training aid will weigh the training aid and acknowledge receipt of the training aid by his/her signature on the evidence property receipt.

3. The Canine Officer/Handler will notify the Canine Unit Supervisor whenever a training aid is no longer usable due to age, deteriorated condition, contamination, staleness or other reason.

   a. Before disposal, the training aid will be inspected and weighed by the Canine Unit Supervisor. Minute weight fluctuations are normal due to changes in humidity level and the drying and aging of substances.

   b. The results of the inspection and disposal shall be recorded in the Controlled Substances Training Aid Log.

f. Lost Training Aid

1. In the event a training aid is lost, the Canine Officer/Handler shall immediately contact the Canine Unit Supervisor or an on-duty shift commander if the Canine Unit Supervisor is unavailable. The Canine Officer/Handler shall submit a detailed inter- office communication as to the circumstances of the loss.

2. The Canine Unit Supervisor shall investigate the circumstances relating to the loss and file a detailed inter-office of the findings. A copy of the incident details and findings by the Canine Unit Supervisor will be placed in the file for that training aid. A copy to will be forwarded the Chief of Police and the Uniform Patrol Commander.

11. Canine Officer/Handler Contingency Procedure

a. In the event a Canine Officer/Handler becomes incapacitated, injured or otherwise is unable to control their canine and it becomes necessary to remove the canine from the scene, officers at the scene shall notify shift supervision immediately. Shift supervision shall notify the Canine Unit Supervisor as soon as possible.

b. It will be the Canine Unit Supervisor and/or on scene supervisor’s responsibility to determine the method of removing the canine.

c. If the Canine Unit Supervisor is unavailable, another Canine Officer/Handler will be contacted to remove the canine. A field supervisor shall assume responsibility for removing the canine if no other Canine Officer/Handler can be contacted.

d. Any attempt to remove a canine which may result in the animal being harmed or destroyed, should be considered ONLY as a last resort. If time permits, the Animal Control Officer should be contacted to assist in safely removing a Police Canine.

12. Department Member Guidelines

a. Other than, within the parameters of formal or scheduled canine training, department members shall not tease or agitate any department canine. This includes the handler. Incidents of such conduct will be dealt with according the standard department disciplinary procedure. The following are general rules of behavior when in the presence of the canine:

1. Department members shall not stand between the canine and its officer/handler.

2. Officers shall arrest any person who intentionally injures, attempts to injure, harass, tease or assault a division canine or interfere with the legal performance of duty. (2921.321 ORC)

3. Department members shall not direct any command to the canine unless directed to do so by the Canine Officer/Handler.

4. Department members shall not enter any vehicle occupied by a canine unless so directed by the Canine Officer/Handler.

5. Department members shall not attempt to tease, touch, handle, pet or feed the canine unless so directed by the Canine Officer/Handler.

13. Requests For Assistance/Mutual Aid

a. A request for Canine Unit assistance by an outside agency shall be directed to the on-duty shift commander or his/her designee.

b. If the use of the Canine Unit is determined to be appropriate, the on-duty shift commander may approve the outside agency request. Every reasonable effort will be made to accommodate the requesting agency.

c. The Canine Team assigned to the request for assistance will, complete an inter-office communication detailing his/her functions related to the requesting agency’s incident. A copy of this report will be forwarded to the Canine Unit Supervisor and the Uniform Patrol Commander.

14. Veterinarian Service, Kenneling, Sick and Vacation Leave Procedures

a. Veterinarian Services

1. Only division approved veterinarian services will be used for Police Canines.

2. In cases of emergency, the closest veterinarian service or animal emergency facility will be used to stabilize the injured/sick canine. Prior to any additional treatment,

3. The Chief of Police, or his designee, will be contacted.

b. Kenneling

1. Police Canines will only be kenneled at a division approved kennel facility.

2. Kenneling agents shall be instructed to not release a Police Canine to anyone except the Canine Officer/Handler or Canine Unit Supervisor.

c. Sick Leave

1. If the Canine Officer/Handler is sick or injured and neither the officer/handler nor his/her family can properly care for the canine, the canine will be transported to the Division approved kennel facility by the Canine Unit Supervisor or Canine Officer/Handler or other family member who has bonded with the canine.

2. If the canine is sick or injured, the Division's veterinarian service will determine if the canine should be worked. The Canine Unit Supervisor shall be made aware of the canines not fit for duty status. The Canine Officer/Handler will report for duty as assigned.

d. Vacation Leave

1. The canine will be kenneled at the Division approved kennel facility if the Canine Officer/Handler is out of town and the Canine Supervisor, other Canine Handler, or his/her family that has bonded with the canine cannot properly care for the canine.

2. The canine shall not accompany the Canine Officer/Handler on any vacation without the approval of the Chief of Police through the Canine Unit Supervisor.

15. Canine Retirement

a. After a canine has surpassed its work life to the Division due to age or other extenuating circumstances, or upon the promotion, transfer or reassignment of the Canine Officer/Handler to a position inconsistent with canine work and the Division decides not to retain the canine for another officer/handler; the canine will be retired from active service.

1. Upon retirement, subject to the Chief of Police, the canine shall become the property of the assigned Canine Officer/Handler. The Canine Officer/Handler shall assume all responsibility, liability and cost to maintain the canine.

2. The canine shall not be used for any financial gains to the Canine Officer/Handler and will not be sold or ownership transferred to another for the life of the canine.

b. Euthanasia for a serious canine illness is subject to the approval of the Chief of Police and shall require a written report from the designated veterinarian indicating that the prognosis of the canine is such that euthanasia represents the only humane alternative available.

16. Equipment

a. Canine handlers will be issued the necessary equipment to perform their duties as deemed appropriate by the officer's supervisor. Request for additional equipment will be made through the officers supervisor. Equipment will consist of, but not limited to:

1. Leashes- various types, materials and lengths;

2. Collars- various types;

3. Tracking harness;

4. Muzzle;

5. Water bowl;

6. Brush;

7. Bite sleeve;

Springfield Police Division

General Order

Number: 2
Subject: Buy Fund
Effective: December 16th, 1999

The purpose of this procedure is to provide guidelines for accountability and proper maintenance of this fund.

This procedure consists of the following numbered

Sections:

I ESTABLISHMENT OF FUND

II GUIDELINES FOR ACCOUNTABILITY III

MONTHLY REPORTS

IV QUARTERLY AUDIT AND REPORTS

V MAINTENANCE OF JOURNAL, SUPPORTING RECEIPTS AND ALL CURRENCY

VI EFFECTIVE DATE

SUBJECT: BUY FUND

I. ESTABLISHMENT OF FUND

A. In order to assist the Police Division in its efforts to effectively investigate violations of drug laws, a cash fund was established on January 2, 1970.

B. In 1983, this fund was increased so that other investigative units could have moneys available for information sufficient to bring charges against suspects relating to criminal activities other than drug related violations.

C. In 1999, this procedure was updated to allow uniform patrol to have the availability of moneys to assist in obtaining information and evidence for successful street suppression of drug and other criminal activities.

II. GUIDELINES FOR ACCOUNTABILITY

A. Accountability and proper maintenance of this fund make it mandatory that the following procedures instituted by this department be adhered to:

l. It will be the responsibility of the Chief's Confidential Secretary to request cash draws from the budget fund from the Finance Department.

a. Cash draws from the budget fund will be kept in the safe located in the Office of the Chief of Police.

b. Cash disbursements, in amounts not to exceed $500.00, will be made to the Supervisor in Charge of the requesting Unit / Shift Commander by the Chief s Confidential Secretary upon written approval of the Unit Commander and the Chief of Police.

2. It will be the responsibility of the Chief's s Confidential Secretary to keep a permanent record of all receipts and disbursements from the moneys in the Chief's safe fund.

3. The requesting supervisor in charge of each Unit / Shift will be held personally accountable for any money and all paperwork required in connection with receipts or disbursements

4. An inter-office communication addressed to the Chief of Police from the Supervisor in Charge of the Unit / Shift requesting cash draws on the budget amount for the buy money in this fund must:

a. Contain proof of need, i.e., a statement certifying the exact amount of money left from the previous draw in that particular Unit's/ Shift's fund.

b. Be signed by the Supervisor in Charge of the Unit / Shift requesting the cash draw:

c. Be approved (signed) by the Commander of the appropriate Sub-Division or, in his absence, the Assistant Commander.

d. Be submitted to the Chief of Police for his approval.

5. Any moneys expended from this fund, by any Unit, must be accounted for with a signed receipt.

III. MONTHLY REPORTS

A. Monthly reports will be completed for Investigations, by the Supervisor in Charge of the Unit requesting the fund, and for Uniform Patrol, by the designated Shift Commander. The reports are to be filed with the Commander of the appropriate Sub-Division.

1. The monthly reports shall contain the beginning balance of the fund, monthly receipts and disbursements by date, and an ending balance.

2. Any deficiencies must be immediately brought to the attention of the Commander of the appropriate Sub-Division. Restoration of the amount of deficiency is the personal responsibility of the Supervisor in charge of the fund. The fund must be reconciled.

IV. QUARTERLY AUDIT AND REPORTS

A. The Commander of the respective Sub-Division will audit the journal quarterly.

B. Quarterly reports will be forwarded to the Director of Finance by the Chief's Confidential Secretary marked "Confidential", and will be maintained in the Finance Department Confidential File.

1. The report to the Director of Finance will include the journal entries and the cash balances. Any and all discrepancies must be explained in detail.

V. MAINTENANCE OF JOURNAL, SUPPORTING RECEIPTS & ALL CURRENCY

A. The journal, supporting receipts, and all currency related to this fund (for the Drug Unit) will be maintained in the safe located in the Unit.

B. The journal and supporting receipts, for all other Units, will be maintained by the Supervisor in Charge of the Unit utilizing the funds and kept in a locked secured cash box.

VI. EFFECTIVE DATE

The effective date of this procedure is December 16, 1999.

BY ORDER OF:

David L. Walters, Chief of Police

Springfield Police Division

General Order

Number: 4
Subject: Fugitives from Jurisdictions Outside of Clark County
Effective: January 28th, 1987

The purpose of this procedure is *to provide officers with guidelines for the arrest and processing of fugitives from jurisdictions outside of Clark County.*

This Procedure consists of the following numbered

Sections:

I Introduction

II Warrant from Ohio County Contiguous to Clark

III. Warrant from Ohio County *NOT* Contiguous to Clark

IV. Warrant from State Other than Ohio

V. Appendix A

VI. Appendix B

VII. Appendix C

VIII. Appendix D

IX. Effective Date

I. ***Introduction***

A. This procedure has been developed by representatives of the Clark County Sheriff's Dept., Springfield Police Dept., Municipal Court Prosecutor's Office, and Municipal Court Clerk's Office- to standardize the sequence of events, which must occur when persons are, arrested as a result of a warrant form another jurisdiction.

B. The exact procedure to follow is defined by the location of the Court having jurisdiction in the case (i.e., Ohio County contiguous to Clark; Ohio County non-contiguous to Clark, Out-of-State.)

1. Contiguous Counties are defines as having a border in common with Clark. These Counties specifically include, Champaign, Green, Madison, Miami, & Montgomery.

2. Non-contiguous Counties are defines as those not having a border in common with Clark.

3. An Out-of-State warrant is defined as originating in a jurisdiction outside the State of Ohio.

C. Please note that if the person is arrested for charge that are local, this procedure does not apply, as Jail personnel will follow-up contact to the appropriate jurisdiction when he/she is finished with charges locally.

D. Please not that *all paperwork* defined in the following procedure *shall be completed prior to the release of the prisoner.*

II. ***Warrant from Ohio County Contiguous to Clark (Champaign, Green, Madison, Miami, Montgomery)***

A. When a person is arrested in Clark County on a warrant issued b a County contiguous to Clark, the flowing steps shall be taken:

1. The arresting officer shall notify the appropriate agency of the arrest via Teletype and request confirmation the warrant is active and the jurisdiction will pick up the prisoner. The arrestee shall be brought to the Jail Receiving Center. All usual paper work shall be completed, labeling the chare as "**Fugitive (Contiguous)."** The paper work includes arrest record, court list, and jail documentation.

2. If the issuing jurisdiction does not want the prisoner, attach the reply Teletype that states they will not pick up the prisoner to the Book-In card. This documentation shall be the Clark County Sheriffs Department's authority to release the prisoner.

3. Please request that the jurisdiction return Teletype includes their intentions and the flowing information (See Appendix A 'Example Tele-type.'):

   a. Charge
   b. Case Number
   c. Bond
   d. Address of the Court with jurisdiction
   e. Address of the defendant

   If the prisoner is bonding out locally, forward the Teletype with the money to the clerk's office (if open) or Springfield Police Dept. per usual procedures.

4. Jail staff shall book the prisoner into the Jail regardless of the projected length of stay.

5. Jail or Springfield Police Dept. staff shall complete:

   a. An **'H'** Jacket on all misdemeanants
   b. A **'Full'** Jacket on all felons

6. If Bond has been set by the Court of original jurisdiction, **the Bond can be accepted** locally **if** we have the following information **in writing:**

   a. Charge
   b. Case Number
   c. Bond
   d. Address of the Court with jurisdiction
   e. Address of the defendant

   Please note: Bond shall be made only with *cash* in the proper amount. *No exceptions.* Money *shall not* be accepted for cases where a Common Pleas Court has jurisdiction. Bail Bonds shall not be accepted. The only exception to these rules is by order of local judges.

7. Please note that in this situation a local hearing is not necessary. Therefore *do not* complete an affidavit or waiver.

8. Local charges take precedence over out-of-county warrants when a suspect is arrested on both local charges and another jurisdiction's warrant. A Teletype shall be sent to the out-of-county jurisdiction by the arresting officer notifying them that we have the prisoner in custody and that we will advise them when we are finished with the prisoner.

III. ***Warrant from Ohio County not Contiguous to Clark***

A. When a person is arrested in Clark County on a warrant issued by a County not contiguous to Clark, the following steps shall be taken:

1. The arresting officer shall notify the appropriate agency of the arrest via Teletype and request confirmation the warrant is active and the jurisdiction will pick up the prisoner. Arrestee shall be transported to the Jail Receiving Center. All usual paperwork shall be completed labeling the charges as **"Fugitive (Non-Contiguous)"** including the arrest record, court list, and Jail documentation.

2. If the issuing jurisdiction does not want the prisoner, attach the reply Teletype that states they will not pick up the prisoner to the Book-in card. This documentation shall be the Clark County Sheriffs Department's authority to release the prisoner.

3. Please request that the jurisdiction return Teletype includes their intentions and the following information (See Appendix A. 'Example Teletype.')

   a. Charge
   b. Case Number
   c. Bond
   d. Address of the Court with jurisdiction (to send bond)
   e. Address of the defendant

   If the prisoner is bonding out locally, forward the Teletype with the money to the clerk's office (if open) or Springfield Police Dept. per usual procedures.

4. Jail staff shall book the prisoner into the Jail regardless of the projected length of stay.

5. The arresting officer shall complete the form entitled 'Request for bail and order for removal within the State of Ohio.' (See Appendix B 'Example Request.') Although similar in form to an affidavit, this document is not an affidavit and the officer need not swear to the facts before a Deputy Clerk. The 'blue' copy of the form and the Municipal Court Statement shall be forwarded to the Court. The 'yellow' copy is given to the defendant.

6. The officer shall ask the prisoner if he/she wishes to waive their right to a hearing. If the prisoner desires to waive his/her rights, the officer shall have the prisoner sign the waiver form. (See Appendix C 'Example Waiver.') The waiver shall be distributed according to the legend at the bottom of the form.

a. If the prisoner signs the waiver, the arresting officer shall notify the appropriate jurisdiction that they may come for the prisoner. If the prisoner refuses, he/she shall appear in court the scheduled arraignment day.

b. If the prisoner waives his/her right to a hearing, but is still incarcerated locally at the time of the next arraignments, the prisoner shall appear in Court even though they previously waived that right.

7. Jail or Springfield Police Dept. staff shall complete:

   a. An **'H'** Jacket on all misdemeanants
   b. A **'Full'** Jacket on all felons

8. If Bond has been set by the Court of original jurisdiction, **the Bond can be accepted** locally **if** we have the following information **in writing:**

   a. Charge
   b. Case Number
   c. Bond
   d. Address of the Court with jurisdiction
   e. Address of the defendant

   Please note: Bond shall be made only with *cash* in the proper amount. *No exceptions.* Money *shall not* be accepted for cases where a Common Please Court has jurisdiction. Bail Bonds shall not be accepted. The only exception to these rules is by order of local judges.

9. If, at a later time and prior to the next scheduled arraignments, the prisoner decides to waive his/her right to a local hearing, Jail staff shall provide the prisoner with the 'Waiver Form' for his/her signature. Jail staff shall witness the signature and forward the 'white' copy to the local agency holding the affidavit. Or, if the affidavit has already been sent to the Municipal Court Clerk's Office, the 'white' copy shall be sent with the Bailiff's when they come for the prisoner.

10. Please note that in this situation the prisoner is entitled to a **Local Hearing** before being taken back to the originating County unless he/she waives that right or pays the required amount of cash as bond. Therefore the affidavit must be completed and the prisoner's name placed on the court list.

IV. *Warrant from State other than Ohio*

A. When a person is arrested in Clark County on a warrant issued from a State other than Ohio (Out-of-State) the following steps shall be taken:

1. The arresting officer shall notify the appropriate agency of the arrest via Teletype and request confirmation the warrant is active and the jurisdiction will pick up the prisoner. Arrestee shall be transported to the Jail Receiving Center. All usual paperwork shall be completed labeling the charges as **"Fugitive (Out-of-State)"** including the arrest record, court list, and Jail documentation.

2. If the issuing jurisdiction does not want the prisoner, attach the reply Teletype that states they will not pick up the prisoner to the Book-in card. This documentation shall be the Clark County Sheriffs Department's authority to release the prisoner.

3. The arresting officer shall complete the 'Fugitive' affidavit (See Appendix D 'Fugitive Affidavit.') This document is an affidavit and shall be sworn to before a Deputy Clerk.

4. A **'Full'** Jacket shall be completed.

5. The prisoner cannot waive his right to a hearing. The local 'Waiver Form (See Appendix C 'Sample Waiver Form') cannot be used in this situation. The prisoner must appear in Springfield Municipal Court at the next scheduled date in order that bond is set.

6. The only bond recognized is that which is set locally in our Court.

7. Following the hearing, the originating State has thirty (30) days to request a Governor's Warrant. A thirty (30) day extension may be granted.

8. Once the Governor's Warrant has been issued the prisoner must immediately file action if he/she wishes to fight extradition.

9. All Governors' Warrants are sent by the State to the Clark County Sheriffs Department.

V. ***Appendix 'A'***

Sample Teletype language- this language may be modified depending on the specific circumstances:

FROM: SPRINGFIELD POLICE DEPT. OR CLARK COUNTY SHERIFF'S OFFICE

TO: ISSUING AGENCY

PLEASE CONFIRM IN WARRANT IS STILL ACTIVE ON *(DEFENDANTS NAME, DOB, SSN)*, FROM NCIC HIT, AND WHETHER YOU WILL PICK UP. SUBJECT IS IN CUSTODY OF THE *(SPRINGFIELD POLICE DPET. OR CLARK COUNTY SHERIFF'S OFFICE)*. PLEASE ADVISE ALL CHARGES, CASE NUMBER, ANY BOND AS SET BY ISSUING COURT, ADDRESS OF ISSUING COURT, AND LAST KNOWN ADDRESS OF *(DEFENDANT'S NAME).* PLEASE CONFIRM RECEIPT OF TELE-TYPE AND RESPOND AS SOON AS POSSIBLE.

SIGNED: AUTHORITY

VI. ***Appendix B***

(Refer to the pre-printed ***"Request for Bail and for Order of Removal Within the State of Ohio****,(Municipal Court Form 20) that can be found in the Patrol work area. Also, refer to Ohio Criminal Rules of Procedure- Section (E)(1))*

VII. ***Appendix C***

(Refer to the pre-printed ***"Waiver of Rights Under Rule 4(E)"*** *that can be found in the Patrol work area. Also, refer to Ohio Criminal Rules of Procedure- Section (4)(E))*

VIII. ***Appendix D***

(Refer to the pre-printed ***"Fugitive"*** *affidavit,* ***O.R.C. Section 2963.11*** *that can be found in the Patrol work area. Also, refer to the Ohio Rules of Extradition that can be found in Section 2963 of the Ohio Revised Code.)*

IX. ***Effective Date***

The effective date of this procedure is ***January 28, 1987.***

By ORDER of:

James H. Burch
Chief of Police

Springfield Police Division

General Order

Number: 27
Subject: Parking Garage
Effective: October 16th, 1984

Parking Garage

So that all police employees are properly informed of regulations pertaining to the parking garage, the following order is being issued:

A. It is permissible to drive a private vehicle into the parking garage to discharge, or pick up at passenger.

B. No police employee will be permitted to park his/her private vehicle in the parking garage.

1. The officer in charge will enforce this order.

C. The parking garage has now been properly painted and signed, and six (6) spaces have been designated for visitor parking.

1 If an off-duty police employee has business in the building, it will be permissible for him/her to park his/her private vehicle in one of the designated visitor parking spaces, with a fifteen (15) minute limit.

2. All visitors are required to register with the officer in charge, who will enforce this order.

This order is effective October 15, 1984.

By ORDER of

James H. Burch
Chief of Police

Springfield Police Division

General Order

Number: 28
Subject: Internal Affairs Unit
Effective: August 17th, 1984

Internal Affairs Unit

Section 5- Notification

A. In the event there is an officer-involved shooting or another serious event, which would require an internal affairs investigation, the Chief of Police, or the Officer he designates in charge in his absence, must be notified.

This order is effective August 17, 1984.

By ORDER of

James H. Burch
Chief of Police

Springfield Police Division

General Order

Number: 29
Subject: Crime Scene Search, Processing, Technicians, and Evidence Duties
Effective: April 27th, 1987

The purpose of this Policy is to clarify the duties and authority of all personnel with regard to the proper search or processing of crimes scenes and several related tasks or duties.

This Order consists of the following numbered Sections:

I. Purpose and Scope of the Order

II. Discovery, Collection, Documentation, Preservation, & Submission of Evidence, Contraband, Found Property, Fruits of Crime, Etc.

III. Processing of Crime Scenes

IV. Submission, Safekeeping, Comparison, & Release of Evidence, Contraband, or Other Items of Property

V. Scheduling & Specific Assignments of Crime Scene Technicians (CST's)

VI. Saturation Procedure

VII. Technical Supervision, Performance Ratings, Formal Disciplinary Actions Regarding All CST's

VIII. Effective Date

SUBJECT: CRIME SCENE SEARCH, PROCESSING, TECHNICIANS, & EVIDENCE DUTIES

PURPOSE: To clarify the duties and authority of all personnel with regard to the proper search or processing of crime scenes and several related tasks or duties.

I. Purpose & Scope of Order

A. This ORDER clarifies the duties and authority of all personnel with regard to the proper search or processing of crime scene and several related tasks or duties. Specifically, this directive clarifies the responsibility for *CRIME SCENE SEARCH; CRIME SCENE TECHNICIANS; EVIDENCE & PROPERTY DOCUMENTATION & RELATED STORAGE SYSTEMS FUNCTIONS.*

B. The scope of this directive is, as follows:

1. Discovery, collection, documentation, submission of evidence, contraband, found property or the "fruits of crime."

2. Proper searches and processing of crimes scenes or similar matters:

   a. Duties or tasks of all responding officers;
   b. When and which Crime Scene technicians (CST's) should be assigned to routine crime or related scenes;
   c. CST assignments for abnormal or "major" scene processing;
   d. Examples of specific tasks/duties of CST's

3. Acceptance, safekeeping, release, comparison, or analysis of evidence, contraband, found property, etc.

4. Scheduling and assignment of CST's

   a. Uniform Patrol Sub-Division
   b. Services Division, and;
   c. Investigation Division

5. *Saturation* Procedure: Development and utilization of crime scene priorities; assistance from other shifts or from SERVICES.

6. Technical Supervision: Performance ratings, formal disciplinary actions.

C. The authority and responsibility for all matters specifically and narrowly addressed by this Order is completely set forth by this comprehensive Order. To the extent any specific provision of this Order directly and clearly contradicts any provision of any p[previous directive or training, such previous practice or provision is null and void.

II. Discovery, Collection, Documentation, Preservation, & Submission of Evidence, Contraband, Found Property, Fruits of Crime, Etc.

A. All sworn personnel have received authorized training as regards the obligations of law and policy to discover, collect, document, preserve, and submit evidence or other property lawfully within their control; therefore, each officer assigned or otherwise at the scene of any alleged crime or other incident of police duty, has personal professional authority and responsibility to perform all authorized tasks within law, directives and authorized Departmental training.

1. Each officer at the scene of any police incident, crime scene or related matter, shall properly perform searches and seizures for evidence, contraband, etc.

   a. Nothing in the ORDER relieves any officer of the inherent obligations of proper attention and investigation of any police matter or crime scene. Another officer or CST should be requested and utilized only if such help is necessary.

   b. Authorized CST's have additional skills and training for tasks or duties which are beyond the reasonable skills and training of officers who have not received CST training or equipment.

2. It is intended that each authorized CST perform crime scene processing at all incidents to which they are assigned or at which they are present.

   a. Any question as to which of two or more CST's should process a specific scene shall be resolved by supervisory authority.

3. A CST should be requested and assigned *only* when it is *likely that useful* evidence which cannot be gathered by the originally responsible officer can be obtained without unreasonable time, effort, or personnel *and* when one or more of the following criteria is properly applied:

   a. The *scene probably requires* tasks or skills *such as* the collection of *latent prints* or use of a *35 mm camera*, which the requesting officer does not possess or is not currently authorized to use;

   b. The crime scene or incident reasonably requires more CST's than are present at the place to be processed;

   c. The scene *cannot* be processed at that time and it cannot be reasonably delayed until the later return of the requesting officer.

B. When any CST assumes tasks or duties at or for any crimes scene, he/she has the authority and responsibility for the proper processing and proper submission of evidence or property which comes under their control from the time it is placed in their custody until properly relieved of such authority and responsibility.

C. The officer of the CST involved in any crime scene of similar task is relieved of the authority and responsibility for evidence, contraband or other property *only* when it is properly delivered and secured in the proper evidence locker, impound area, storage or evidence comparison area, property room, or crime laboratory *and* at least one of the following criteria is properly applied:

1. All communications, receipts, laboratory requests, photo requests, other documentation or forms are fully and properly completed and submitted;

2. When such authority and responsibility is clearly and properly assumed by an authorized and assigned CST;

3. When such authority and responsibility is clearly and lawfully assumed by an agent of the City, County, State or National Government, or of any Court;

4. By direct order of competent authority.

III. Processing of Crime Scenes

A. Except as specified by this or other written Departmental directives, Uniform Patrol has the authority and responsibility for control and supervision of all crime scenes coming to the proper attention of this Department.

B. Uniform Patrol CST's shall perform crime scene duties at typical or 'routine' crime scenes or similar events requiring such processing.

1. *Examples:* B&E's, Burglaries without serious injury or attempts to injure, Robberies with serious injury or attempted injury, Rapes without extensive physical injury and which do not involve children less than 13 years old.

2. When a scene or incident reasonably requires skills beyond the assigned training or known ability of the CST, another Uniform Patrol CST or a full-time technician should be requested and the scene preserved pending the arrival of authorized assistance.

3. When assigned, all CST's shall perform duties with or for other technicians.

C. SERVICES Division CST's shall perform the crime scene duties at all unusually important or unusually difficult (major) crime scenes.

1. *Examples:* Any apparent homicide, offense involving injuries likely to result in *death* or involving very serious bodily harm to any person; extreme or unusual crimes or 'crime sprees' involving very difficult processing or many different and widely separated locations, crimes scenes reasonably *requiring* techniques not taught to or authorized for the Uniform Patrol CST's.

2. Whenever practicable, Uniform Patrol CST's will assist with the processing of major or (abnormal) crime or related scenes.

3. When the saturation (overload) procedure properly applies, the SERVICES CST's shall process other (normal) crimes scenes.

D. *Follow-Ups* or *reprocessing* of crimes scenes.

1. Such requests shall be made *through the SERVICES DIVISION* to the unit supervisor of the CST who originally processed the scene. A timely inter-office explaining the reasons for the request must be submitted to service with a copy to the CST's unit supervisor.
   a. *EXCEPTION:* In an *emergency* when no supervisor of the SERVICES Division is on duty and available, whether in person or by telephone/radio, such *requests* may be made directly to the Unit supervisor of the original CST; however, an inter-office fully documenting the reason for the request for follow-up or reprocessing must be promptly submitted to SERVICES with a copy to the Unit supervisor.

2. When appropriate and practicable, the original CST shall conduct the follow-up or reprocessing of the crime scene under the direction of the SERVICES Crime Scene Technician Supervisor.

   a. If not both appropriate and practicable, the SERVICES Supervisor shall designate the CST, if any, to reprocess the scene.

   b. In an *emergency*, the Uniform Patrol Supervisor then in Charge of Headquarters, may determine if reprocessing is to be conducted and assign a CST, if no supervisor of the SERVICES Division is then on duty and reasonably available to make the decisions.

E. *Examples* of specific duties of CST's are as follows:

1. Searching the entire area of the event to locate and preserve evidence or other property;

2. Sketching and photography;

3. Collection of evidence;

4. Checking for and 'lifting' and labeling all apparently useable latent prints;

5. Completion and submission of evidence examination request forms;

6. Completions and submission of property receipts;

7. Preparation and submission of crime scene documentation or information; requests to other Divisions or Units;

8. Assisting at major crime scenes and/or assisting less experienced CST's, especially when designated as a 'senior' CST on a Shift or Unit;

9. Testifying in court;

10. Consulting with the designated 'senior' CST when technical advice or assistance is needed and bringing all serious issues, problems, or needs for any supplies or equipment to the personal attention of the *SERVICES CRIME SCENE SEARCH SUPERVISOR;*

11. Promptly reporting the loss, damage or apparent malfunction of any crime scene processing equipment or supplies to the SERVICES CST Supervisor when personal access to replacement items is not possible; and

12. Attending, learning and using all CST training and following all related directives.

IV. Submission, Safekeeping, Comparison, & Release of Evidence, Contraband, or Other Items of Property

A. It is the *duty* of the officer writing the original report (incident, offense, inter-office, etc.) to legibly *list the correct property receipt and arrest card numbers on the report.*

1. If this is not possible, an inter-office explaining why it is not possible and from whom the correct information can be obtained *must* be promptly submitted to the SERVICES Division with copies to both the Investigation and Uniform Patrol Commanders.

2. Incomplete reports should not be accepted by any supervisor unless the required inter-office is also promptly received.

3. *Whenever* any evidence or property is submitted without an arrest and/or without a formal report, a receipt listing the reasons for the seizure and clearly explaining why the report and arrest number blanks are not filled in must be submitted; if there is not sufficient space for a full and clear explanation on the receipts, an inter-office accomplishing those purposes is required.

B. Comparison or other evaluation of evidence is the function of the SERVICES Division personnel assigned to the matter.

1. Comparisons or evaluations of evidence or contraband *will not be conducted without receipt of all forms or documentation in proper and complete form.*

C. Evidence, contraband, or other items of property must be submitted to the Crime Laboratory, Lockers, Property Room or Evidence Technicians *with fully and properly completed property receipts.*

1. All such items or property remain the personal responsibility of the person who seized or submitted the items.

2. Responsibility for the items *shall not be accepted* by the property clerk or any other employee of the Department *until all required information is received in proper form.*

a. *Receipts without readable report number(s) will be refused until* an explanation is listed on the form or by inter-office communication.

b. *Receipts without readable arrest card number(s) will be refused until* an explanation is listed on the form or by inter-office communication.

D. Release of items of evidence or property is the function of the SERVICES Division following consultation with the appropriate Investigation Supervisor, the appropriate Prosecutor or the submitting Officer.

1. Officers who believe release of any item is appropriate should *always consult* with the appropriate *supervisor of the Services Division prior to giving any notice to any apparent owner or custodian of any item.*

2. Officers who give notice to any person believed entitled to any item being held in the Property Room or Regional Crime Laboratory should *always tell that person to telephone the property clerk before they come to Headquarters.*

V. Scheduling & Specific Assignments of CST's

A. Uniform Patrol: The appropriate supervisor should *schedule at least one* currently authorized CST on duty for each seven officers or fraction thereof scheduled at any particular time.

1. When this is not feasible, the relieving Uniform Patrol Shift and SERVICES Division must be given *prior written notice.*

2. Never assign a CST to the Downtown Foot Patrol Beat unless at least one other CST is also working a regular District at the particular time.

3. Two-officer crews should actually be able to complete a routine crime scene and report more quickly than a one-officer unit; therefore, such a unit should perform such duties when assigned to an incident. If it is necessary a two-officer unto not be allowed to process a scene to which it was assigned, do *not* assign a CST to the two-officer unit unless at least one additional CST is also working at the time (as a one officer unit.)

B. SERVICES Division: The SERVICES CST Supervisor should *schedule at least one* SERVICES CST on duty on any regular weekday.

1. When this is not feasible, the Uniform Patrol Division must be given *prior written notice.*

C. Investigation Division: The Investigation Division *may* schedule any currently authorized CST assigned to that Division to assist at crime scene searches where sufficient CST's are not available from Uniform Patrol or from SERVICES.

1. If that option is used, both Uniform Patrol and SERVICES must receive *prior written notice* of all such scheduling and assignments.

2. In an *emergency*, the assignment may be made prior to a prompt inter-office communication to the SERVICES CST Supervisor.

3. Such assignments shall be made and conducted within the proper procedure for technical supervision of all crime scene processing and technicians.

VI. Saturation Procedure

A. From time to time, it is to be expected there may be more legitimate scene processing requests than can be reasonably completed by Uniform Patrol CST's, even when carrying-over such dispatches to subsequent shifts. This saturation procedure shall be followed whenever we have more scene which require CST processing than we have Uniform Patrol CST's likely to be available to process them in a reasonable (8 hours) period of time.

1. The Communications Center shall keep a list of all crime scenes requiring a CST.

   a. When practicable, the CST originally assigned to the incident shall be dispatched back to the scene when next available and not necessary for a higher priority dispatch.
   b. When such is not practicable, a CST assigned to the District *or* to a District which borders that District, shall be assigned when next available and not necessary for a higher priority dispatch.

   c. When the first two steps are properly utilized but insufficient to eliminate the backlog, any Uniform Patrol CST shall be dispatched without regard to District assignment.

2. When the previous saturation steps are insufficient to eliminate the backlog, the remaining crime scenes shall be held (carried) over for officers assigned to the next relieving shift.

B. If an when the preceding steps are being utilized but they are still highly likely to be less than required to complete all crime scenes in a reasonable (8-hours *from* the time of *listing* of original *request*) period, the Officer then in Charge of any shift shall determine whether SERVICES should be contacted for assistance with eliminating the backlog.

1. If an when SERVICES is requested to assist with such a backlog of routine scene processing, the request shall be made directly to the SERVICES Crime Scene Supervisor, if available, or, in his absence, to another SERVICES Supervisor.

   a. If at least one SERVICES Supervisor cannot be contacted by radio or telephone, a SERVICES CST may be directly contacted.

2. Whenever SERVICES assumes responsibility for assisting with this saturation procedure, the SERVICES Supervisor shall also determine *which* scenes are to be processes, *when* they are to be processed, and *which CST* shall do the
processing.

VII. Technical Supervision, Performance Ratings, Formal Disciplinary Actions Regarding All CST's

A. *Technical* supervision of all CST's is the authority and responsibility of the SERVICES Crime Scene Search and Technician Supervisor.

1. Technical Supervisor is defined as direct supervision of tasks, duties, directives, or training which narrowly and directly concern *CST skills* and quantity and quality of crime scene *processing.*

2. At least once annually, the SERVICES Supervisor of CST's shall send a written memo detailing the current technical assessment of each CST and his/her actual work to the appropriate Division Commander.

   a. The Uniform Patrol Commander shall relay the most current written assessment of each CST to the supervisor assigned to complete each performance rating for each CST and the assessment shall be discussed with and clearly reflected in the applicable rating of each CST.

B. Should a formal disciplinary action be deemed necessary for proper technical supervision of a CST, the SERVICES CST Supervisor shall make all such notifications through the proper chain of command.

1. Any such formal disciplinary actions shall be delivered in person and only in the presence of the CST's normal direct supervisor (for non-CST tasks or duties.)

2. Nothing in this Order limits or reduces the authority and responsibility for supervision or disciplinary actions by any CST's normal line supervisors for any matter with which they are or should be sufficiently knowledgeable.

   a. If any such supervision results in any disciplinary action significantly reflecting upon CST tasks or duties, the line supervisor issuing or requesting disciplinary action shall cause the SERVICES CST Supervisor to be promptly and completely informed.

3. Nothing in this ORDER limits or reduce the authority and responsibility of all police supervisors for *staff* supervision in the best interests of the Department.

VIII. Effective Date

A. This ORDER is effective *April 27, 1987.*

Springfield Police Division

General Order

Number: 31
Subject: Foot Patrol
Effective: July 30th, 1987

I. Policy

A. Under many circumstances, foot patrol can be effective to achieve on or more important police services goals

With the exception of saturation or "aggressive patrols" the primary value of foot patrol is generally limited to good public relations, particularly in terms of citizen perceptions of fear of crime and the ability of both the officers and the general public to interact on a "non-enforcement" and more personalized basis.

In addition, certain safety and enforcement efforts such as pedestrian safety laws, parking control and prostitution or other vice violations can be effectively deal with by foot patrol officers.

We have four primary sets of criteria for establishing foot patrol "beats":

1. Downtown or "core area" patrol;

2. Saturation or "aggressive" foot patrol for a demonstrable need in small areas for limited amounts of time;

3. Special events, crowd/traffic control;

4. Special projects such as neighborhood policing grants or projects.

The following procedure primarily applies to the "downtown" foot patrol.

II. Procedure:

A. The downtown foot patrol beat shall be assigned and conducted as follows:

1. 0800-1600hrs., 1600-0000 hrs., 0000-0400 hrs., Seven days per week.

2. Unless divided for purposes of special assignments, such as directed patrol, the foot beat boundaries shall be (South) Washington St., (west) Wittenberg, (North) North St., (East) Sycamore.

3. Areas and responsibilities, which shall receive special attention by the foot patrol officer, are:

a. Public relations; meeting & helping people;

b. Pedestrian control laws, especially "jaywalking;

c. Vice control laws, especially prostitution;

d. Parking control, especially double-parking or standing, and especially in the area of the Post Office;

e. checks of all then current "trouble spots" for vandalism, theft, or littering;

f. The City Marketplace;

g. Any other place with a lot of people or special events, etc;

B. Foot patrol officer shall remain on their beats and shall not leave them except for emergencies in the immediate area; or as ordered by the Shift Commander (Officer in Charge); or as dispatched by Communications.

1. To the greatest practical extent, all meals or breaks shall be taken within the boundaries of the assigned beat.

2. *When* such is clearly *not feasible*, meals or other breaks shall be taken within ten-minute foot travel of the beat and then only with the prior specific permission of the Shift Commander (Officer in Charge).

C. Foot patrol officer shall notify Communications of their specific location on the half-hour and on the hour throughout their tours of duty.

1. Communications shall log all such calls/locations as well as for breaks, meals, etc.

2. The regular "Run Sheet" shall be carried, used and properly completed and submitted.

D. Foot patrol officers will respond to routine complaints not more than three blocks from their location when initially contacted by Communications or the Shift Commander (Officer in Charge).

1. Foot patrol officer shall not be dispatched on emergency complaints, complaints which seem to require more than one officer, or complaints requiring *very* long or more than one Incident or Offense Report.

E. In all other matters, foot patrol officers shall perform their various duties, respond to incidents and otherwise conform to standard rules, procedures, policies or practices of the Division as they should if engaged in motorized patrol, and to the extent the practice or procedure is reasonably applicable to this order.

F. *Emergency Exceptions*

1. In an emergency the Shift Commander (Officer in Charge) may use the foot patrol officer for limited and temporary duties in other areas. Incidents which may justify such short term reassignments would be protection of a major crime scene, very short duration directed patrol of a small areas, or assisting with an emergency situation on another beat; however, all such instances must be

rare and explained in a detailed inter-office memo to the Chief of Police and to the Uniform Patrol Commander.

a. If the emergency is *not* both immediate and of short duration, the Shift Commander (Officer in Charge) should exercise the option to holdover or call-in off-duty personnel and return the foot patrol officer to the downtown foot beat as soon as practicable.

G. Selection of foot patrol personnel shall be at the reasonable discretion of the Shift Commander (Officer in Charge), subject to the following limitations:

1. If only one Patrol Crime Scene Technician is available on a shift, that officer should *never* be assigned a foot beat.

2. Officer should be given advance notice, preferably by written list/notice of that assignment.

3. Subject to the same types of criteria used to establish which officer should work in certain motorized patrol districts, the foot patrol assignment should be *equitably rotated* among sworn personnel.

4. Recruit officers must be exposed to foot patrol training; however, such officer should *not* be assigned unless they are also assigned to their Filed Training Officer and:

a. After completion of at least three weeks of FTO training,

b. Such assignment is limited to a total of three days (unless re-assignment is required by the FTO program supervisor.)

5. Except as specifically provided by this Order, there is no discretion concerning keeping the downtown foot patrol beat staffed; therefore, the responsible Shift Commander (Officer in Charge) is required to be sure the numbers of officers scheduled and actually working on each day is sufficient to keep the foot beat continually staffed *and* to be sure all officers are reporting to Roll Call completely equipped fore *either* motorized or foot patrol assignments.

III. *Effective Date*

A. This ORDER is effective July 30, 1987.

By ORDER of:

James H. Burch
Chief of Police

Springfield Police Division

General Order

Number: 33
Subject: Uniforms and Equipment
Effective: Friday, March 6, 2020

I. Policy

The purpose of this *Order* is to establish the standard specifications and guidelines for the uniform of the Springfield Police Division. Employees wear a uniform so that their appearance while in public view is neat, clean, and orderly. The uniform represents dignity and authority, along with over 100 years of tradition. It has been a source of pride for over 800 Springfield Police Officers since the department was founded in 1867. Any ornamentation deemed necessary for the uniform is described. Any additional articles intended to dress up the uniform will not be allowed or permitted except by direct authorization of the Chief of Police.

II. Procedure

A. While wearing the police uniform no clothing or equipment other than that which has been approved or issued by the Department shall be visible.

B. Any issued equipment, which is the sole property of the City, shall be replaced on an as needed basis.

C. No issued uniform items or equipment shall be transferred or exchanged by any department personnel, without the approval of a supervisor.

D. It is the duty of each uniformed employee of the Department to arrive for work dressed in the appropriate uniform of the day.

E. When an employee of the Department resigns or is terminated all city owned equipment shall be surrendered to the Department.

F. No employee shall wear any portion of the uniform while serving a suspension. Upon notification of being suspended, the employee shall, if so instructed, immediately surrender his/her badge, identification cards, and issued firearms to the supervisor notifying them of the suspension.

G. Uniforms and civilian clothing shall not be intermixed at any time.

H. Uniform personnel are not permitted to wear the uniform off-duty except while working an authorized extra-duty assignment, or with the permission of the Chief.

I. Any employee who loses or damages city-owned property shall immediately report such loss or damage to their supervisor, in writing.

J. Sunglasses may be worn when required for protection from harsh sunlight. Mirrored or reflective type lenses are prohibited. Frames shall be of conventional design, color, and are subject to department approval.

K. Court Appearances:

1. Uniform Patrol officers are required to appear in court as a witness in their regular duty uniform and wearing a tie when in winter uniform.

2. Plain Clothes officers are required to appear in court as a witness in appropriate business attire.

3. Emergency Response- Personnel who receive an emergency request from a court indicating that they need to appear immediately, may respond in the clothing that they are wearing when they receive the emergency notification.

L. In-Service Training Days

1. The clothing standard for in-service training days shall be casual business attire suitable for office wear, (i.e. open neck sport shirt and slacks or blue jeans in good condition), or the uniform of the day.

2. T-shirts are acceptable only on training days that include the range or defensive tactics.

3. The same hygiene standards (i.e. clean-shaven, etc.) apply for training days as regular duty.

M. Detectives, Plain Clothes Officers, Desk Officers

1. The clothing standard for detectives, plain-clothes officers, & desk officers shall be civilian business attire. Causal items, such as polo shirts, turtleneck shirts, and mock turtlenecks are acceptable if approved by the Sub-Division Commander.

a. Casual items must be in good repair, not faded out, stretched, or otherwise damaged.

b. Any supervisor may determine whether or not an item should be replaced.

c. The clothing standard for desk officers is the Uniform of the Day. If the officer working the desk is assigned to light duty, then the clothing standard is civilian business attire.

2. Narcotics detectives and other personnel working special assignments will wear clothing that is appropriate for the assignment, with the approval of a supervisor.

N. Items listed below as *Optional*, must be purchased by the officer. However, they must meet departmental specifications.

O. No officer, while on duty and in uniform, shall be permitted to wear a cap or hat inside Police Headquarters.

P. While in uniform, officers are generally required to remove or cover body ornamentation such as piercings and tattoo's. Female officers may wear one (1) pair of modest earrings.

Q. Gloves are *optional* and may only be worn with the Class B- Winter Uniform, Class C- SOT Uniform, or when assigned to bike patrol. They must be all black in color, and of conservative design.

R. Uniform officers will be issued cruiser keys, as part of their basic equipment. Security of the issued keys becomes the responsibility of the officer. Lost and/or stolen issued keys must be replaced, at the officer's expense. (Section II, E, applies.)

III. Uniformed Personnel

A. CLASS C- SOT Uniform

1. The Class C- SOT Uniform is an *optional* and *restricted* uniform, which is authorized only for the Special Operations Team.

2. Headgear

a. Solid cloth navy blue baseball style cap, with the following:

(1) An embroidered SPD patch shall be centered on the front of the cap.

(2) Optio*nal:* Last name and first initial may be embroidered in one-half inch (½") gold letters, on the back of the cap.

(3) *Optional:* The officer's unit identifier may be embroidered in one-half inch (½") gold letters, on the back of the cap.

(4) A black watch cap is *optional* in inclement weather.

3. Class C- SOT Shirt

   a. *Optional*: A black polyester/cotton blend BDU style two-pocket shirt, which is worn tucked into the BDU style pants.

   b. Officers must wear one of the following with the BDU shirt:

      (1) A black T-shirt, or

      (2) Black turtleneck shirt, or

      (3) Black mock turtleneck shirt.

4. Class C- SOT Trousers

   a. *Optional*- Black, cotton/polyester blend BDU style with (six) 6 pockets, button fly and drawstring cuffs.

   b. Trousers shall be worn tucked into boots or bloused.

5. Class C- SOT Footwear - Lace-up, black boot having a plain round toe and leather lower portion. Same as the Class B- Winter uniform.

6. Class C- SOT Gun Belt- as directed by the SOT commander.

7. Class C- SOT Jacket- as directed by the SOT commander.

B. Class C- Summer Uniform is an *optional* and *restricted* uniform.

1. The Class C- Summer Uniform is authorized for wear, with a supervisor's approval, only under the following conditions:

   a D.A.R.E

   b. Safety City.

   c. Officer's working NYSP @ Wittenberg.

   d. Bicycle officers.

      (1) Officers assigned to work as bike officers may also wear the current issue bike uniform.

      (2) Since this uniform has undergone annual changes, approval of the uniform should come from the supervisor assigning the officer to this duty.

(3) Specifications for this uniform are maintained in the Chief's office.

e. Officer's working at the Municipal Pool.

2. Headgear- same as the Class C- SOT Uniform.

3. Class C- Summer Uniform Shirt. *Optional*: A navy blue cotton/polyester blend "Outer Banks" polo shirt; short sleeved. Shirt tucked into the trousers, with the following:

(1) SPD badge embroidered and centered above left breast pocket.

(2) Officer's name embroidered and centered on the right breast.

(a) The bottom of the name should be even with the bottom of the badge.

(b) The name shall be sewn in gold thread with one-inch (1") high letters. The same as the Class C- winter shirt.

(3) The word *"Police"* embroidered in gold thread, with one-inch (1") high letters on each sleeve, just above the hem.

(4) This shirt is not to be worn if faded beyond its original color. Any supervisor may determine that said garment is no longer serviceable.

4. Class C- Summer Uniform Shorts.

a. *Optional:* Navy blue cotton/polyester six-pocket shorts.

b. Not to be worn if faded beyond their original color. Any supervisor may determine that said garment is no longer serviceable.

5. Footwear - Lace-up, black boot having a plain round toe and leather lower portion. Same as the Class B- Winter Uniform.

6. Duty Belt

a. Regular duty belt & gear made of leather (or similar construction), or

b. *Optional*: system constructed of black ballistic nylon. *Leather and ballistic nylon may not be mixed*

7. Class C- Summer Uniform Jacket. *Optional*- A navy blue nylon pullover with SPD patches on the sleeves, and an embroidered SPD badge on the left breast.

C. Class C- CSU Uniform

1. The Class C- CSU Uniform is an *optional* and *restricted* uniform, which is authorized only for Crime Scene Unit personnel.

2. Class C- CSU Winter Uniform

   a. The Class C- CSU Winter Uniform is an *optional* and *restricted* uniform.

      (1) The CSU Lieutenant is permitted to wear this uniform only in unscheduled crime scene call-out situations.

      (2) The CSU Sergeant and Officer's may wear this uniform as a substitute for the Class B- Winter Uniform.

   b. Headgear- same as the Class C- SOT Uniform.

   c. Shirt- as directed by the Chief of Police.

      (1) Not to be worn if faded beyond its original color.

   d. Trousers- dark blue cotton/polyester 6 pocket pants, worn over the footwear.

      (1) Not to be worn if faded beyond their original color.

   e. Footwear- Same as the Class B- Winter Uniform.

   f. Duty Belt- Same as the Class C- Summer Uniform

   g. Jacket- Same as the Class B- Winter Uniform.

3. Class C- CSU Summer Uniform

   a. The Class C- CSU Summer Uniform is an *optional* and *restricted* uniform.

      (1) The CSU Lieutenant is permitted to wear this uniform only in unscheduled crime scene call-out situations.

(2) The CSU Sergeant and Officer's may wear this uniform as a substitute for the Class B- Summer Uniform.

b. Headgear- same as the Class C- SOT Uniform.

c. Shirt- same as the Class C- Summer Uniform

d. Trousers- dark blue cotton/polyester 6 pocket pants, worn over the footwear.

(1) Not to be worn if faded beyond their original color.

e. Footwear- Same as the Class B- Winter Uniform.

f. Duty Belt- Same as the Class C- Summer Uniform

g. Jacket- Same as the Class C- Summer Uniform.

D. Class B- Winter Uniform

1. *The Class B- Uniform shall be the standard uniform of the day for all uniformed personnel, unless otherwise directed by a supervisor.*

2. Headgear

a. Dark navy blue cloth '*Round Top'* style service hat with plain black winter headband, black strap with gold buttons and the following additional features:

(1) Hat badge.

(2) Sergeants and above shall wear a gold cap strap with gold buttons, over the bill of the hat.

(3) The Chief of Police, Captains, and Lieutenants shall wear a white vinyl hat of similar style.

(4) The Chief of Police and Police Captains shall wear a gold oak leaf cluster on the bill of their hat.

(5) A blue pile cap (mouton) with pull down flap and hat badge attached to the front may be worn during inclement weather only.

b. A black watch cap is *optional* during inclement weather only.

c. The uniform hat shall be worn when directing traffic, securing the scene of a major crime, standing a parade post, or anytime a member of the media is present.

3. Shirt- Dark navy long-sleeve shirt with the following:

a. The uniform shirt may be worn buttoned at the collar, with a tie. The tie shall be of a navy blue clip-on, or Velcro design. The tie is optional except for court appearances, dress occasions (see Class A uniforms), funeral escorts, or when specifically directed by the Chief of Police and/or his designee.

(1) A plain gold tie bar may be worn.

(2) A gold tie bar with the state seal may also be worn.

b. The uniform shirt may be worn with an *optional* black turtleneck shirt or black mock turtleneck shirt showing behind the open collar when the weather is below 32 degrees Fahrenheit.

c. The badge of office is worn centered over the left pocket

d. Brass nametag - Worn with the bottom edge even with the top edge of the right breast pocket and centered.

e. Shoulder patches - A department shoulder patch shall be worn on both sleeves. Each patch shall be sewn on 1/2" below the shoulder seam.

f. Rank insignia.

(1) Sergeant's chevrons shall be worn on both sleeves with the tented peak of the chevron 1/2" below the shoulder patch and centered.

(2) Lieutenant and above- navy blue cloth shoulder boards with gold insignia, attached to epaulets on both shoulders.

(a) Lieutenant- gold single bar.

(b) Captain- gold double bar.

(c) Chief - gold eagle.

(3) Lieutenant and above- *optional* metal rank insignia worn centered on the "X" thread lines of the shoulder epaulets of both shoulders.

(a) Lieutenant- gold single bar.

(b) Captain- gold double bar.

(c) Chief - gold eagle.

g. Service stars

(1) Worn centered, ½" above the nameplate.

(2) One star for each five (5) complete years of service.

h. Departmental award ribbons may be worn as directed by the awards committee.

i. Unit Pins- Unit pins identify individual officer's special abilities and/or assignments within the organization.

(1) Unit pins are an ***optional*** uniform item that must be authorized by the Chief of Police.

(2) No more than one (1) unit pin shall be worn on the uniform, at any one time.

(3) Unit pins will be worn centered above the nameplate and below any commendation bars or service stars.

(2) Unit pins, unless designating a unit affiliated with a larger organization outside SPD (such as DARE or the National Law Enforcement Officers Memorial (NLEOM)) will be consistent in design, size, color and shape.

(3) Current approved Unit pins, are as follows-

a) DARE Officer pin; as issued during training.

b) Field Training Officer
i. Worn by current F.T.O.'s, as designated by the Chief of Police.
ii. Blackinton Model A6136Q- Navy Blue and Gold
iii. Authorized only for departmentally recognized FTO's.

c) NLEOM Uniform Citation Bar
i. Official product of the NLEOMF; identified at the following web address-

http://www.nleomf.com/html/products/4220.html

ii. Measures 1 7/8" x 1/2".

iii. Authorized for all officers.

d) NLEOM Honor Guard Citation Bar

i. Official product of the NLEOMF; identified at the following web address- http://www.nleomf.org/html/products/4221.htm

ii. Measures 1 7/8" x 1/2".

iii. Authorized for wear only on the dress blouse, by officers regularly assigned to Honor Guard details.

e) Crisis Intervention Team pin; as issued during training.

f) SOT Unit Pin- worn by current SOT officers, as assigned by the Chief of Police.

i. Operator- 0-5 years of SOT service. http://shop.centermassinc.com/SWAT-Operator-Pin-PN-Operator.htm

ii. Senior Operator- 6-10 years of SOT service. http://shop.centermassinc.com/Senior-SWAT-Operator-Pin-PN-OperatorS.htm

iii. Master Operator- 10+ years of SOT service. http://shop.centermassinc.com/Master-SWAT-Operator-Pin-PIN-MASTER-OPR.htm

iv. Must be polished gold finish and purchased from Center Mass Inc., as outlined above.

v. Worn centered above the service stars on the Class B or Class A uniform.

g) Negotiator pin. Unit Pin- worn by current negotiators, as assigned by the Chief of Police.

Blackinton Negotiator Commendation Bar, ModelJ203-NE. Gold lettering with Blue background (Blackinton color DR 6-73, or similar.)

(4) Veteran's Ribbon Bar

a) This is an optional (at the members expense) ribbon that may be worn in parallel with other awards. It shall be placed in order of least significance, with regard to departmental and other recognized ribbons, in the CAB slide holder.

b) It may be worn only by active duty members of the military (as evidenced by a current military ID) or prior service members of the military, as evidenced by a DD-214, that specifically does not indicate the member received a dishonorable discharge.

c) Blackinton Ribbon Bar, in CAB slide holder, matching existing ribbon bars, as follows-

J206 AR- Army
J206 NAV- Navy
J206 MC- USMC
J206 AF- Air Force
J206 CG- Coast Guard

4. Trousers

a. Dark navy polyester or polyester & wool blend uniform trouser. Length shall allow the front of the trousers to touch the top front of the shoe and allow a slight break in the front crease.

b. *Optional: Fechheimer Flying Cross Trouser style 39900 (with side cargo pockets). This change is authorized to this specific uniform trouser only.*

5. Footwear

a. All leather, lace-up, black shoe with a rounded plain toe. (Similar to the Rocky, Model #911)

b. *Optional* lace-up, black boot. (Similar to Thorogood, Model #834-6322 or Rocky #911.) Nylon *'uppers'* are acceptable with this type of boot.

i. Socks will be solid black only. No other color is permitted.

6. Duty Belt

a. Finish shall be plain, black leather (or similar construction) with Velcro closures or hidden snaps. All optional leather equipment shall match the leather belt style used by the officer. The following duty belts have been approved by the Chief of Police, for duty wear:

(1) Safariland Model 942- Plain, Black.

(2) Safariland Model 942, Contour- Plain, Black.

(3) Bianchi Ergo Tech Accu-mold Elite 7955- Plain, Black.

(4) Desantis style B35 NYPD equipment belt- Plain, Black

(5) Blackhawk Serpa Level 2, or 3- Plain, Black. (8-14-08)

b. Belt system shall consist of under belt, top belt (with four rows of stitching), holster, ammunition case, single handcuff case, OC spray carrier, portable radio holder, baton holder and at least one keeper holding the exposed end of the top belt in place. All accessories <u>must</u> match the belt worn.

c. The following optional accessories may be worn:

(1) Flashlight holder

(2) Rubber glove pouch.

(3) Knife case.

(4) Additional Handcuff Case(s):

(a) A second handcuff case of matching design may be worn, or

(b) A double handcuff case of matching design may be worn, or

(c) A handcuff strap, with a black snap, may be worn.

(6) Personal pagers, of conventional design and color. No personal pagers will be worn on the epaulets.

7. Jackets, etc.

a. Navy blue nylon jacket with gore-tex liner and a zip-out insulating liner.

(1) The badge of office is worn centered over left pocket.

(2) Shoulder Patches: same as the Class B- Uniform shirt.

(3) Rank Insignia: same as the Class B- Uniform shirt.

(4) Service stars: *(Optional, on jackets only.)* Same as the Class B- Uniform shirt.

(5) Brass nametag - Worn with the bottom edge even with the top edge of the right winter jacket pocket and centered.

b. Sweater: *Optional.* Black 100% wool, V-neck. Woolly-Pully sweater. Shoulder patches, rank insignia, nameplate, and badge patch shall be affixed as described above.

c. Windbreaker: *Optional.* Navy Blue 100% nylon 'chill chaser' with same badge, patches, insignia and services stars as above.

d. Black Leather Jacket: *Optional. "Taylor's Leather Chicago #4450,"* jacket.

(1) Badge and patches are worn the same as described for the nylon jacket.

(2) Sergeants may elect to substitute large gold metal chevrons, in place of the cloth ones. These must be worn on each collar.

(3) The nameplate shall be worn in the provided holder, above the right pocket.

8. Issued Items

a. On occasion the department has been forced to issue accessories that do not match the issued duty belt. Anytime this occurs, officers are permitted to wear the non-matching issued item.

b. The department will make every effort to issue only items that match the duty belt in order to maintain uniformity.

c. In the event that an officer must replace a non-matching item they shall make every effort to match the new item, to their issued duty gear.

E. Class B- Summer Uniform

1. *The Class B- Summer Uniform shall be the standard uniform of the day for all uniformed personnel, unless otherwise directed by a supervisor.*

2. Headgear

   a. As described for Class B- Winter Uniform, with the black winter hatband removed.

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   b. The uniform hat shall be worn when directing traffic, securing the scene of a major crime, standing a parade post, or anytime a member of the media is present.

3. Shirt- Open collar dark navy short-sleeve shirt with the following:

   a. The uniform shirt shall be worn with a black or white, crew neck T-shirt showing behind the open collar.

   b. The T-shirt sleeves shall not be visible below the sleeves of the uniform shirt.

   c. The badge of office is worn centered over left pocket.

   d. Name tag: same as the Class B- Winter Uniform.

   e. Shoulder patches: same as the Class B-Winter Uniform

4. Trousers: same as the Class B- Winter Uniform.

5. Footwear: same as the Class B- Winter Uniform.

6. Duty Belt: same as the Class B- Winter Uniform.

7. Jacket; same as the Class B- Winter Uniform.

8. Rain jacket

   a. Black on one side, fluorescent orange on the reverse.

   b. The badge of office is to be worn in the provided holder.

F. Class A- *Optional* Dress Uniform

1. The Class A- Uniform may be worn for special functions as, directed by the Chief or his designee.

2. Headgear

   a. As described for Class B- Winter Uniform.

   b. Use is *mandatory* when outdoors.

3. Shirt

   a. White, long sleeved.

   b. *Optional:* SPD patches may be sewn on the shirt the same as the Class B- Winter Uniform.

4. Blouse- Navy Blue single breasted with SPD patches on both sleeves, and gold 'Police' buttons.

   a. The design should allow for the duty weapon to be worn in a waist holster, under the blouse.

   c. Officers may also choose to wear the Class A- Uniform with a *'Sam Brown'* belt.

   c. The issued badge of office should be worn centered over the left pocket.

   d. Name tag: same as the Class B- Winter Uniform.

   e. Shoulder patches: same as the Class B- Winter Uniform.

   f. Rank Insignia

      (1) Sergeants wear small gold chevrons on both sides of the shirt collar, and large gold chevrons on the 'X' threads of each epaulet.

      (2) Lieutenants and above wear rank insignia the same as the Class B- Winter Uniform.

   g. Braid

      (1) Sergeants wear a single black braid on each sleeve. The braid should be six inches (6") from the bottom of the cuff.

      (2) Lieutenants wear a single row of one-half inch (½") wide gold braid, as above.

      (3) Captains wear two (2) rows of one-half inch (½") wide gold braid, spaced one-half inch (½") apart, as above.

(4) The Chief wears four (4) rows of one-half inch (½") wide gold braid, spaced one-half (½") inch apart, as above.

h. Service stars: same as the Class B- Winter Uniform.

i. Departmental award ribbons may be worn as directed by the awards policy.

j. Tie - The uniform tie shall be of a navy blue clip-on, or Velcro design.

k. Trousers: same as the Class B- Winter Uniform.

l. Footwear: same as the Class B- Winter Uniform.

G. Specifications

1. The office of the Chief shall maintain a current list of specifications, for each piece of equipment.

2. These specifications are available to any officer, on request.

3. Changes to the specifications can only be made at the direction of the Chief.

4. In the event that changes are made, and previously approved items are removed from the list, officers who are using the obsolete items may continue to do so.

   a. When the obsolete item is in need of replacement, it shall be replaced under the new specification.

   d. The city may elect to replace the obsolete item, at their expense. If this is done, the obsolete item can no longer be used

5. Specifications

   a. Duty holster

      i. Issued Equipment
         - Safariland Duty Holster plain black leather finish
         - Catalog numbers-
            a. Right hand- Model 6280-77-61
            b. Left hand- Model 6280-77-62

         - Safariland Duty Holster, plain black finish
         - Model numbers-
            a. 6360 ALS/SLS
            b. 7360 7TS ALS/SLS

ii. Approved for optional use-
   - Blackhawk Serpa Duty Holster plain black polycarbonate finish.
   - Catalog numbers-
     a. Right hand- #44H006BK-R
     b. Left hand- #44H006BK-L

iii. Holsters for Sig Saur P226R
   - Officers who chose to receive a Sig-Sauer P226R railed pistol are required to use a holster specifically designed to accommodate the pistol's rails. Use of a holster not specifically designed to accept the rails of the pistol is not permitted due to the safety issues involved.
   - Any of the approved holsters listed above, that are specifically designed to accept the P226R, are permitted for duty use.
   - Officers may also choose to wear an approved holster that allows for a weapon light to be installed on the pistol at all times.
   - Approved holsters for duty wear with a light installed, and approved lights are:
     a. Holster- Safariland 6280, 6360, or 6390 in Safarilaminate finish or plain black STX finish.
        Approved lights for these holster options include- Surefire X300 and Streamlight TLR-1 XL.
     b. Holster- Blackhawk Serpa Level 3 Light Bearing Auto-Lock Duty Holster for Sig P226R in plain black finish. The only light that will fit this holster is the Blackhawk Night-Ops Xiphos NTX Weapon Mounted Light.
     c. Holster- Ted Blocker SW400L/402L Duty Holster, Plain Black Leather Finish, with or without swivel. Accepts Surefire X300 series and Streamlight TLR Series lights.

b. Monadnock Auto lock 22" Expandable Baton Holder;

i. Issued Equipment
   - Monadnock Front Draw Swivel Holder; polycarbonate- catalog number 3030. (Galls catalog # BA128)

ii. Approved for optional use-
   - Safariland Model 35 Baton Holder; plain black leather finish- catalog number 35

(Galls catalog #LP244)

c. Taser X26 Holster
   i. Issued Equipment
      - Taser International X26 Holster polycarbonate- comes with the device.

   ii. Approved for optional use-
      - Safariland Model 519 X26 Holster; plain black leather finish
      - Catalog numbers
         - Right hand- 519-64-61-225
         - Left hand- 519-64-62-225

   iii. Approved for optional use
      - Blackhawk Taser X-26 SERPA Duty Holster plain black polycarbonate finish.
      - Catalog numbers
         - Right hand- #44H015PL-R
         - Left hand- #44H015PL-R

   iv. When replacing the Taser holster, officers should match the new holster to their pistol holster. That is, if you are using a Safariland leather laminate pistol holster than you should use a Safariland leather laminate Taser holster, etc.

d. Vest Carrier

   i. Elbeco Classic V1 TexTrop Style: V1314

      - This external vest carrier is designed to be worn over the approved class B uniform shirt.
      - If uniform personnel choose this option, the rules regarding the badge, nameplate, etc., also apply to the vest carrier.
      - Personnel will not be required to wear insignias under the vest carrier.
      - If the vest carrier is removed in view of the public while on-duty, badge, nameplate, insignia rules will then apply to the uniform shirt.

   ii. Elbeco VSS1 Suspension System

      - This suspension system is designed specifically to fit in the Elbeco external vest carrier.
      - The suspension system will be concealed and only worn under the external vest carrier as approved.

IV. Mourning Band Protocol

A. Mourning bands are approved to be worn by Springfield Police Officers as follows:

1. Upon the line of duty death of an active law enforcement officer (LEO) in our agency. The mourning band should be worn for a period of thirty days from the date of death.

2. By all LEO in uniform or in civilian clothing while displaying a badge when attending the funeral of an active LEO. Upon the completion of the funeral, the mourning band shall be removed.

3. Upon the line of duty death of a LEO from a neighboring jurisdiction. The mourning band will be worn from the date of death and removed at the conclusion of the day of burial.

4. National Peace Officers Memorial Day (May 15th).

5. Clark County, Ohio's Law Day.

6. At the direction of the chief of police, when special circumstances dictate that a department display of official mourning is appropriate.

B. Mourning Bands must be worn horizontally, across the state seal, on the Springfield Police Division badge.

C. Mourning bands are preferred to be black and no thicker than one (1) inch. Black with a navy blue line in the middle is also acceptable.

V. Previous Orders, Amendments, and Effective Date

A. With the issuance of this ORDER all previous versions of General Order 33, including amendments, are void.

B. Issued August 12, 2003.

C. Amended 8-12-2005.

D. Amended 7-19-2006.

E. Amended 9-20-2007.

F. Amended 8-14-2008.

G. Amended 8-19-2008.

H. Amended 3-24-2009.

I. Amended 3/4/2010.

J. Amended 9/15/2010

K. Amended 10/15/2013

L. Amended 9/11/2014

M. Amended 2/16/2015

N. Amended 5/11/2016

O. Amended 6/7/2016

P. Amended 2/9/2017

Q. Amended 3/28/2018

R. Amended 10/10/18; effective date 11/11/18.

S. Amended 9/25/2019.

T. Amended 3/6/2020

Springfield Police Division

General Order

Number: 34
Subject: Proper Appearance
Revised: September 20th, 1990

Proper Appearance

The purpose of this Order is to establish uniform standards of appearance for all members of the Springfield Police Division

I. Objective of Order

A. In any organization, the entire organization will many times be judged on the actions and appearances of just one of its members. For this reason, it is very important that every member of the Police Division provide a good business-like appearance when representing the City of Springfield and the Springfield Police Division.

II. Responsibility

A. It is the responsibility of all Command Officers and other supervisors to see that all members of the Division maintain a neat clean, *business-like* appearance at all times.

B. Uniformed members of the Police Division have a special responsibility to provide a neat appearance because they are so readily recognizable as member of the Police Division. Al officer and uniformed civilians are required to wear regulation approved garments and equipment. They shall keep their shoes and all leather gear polished, uniform clean and pressed, shirt sleeves and collar buttoned, badge polished and over left breast, belt and holster properly placed, head-dress properly on, and jacket properly buttoned or zipped.

III. Personal Appearance

A. Officer on duty shall wear uniforms or other clothing in accordance with established departmental directives.

B. Except when acting under proper and specific orders from a superior officer, officers on duty shall maintain a neat, well-groomed, business-like and "military" appearance and shall otherwise keep their hair, including facial hair, in full compliance with this order.

1. Male Officers

a. Hair must be clean, neat and combed. 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. The bulk or length of the hair shall not interfere with the normal wearing of any standard headgear. The hair may

not extend over, cover, or appear to cover in any way any portion of the hearing channel of the ear.

b. Wigs or hairpieces are permitted if they conform to the standards for natural hair. Hair may be colored or dyed provided the shade attained looks reasonably natural and does not bring particular attention to the hair.

c. Sideburns shall be neatly trimmed and rectangular in shape. Sideburns shall not be bushy and shall not extend below the lower horizontal line of the ear.

d. Officers shall be clean-shaven except they may have mustaches, which do not extend below the lower lip line. Mustaches must be well trimmed and shall not be bushy or unkempt. Exaggerated styles such as handlebar or curled are prohibited.

2. Female Officers

a. Hair must be clean, neat and combed. 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. The bulk or length of the hair shall not interfere with the normal wearing of any standard headgear and shall not present clear dangers to officer safety (such as 'pony tails').

b. Wigs or hairpieces are permitted if they conform to the standards for natural hair. Hair may be colored or dyed provided the shade attained looks reasonably natural and does not bring particular attention to the hair.

3. The decision of the Chief as regards neatness. Appropriate bulk or style of hair is solely his and is final. Failure to take and maintain remedial action following such a determination is a violation of this order as well as general misconduct and/or insubordination.

IV. Non-Uniformed Officers

A. Non-uniformed officers assigned to Investigation or other assignments within the Division shall wear their hair, clothing and jewelry in accordance with the policy for officers in uniform and individual plain-clothes assignments as directed by the Investigation Captain, with the approval of the Chief of the Police Division.

V. Civilian Employees

A. All members of the Division other than sworn personnel must wear their hair, facial hair, clothing and jewelry or cosmetics in accordance with a conservative and businesslike appearance. Beards are not permitted.

B. Certain types of hair styles, clothing, or other appearance which might be appropriate to other divisions or departments of the City may not be appropriate to some police assignments, and the decisions of immediate supervisors, with the approval of the Chief, shall be final.

VI. Jewelry

A. Uniformed members of the Police Division are not permitted to wear decorative jewelry while on duty and/or in uniform. (Exceptions *may be* wristwatches, wedding rings, religious medallions, class rings, or other rings regularly worn by the members when not on duty.) Such jewelry items shall never be attached to or worn over or on any uniform item or police equipment.

B. Female uniformed members who have pierced ears are permitted to wear plain post-type earrings, with no dangling or extremely decorative parts. Make-up, if any, shall be conservative and kept to a reasonable minimum.

C. Personal jewelry or medallions or insignia other than 'conservative' rings and so forth shall not be visible when a member is on duty.

D. Only specifically authorized items shall be worn on the uniform by members while on duty and in uniform.

VII. Permission to Deviate from Policy

A. The Chief may give permission to deviate from this Order if, in his opinion, it is in the best interest of the Division to do so.

Commentary: Departments may require their employees to be neat, presentable, and well groomed. This extends to keeping the uniform clean and pressed, shoes shined, hair properly cut, and so on. The most frequent problem to arise in this area involves grooming standards. For example, as fashions change in the larger society, police department hairstyle standards often lag behind. Frequent conflicts arise because officers wish to adopt the grooming styles of the larger society of which they are a part. They view their police officer role as only one limited aspect of their personal identity, and do not wish to limit their lives.

On the other hand, the Department may have sound reasons for establishing somewhat restrictive standards, including the desire for uniformity of appearance, considerations of safety and equipment usage, avoidance of 'campaigning' or representing certain personal causes or beliefs while on duty, local community standards or others.

The order for some uniformity of appearance, avoidance of display representing personal publicity, causes of beliefs, and the relationships between hairstyles and the job of a police officer has taken both sets of needs into consideration.

#35

GENERAL ORDER

SPRINGFIELD POLICE SERVICES DELIVERY SYSTEM

CONTENTS

1. Goals and Objectives
2. Overall Functions of Command Officers
3. Authorized Police Responses to Requests for Services
4. Directed Patrol Concepts and Duties
5. Directed Patrol Procedures
6. Analysis and Approval of Directed or Special Patrol Assignments
7. Summary of DPR
8. Evaluation of DPR
9. Appendixes

PURPOSES

This directive establishes an entirely new and comprehensive system of managing police services in the City of Springfield, Ohio.

The primary purpose of the Springfield Police Services Delivery System is to manage all police services to the community only through one comprehensive, rational, and mandatory system specifically authorized and administered by the Chief of Police. The authority and responsibility of subordinate supervisors for the management of dispatches and all othe police services is set forth by this Directive. No further authority or responsibility has been delegated by the Chief.

The Chief of Police is the administrator of the Differential Police Responses Program and only the Chief may authorize any modification or re-interpretation of this program. All such directives shall be established through written notice to all sworn personnel. All members of

the Division are required to pay particular attention to the stated and otherwise obvious intents of this directive as well as the use of words such as shall, should, may, must and will. All portions of the Appendix and all dispatch orders are part of the comprehensive order and remain as amended, vital to proper compliance and achievement of goals and objectives.

To the extent this order clearly and specifically contradicts, modifies or amends all previous police policies, rules, procedures or practices such previous requirements or authorizations are hereby repealed.

This police services system seeks to continue to provide all services previously provided to the community but only in the most rational, consistent, efficient and effective manner which can be devised and conducted with the available resources. Most of the major policies of our system are based upon a management system usually known as Differential Police Response (DPR).

DPR is a system of matching well analyzed calls for service to the best feasible police responses. One of the most important principles of DPR is careful and consistent analysis of calls for service so as to accurately and consistently apply sworn personnel hours only to those calls, tasks or functions which both require and best utilize police officer skills.

DPR also establishes a mandatory system of authorized directed patrol assignments as an effective and efficient alternative to random or routine patrol. Directed patrol manages officer field time not otherwise committed to authorized calls for service responses with the goal of managing, reducing, or eliminating demonstratable problems or complaints in specific areas or locations.

This directive also establishes a mandatory system of alternative responses so such sworn personnel hours as can be made available can be most productively committed to the managed calls for service and the directed patrol program.

[See also: Appendix 1]

I. GOALS AND OBJECTIVES

A. General Goals:

1. Increase effectiveness of management of available police personnel hours in all police units.

a. Increase efficiency of management of Patrol calls for service.

b. Increase efficiency and effectiveness of "patrol" hours available for Directed Patrol.

2. Maintain or improve citizen satisfaction with uniformed police services.

3. Maintain or improve police personnel satisfaction management of workload, working conditions relevant assignments, call-intake and dispatch functions and participation in directed patrol assignments.

B. Specific Objectives:

1. Dispatch 70% of all calls for service eligible for officer dispatch within 60 minutes of the time the call was received. (During the twelve (12) calendar months following the implementation of this Directive.)

2. During the twelve (12) calendar months following the effective date of this Directive, conduct a minimum of 3,700 officer hours of directed patrol assignments.

3. Increase the number of telephone reports per twelve (12) months period by five per cent (5%).

4. Handle 50% of all initial noise, firecracker or similar complaints solely by telephone response (during the twelve (12) months from the date of Directive).

5. Increase citizen satisfaction with police services and alternative responses by five per cent (5%) as compared to the surveys of 1987.

6. Increase officer satisfaction with police services delivery working conditions by five per cent (5%as compared to the surveys of 1987.

II. OVERALL FUNCTIONS OF POLICE COMMAND OFFICERS

A. Uniform Patrol:

1. The Captain in charge of Uniform Patrol service is responsible for the overall compliance with the DPR Directive and timely analysis of reports regarding directed patrol assignments.

2. The various shift or unit supervisors are responsible for compliance with directives, directed patrol assignments, effective coordination with the counterparts within Uniform Patrol and with Investigation and Services Sub-Divisions.

B. Investigation:

1. The Captain in charge of Investigation Services is responsible for overall compliance with directives, analysis and timely reports of all Investigation special "directed patrol" assignments and of coordinated activities related to DPR.

2. The various Investigation Supervisors are responsible for compliance with directives, directed or "special" patrol assignments, and effective coordination with their counterparts within Investigation and the Patrol Sub-Division as regards directed patrol assignments.

C. Technical Services:

1. The Captain in charge of Technical Services is responsible for compliance with all directives and timely analysis of reports regarding call-intake/dispatch and alternative responses assigned to Services.

2. The Communications Supervisor is responsible for compliance with all directives and analysis of reports regarding call-intake/dispatch and alternative responses assigned to Services.

D. All Police Command Officers:

1. It is recognized that no written directive can be so complete and well written as to prevent the need for reasonable interpretation of orders in a particular situation. The prohibition against "interpretation" refers to matters greater than a single dispatch, priority or response or more than a specific question, concerning how to conduct a single, specific activity, or task.

a. One intent of the prohibition on "interpretation" of a DPR response, requirements or principle is to prevent any one shift or unit from repeatedly or continually offering or conducting different types of responses than the others. The other primary intent is to be clear no one has

authority to change any orders regarding any portion of this or related orders--including Dispatch Orders--without consultation through the chain of command to the Chief.

b. In a specific situation, when the proper, authorized response, service or conduct is not clear, the Supervisor must make a decision which is consistent with this Directive in its entirety. If the situation or question appears with any regularity, the matter must be reported through the chain of command, so a final decision can be made.

III. AUTHORIZED POLICE RESPONSES TO REQUESTS FOR POLICE SERVICES

A. All responses to requests for police services must be as stipulated by this directive and as consistent as practicable.

1. Police Officers shall be dispatched only to those calls when proper call intake indicates it is likely the presence of an officer can change the outcome of the event.

2. The exception to this requirement is when conditions which reasonably require use of the "Saturation Procedure" exist.

B. The Springfield Differential Police Response System consists of seven (7) types of authorized responses and a "Saturation Procedure".

1. Immediate Mobile (Including "Emergency Responses")
2. Delayed Mobile
3. Telephone Report Unit
4. Police Officer Telephone Response
5. Walk-in Reports
6. Appointments to see a specific officer at a later time
7. Referral to other agencies

[See also: Appendix 2
See also: Appendix 3
See also: Appendix 4]

C. Dispatch Priorities:

1. Emergency Response
2. Immediate Mobile Response
3. Delayed Mobile Response

[See also: Appendix 2 and Appendix 5]

D. Call Intake and Dispatch

1. All available and pertinent information should be sought by the Communications Operator conducting call-intake. **[See: Appendix 5]**

2. All pertinent information must be dispatched to the responding officer(s). **[See: Appendix 5]**

3. The prior ten-code system is hereby abolished. Except as permitted by this directive, only plain brief English will be used for all dispatched and other radio communications. **[See: Appendix 6]**

4. When members not in the Communications Center and trained to properly use all call-intake equipment and procedures determine an authorized dispatch should be made, the caller should always be transferred to an operator for complete call-intake procedures prior to dispatch. If and when this is not possible only complete and proper information (as required by dispatch procedures) shall be referred to the operators by the person receiving the call.

E. Dispatch (Unit Selection) Procedure:

1. When emergency call responses are dispatched they shall be (1) dispatched to the crew (unit) assigned to the district; (2) if that unit does not immediately respond, then to "any car in the area, 10-33"; (3) such additional units reasonably required by policy, authorized practice or training.

2. Immediate mobile responses, other than traffic crashes, shall be dispatched to (1) the responsible district crew, (2) if that unit is not reasonably available, to the adjoining district crew closest to the location to be dispatched, when feasible, the closest district crew should be dispatched to the more "urgent" immediate calls, (3) a traffic car closest to the location, (4) a Special

Enforcement [7] Car closest to the location, (5) an Patrol Supervisor closest to the location (6) a Investigation Unit closest to the location [7] any other unit which can respond by motor vehicle or a walk not exceeding one block.

While not the preferred method of dispatch, "any unit in the area" may be appropriate, especially if more than two or three attempts to dispatch have been conducted.

3. Delayed Mobile Responses, other than traffic crashes, shall be dispatched to (1) the district crew, (2) an adjoining district crew, (3) another district crew, (4) a traffic car, special enforcement assignment ("7") car.

4. Non-injury traffic crashes shall be dispatched as follows: (1) If then available, a one officer special enforcement unit; (2) any then available traffic unit; (3) If one officer, the district unit; (4) one officer adjoining district unit; (5) a two officer unit assigned to that district; (6) any other district or special enforcement unit.

5. Injury traffic crashes and FSAA crashes shall be dispatched as follows: (1) Traffic investigation unit (formerly "Car 10"); (2) Any available traffic unit ("8" Car); (3) Special enforcement assignment unit ("7" Car); (4) a one officer district unit; (5) a one officer adjoining district unit; (6) a two officer district unit; (7) any other district unit.

6. The Communications Operator then primarily responsible for dispatching of officers shall promptly notify the OIC of all dispatches pending or likely to pend more than 60 minutes. Normally, roll call or other routine business will be interrupted to respond to delayed mobile dispatches as nearly as practicable to the 60 minute delay limit. Immediate calls should be cause to interrupt roll call or other routine business.

   a. If a delay beyond 60 minutes is authorized or unavoidable, the person expecting an officer shall be notified by telephone by the Patrol Information Officer, or a telephone clerk, or the OIC, or a Communications Operator if the officer cannot make all of the necessary calls within a few minutes time.

7. Parking control complaints which do not involve blocking or obstructing of any street, alley, or driveway are not dispatched. The reporting party shall be transferred to the Patrol Information Officer who shall keep a list by sector of all routine parking control complaints.

   Such complaints shall be assigned to traffic units by the Traffic Unit Commander. To the extent possible, all such parking complaints shall be handled the next working day following receipt of the complaint.

8. Routine (B & E) alarms which do not include any additional information which reasonably leads us to believe it is not a false alarm should always be handled as a one officer (unit) preliminary response, back-up to be requested if the first officer unit finds reason to believe a B & E may have occurred. Robbery or "panic alarms" should cause a two officer response. No supervisor has authority to change these responses unless there is additional information which leads us to believe the alarm is not false.

9. Use of Communications Console Alert Tone/Radio Silence procedures:

   The radio alert tone shall be used as follows:

   a. prior to the dispatch of any call classified as an Emergency (EMcode);

   b. to announce (re-broadcast) all pursuits by vehicle or unusually dangerous foot pursuits;

   c. when any officer, especially a supervisor, requests and states a reasonable need for temporary radio silence;

   d. in the event an officer needs a back-up unit or (1) a minimum officer recommendation cannot be met (2) and the OIC cannot be promptly contacted for a decision who to send.

      Whenever, the radio alert tone is used, officers not directly involved in the situation will not initiate any transmissions during any such event unless they have another emergency or the event/silence extends for more than a few minutes.

Either the officer requesting the alert/silence or a supervisor shall clearly notify all units of the end of the emergency or other major event which justified the alert/silence. If such does not occur after several minutes, the Communication operator should ask them to clarify the continuing need, if any.

F. Authority of the OIC to cancel previously accepted dispatches is as follows:

In addition to the authority of this directive to correct obvious errors in call classification, the OIC may personally re-screen calls whenever (1) an "immediate" call is necessarily held more than 20 minutes, or (2) a delayed called is necessarily held more than 60 minutes.

Upon speaking with the RP and determining the original reason/suspect for the dispatch is gone, the OIC may cancel the dispatch and provide any authorized alternatives which may be appropriate.

G. Authority of the OIC to "speed-up" call responses:

1. When it is obvious a district crew will be busy on another call to such an extent that waiting "delayed" calls cannot be answered within 60 minutes, the OIC may use either one or two other district units to answer those calls prior to the expiration of the 60 minute limit.

2. The OIC is <u>strongly</u> <u>cautioned</u> that this alternative directly contradicts our normal policy of holding such calls <u>so</u> <u>that</u> <u>the</u> <u>adjoining</u> <u>district</u> <u>crew</u> has up to 60 minutes to perform routine patrol duties in their assigned district; however, as long as this alternative is not used so aggressively as to frequently prevent district crews from being allowed the up to 60 minutes of patrol time in their assigned district before being dispatched into another district on a delayed call, the OIC may exercise the option to "speed-up" delayed calls.

H. Saturation Procedure:

1. The Saturation Procedure shall be implemented whenever the OIC determines there are two times (2X) the number of dispatches pending for district cars as there are district cars assigned on that

shift or whenever severe weather and numerous reports of traffic crashes make it appropriate to limit police responses to less than normal policy or procedure.

2. The Saturation Procedure shall be as follows:

   a. Priority 4 dispatches shall be terminated. And if there is a call-back number, the person expecting the dispatch shall be notified by telephone of the action and offered a telephone report. Such calls should always be made by the OIC or the Patrol Information Officer.

   b. Procedures authorized by this or other directives shall be used, at the discretion of the OIC, to limit police responses to all non-injury traffic crashes.

   c. Priority 3 dispatches recorded after determination of "saturation" and before the end of the situation shall result in a declared maximum dispatch time of 90 minutes.

   d. The OIC shall properly exercise the perogatives of call-in, hold-over and contact of superior authority to authorize greater numbers of officers assigned to call-in or other overtime work.

   e. If the preceding measures fail to allow a determination of an end to the "saturation" within a reasonable period of time, or if the 90 minute delay cannot be met at least 90% of the time, Priority 3 dispatches will be selectively terminated and the person expecting the dispatch shall be notified by telephone and offered other options by an officer, supervisor or the OIC.

   f. The OIC or succeeding shift supervision has the duty to monitor dispatch delays and declare an end to the Saturation Procedure when practicable.

IV. DIRECTED PATROL CONCEPTS AND DUTIES

A. A brief and accurate definition of directed patrol is that it is a pre-planned, crime and location specific activity which replaces an equal amount of routine patrol.

B. While the Chief and the Captains must provide overall direction, coordination and control of directed patrol, the shift or unit commanders are normally responsible for ultimate approval, monitoring and the productivity of directed patrol assignments.

C. All sworn personnel assigned to a shift or unit are responsible for identifying and conducting directed patrol assignments.

1. All Police Officers (Patrol officers) are responsible for identifying and reporting problems or complaints within their districts or beats.

2. Sergeants are the directed patrol supervisors who are responsible for timely and productive directed patrol assignments.

a. Seek, receive and evaluate recommendations from officers (patrol officers).

b. Identify and recommend their own ideas for directed patrol assignments.

c. Properly fill out, update and distribute directed patrol assignment forms.

3. Lieutenants: Shift or Unit Commanders are directed patrol managers who monitor assignments; track progress; update; analyze and report to higher authority regarding directed patrol.

V. DIRECTED PATROL PROCEDURES AND OTHER REQUIREMENTS

A. All uniform officers assigned to district patrol shall be assigned (under reasonably normal circumstances) to one district for 28 consecutive days (one "change").

1. Whenever possible, at least one of the officers assigned to each district shall work in that district each day.

B. Each district crew shall be given a directed patrol assignment of at least 30 minutes duration on each day; it is not extremely unlikely such assignments cannot be conducted.

1. In the absence of another assignment being approved, the district crew <u>shall</u> either (a) work a fixed post or very small area traffic assignment for violations likely to be prevalent there; <u>or</u>,

(b) walk a foot beat for the purpose of meeting people in a small area in a non-problem and non-confrontational setting.

2. Such routine foot patrol assignments shall be conducted in a relatively small area and shall consist of meeting people at or in their residences, in business places or in public or private schools.

3. Officers meeting people in such places and situations should introduce themselves by name and courteously request and record the names of the other persons on their daily "run" sheet.

C. All directed patrol or special assignments in any unit of the Division shall be properly reduced to writing and completely conveyed to Communications at least 15 minutes prior to the authorized time. (Authorized exceptions are clear emergencies, in which case sufficient verbal notice to Communications at the very start of the assignment is allowed as long as they are promptly reduced to proper written form.

D. All authorized directed patrol forms shall be properly completed and filed by the appropriate supervisors.

E. The Lieutenant, or shift or unit commander shall promptly submit a monthly synopsis and analysis of progress and future needs of directed patrol assignments to the appropriate Captain.

F. Captains shall promptly review and forward those memos to the office of the Chief.

G. The Shift Commanders should always promptly and properly notify other commanders and, especially the Investigation Commander, of all directed patrol assignments which might relate to a special assignment of detectives.

1. Such notices shall occur as soon as assignments are determined when they involve repeated criminal incident reports, serial offenses, vice or drug offenses or other important matters.

2. Such notifications are "two directional" and the Investigation Commander shall notify all appropriate Patrol Commanders of all special assignments he authorizes with the exception of controlled substance surveillances or "buys", investigations of members of the Division or similar matters.

3. Joint or cooperative directed patrol assignments may be requested by any shift or unit commanders of any Sub-Division or Unit but the appropriate Captain should be consulted prior to any such assignments and shall be notified as soon as practicable.

VI. ANALYSIS AND APPROVAL OF DIRECTED PATROL ASSIGNMENTS

A. Development and approval of all directed patrol assignments (and Investigation Special Assignments) must consider factors such as:

1. Which problems or offenses are to be addressed?
2. How offenses are committed?
3. Who are the victims?
4. When and where?
5. Who are the suspects?
6. What are the available resources?

B. Prior to approval, all directed patrol assignments must include:

1. Specific resources, especially who is assigned.
2. Specific and <u>measurable</u> objectives.
3. Specific method(s).
4. Specific conduct or results which are acceptable to determine the assignment was properly conducted.
5. Beginning date/time and ending date/time (and clear designation as either short-term-one-day or less; or, middle-term two (2) to seven (7) days; or, long-term.)

VII. SUMMARY OF PATROL STRATEGIES

All of the changes in communications procedures would have some benefit to any patrol operation; however, there is not enough improvement unless the major purposes for the changes are fulfilled by the Uniform Patrol Sub-Division with the assistance of Investigation and Services.

A. Directed Patrol concepts should be taught and used to the maximum by Uniform Patrol.

Directed patrol may be initiated at the level of the district crew, provided it has clearly stated goals, specific tactics or methods, and measurable objectives so it can be approved (in advance) by supervision and properly evaluated by all levels of supervision and administration.

Directed patrol assignments must be clearly communicated to the Communications Center prior to the beginning time. Authorized Directed Patrol will not be interrupted for delayed mobile responses without the prior permission of the OIC.

Routine Patrol always constitutes "in-service" status and will always be interrupted for delayed mobile responses.

B. Directed Patrol means planned areas and methods of operation for a specific problem in a specific area. The "problems" must be those which can be established by numbers of calls, incident reports, traffic reports, etc., and shall include not only criminal and traffic offenses but continuing neighborhood troubles or common nuisance situations such as noise, dog, zoning, or health/sanitation problems.

C. All directed patrol assignments must receive the prior approval of the appropriate supervisor. In the absence of district crew proposals for directed patrol, it is a basic and mandatory function of the shift or sub-division commander and the unit supervisors to identify and develop directed patrol assignments. Again, all such assignments must have clearly stated (realistic) goals, clearly authorized and available methods and personnel resources and measurable objectives permitting later evaluations of success or failure.

D. All directed patrol assignments and "results" must be recorded in writing and maintained in the unit files for a reasonable period of time. Periodic reports to the Sub-Division Commander and the Chief of Police must be prompt, brief and clearly stated in the terms of goal, methods and personnel resources, specific objectives and actual, measurable results.

E. Since the delayed mobile response category intends to dispatch crews out-of-district only in a predictable and rational manner, patrol

strategies must include maximum officer knowledge of and responsiveness to problems and perceptions of problems in the assigned district. This strategy requires officers be assigned to only one district for specified periods of time to the greatest extent this is possible due to personnel resources on each shift.

F. Patrol strategies should include continuing efforts to get the officer(s) out of the car and walking areas in the district with the intent of being seen by and meeting the residents or occupants of areas in the district.

Such assignments may be approved as directed patrol provided the basic guidelines of goals, methods and measurable objectives are utilized.

G. It is imperative that Patrol Supervisors utilize all available directed patrol time immediately upon implementation of DPR. In the absence of actual criminal, traffic or nuisance complaints which can be used for directed patrol assignments, walking patrol or specific location traffic safety assignments must be utilized.

Each district crew should have some sort of specific directed patrol assignment on each day that it is likely they can be completed. Such days should become more and more frequent as DPR becomes established.

H. It is virtually certain that new district plans must be established in an effort to "equalize" average call loads on each shift and during different seasons.

A district plan which tends to equalize dispatches and reported incidents of crime in every district is required if the basic goals of keeping officers in their assigned districts and developing effective directed patrol in every district are ever going to be achieved.

VIII. EVALUATION AND TERMINATION OF ORDER

In the absence of written notice to the contrary, the termination date of this Directive is May 29, 1990.

A complete evaluation of the written goals and objectives and a re-development of the Police Services Delivery System shall be initiated in December 1989.

Appendix

1. Further Explanation of the plan and of Differential Responses Concepts
2. Dispatch and Alternative Responses Categories
3. Parameters for Telephone Reports
4. Noise Complaints
5. Additional Radio Communications Procedures & 10-code Repealed
6. Authorized 10-codes
7. Authorized District (Beat) Plans

Appendix 1

What This Plan is Not!

This plan is not:

a. A cure for insufficient resources;
b. A reduction of services plan;
c. A reduction of personnel plan;
d. Related in any way (absent unusual extremes) to numbers of sworn or civilian personnel;
e. A simple system which requires less management time or skill.

Key Issues

Some of the "key issues" in directing more productive police responses are as follows:

1. The need to manage sworn personnel field time;

   a. We go from call to call to call and from complaint to complaint to complaint;
   b. We are out of district (sector, beat) much of the time;
   c. We have difficulty in assigning responsibility for a given area, problem or action to a single officer.

2. We were structured as incident responders (reactive mode/they act, we react);

   a. We treated individual calls for service as complete units for work -- a "piece-work" mentality;
   b. We went to the same locations time after time;
   c. We responded to the same localized problems time after time; We need to be problem-oriented, not call/dispatch-oriented.

3. We created citizen dissatisfaction by some of the procedures we used to respond to calls for service;

   a. We allowed or even encouraged the illusion of rapid police response as both likely and necessary to successfully dealing with the incident.

b. In the past, we rarely carefully collected information and analyzed the call for service according to what exactly had or was happening and determining the most appropriate response.

c. We a l l o w e d the absence of a structured/ mandatory policy of problems responses to become a personalized, arbitrary system of who is officer-in-charge of "this shift" or even at this moment; thus, confusing and angering citizens because of the great variability of call responses between days, shifts and even hours within a shift.

4. We created officer and support personnel dissatisfaction;

a. Running from call to call and complaint to complaint unnecessarily over-stresses, frustrates and demoralizes officers and others;

b. Responding to the same location and/or problem time after time denies officers any positive personal satisfactions related to reducing, deferring, moving or solving a problem;

c. "Playing musical districts" by constantly dispatching officers out-of-area, especially to respond to non-emergency or even unnecessary calls virtually eliminates any sense of personal responsibility for an area, neighborhood or problem as well as prevents any sense of personal accomplishment if and when certain problems or recurring incidents are resolved;

d. Inconsistent call-intake and dispatch response procedures confuse and frustrate both officers and communications operators by denying them predictability of work patterns, necessary or useful information about a specific incident and any personal satisfaction of knowing they are doing the best that can be done with available resources.

DPR-Operational Components

Any successful DPR program depends upon (requires) certain major operational components to maximize policy productivity and control, reduce or eliminate the concerns presented as the "key issues".

The first of these major components may be stated as clear, structured and mandatory set of policies ultimately

determined and directed by the Chief of Police. We must have only one set of written, authorized, permitted policies.

The other major components of a successful DPR program are as follows:

1. Standardization of communications procedures in matters of call receipt, analysis and dispatch practices, supervision, recruitment and training;

2. Standardization of all call classifications according to the exact nature of the specific incident, consistency of classification for all similar incidents, the time elapsed since the occurrence, the expected response to the incident(s);

3. Call response standardization in terms of "immediate mobile", "delayed mobile" and non-mobile/non-officer presence alternatives;

4. Patrol strategies which deal with recurring community, area, neighborhood or even specific location or persons problems through utilization of contemporary standards of DIRECTED PATROL which uses and is measured by specific goals, methods and objectives.

5. The measurement and "feed-back" of patrol strategies and responses and all of the alternative response systems must be continually conducted so that only the methods most likely to be successful will be utilized.

6. There must be coordinated high-level monitoring of the entire system so that the policies of the Chief can be successfully "fine-tuned" or even changed as the demonstrable needs of the community and total resources of the organization vary over time.

b. In the past, we rarely carefully collected information and analyzed the call for service according to what exactly had or was happening and determining the most appropriate response.

c. We a l l o w e d the absence of a structured/ mandatory policy of problems responses to become a personalized, arbitrary system of who is officer-in-charge of "this shift" or even at this moment; thus, confusing and angering citizens because of the great variability of call responses between days, shifts and even hours within a shift.

4. We created officer and support personnel dissatisfaction;

a. Running from call to call and complaint to complaint unnecessarily over-stresses, frustrates and demoralizes officers and others;

b. Responding to the same location and/or problem time after time denies officers any positive personal satisfactions related to reducing, deferring, moving or solving a problem;

c. "Playing musical districts" by constantly dispatching officers out-of-area, especially to respond to non-emergency or even unnecessary calls virtually eliminates any sense of personal responsibility for an area, neighborhood or problem as well as prevents any sense of personal accomplishment if and when certain problems or recurring incidents are resolved;

d. Inconsistent call-intake and dispatch response procedures confuse and frustrate both officers and communications operators by denying them predictability of work patterns, necessary or useful information about a specific incident and any personal satisfaction of knowing they are doing the best that can be done with available resources.

DPR-Operational Components

Any successful DPR program depends upon (requires) certain major operational components to maximize policy productivity and control, reduce or eliminate the concerns presented as the "key issues".

The first of these major components may be stated as clear, structured and mandatory set of policies ultimately

Appendix 2

The program of police responses provides for all calls for service which are appropriate for a police agency be answered by one of the methods, as follows:

a. Immediate Mobile means without unnecessary delay and is to be used only for the preservation of human life or reduction or prevention of significant human injury, significant crimes in progress, medical aid, preservation of critical evidence which is likely to be destroyed if response is delayed; to control or eliminate a serious public inconvenience; and when it is likely human suffering can be reduced or suspects apprehended through immediate police response. In the more "urgent" dispatches when the threat or danger is unusually "serious", the closest unit, regardless of unit or district assignment, should be dispatched.

b. Delayed Mobile is used for all other calls for service which are likely to be changed in outcome by the presence of a sworn officer or if mobile dispatch not contrary to policy is demanded by a citizen. If the correct district crew is out of service on another dispatch, or out of service on a directed patrol assignment previously authorized by a supervisor, delayed mobile responses will normally be "held" for up to 60 minutes or until the correct district unit returns to service. After a maximum of 60 minutes the crew of another district will be dispatched to the call for service according to written communications procedures.

c. Telephone Report Unit - The telephone report writers (both clerical and sworn) will receive all other complaintsover the telephone.

d. Telephone Response shall be used for all noise, barking dog, firecracker and similar complaints to the greatest extent practicable. The complainant will be requested to provide sufficient information

so that a suspect telephone number can be obtained. Failure of the complainant to assist with the available information will terminate the call and no dispatch will be made. Telephone responses shall be made by (1) The Patrol Information Officer (2) The Patrol OIC to the extent the IO is "saturated" or temporarily unavailable to make a prompt call. If no number can be learned or if a telephone response is not successful, a unit will be dispatched delayed mobile. If succeeding complaints (complainants) are received regarding the same location/suspects, a delayed mobile dispatch will be made.

e. Walk-in Reports will be offered in place of the telephone report, at the option of the complainant, when the TRU clerk or Information Officer is available. Routine auto "theft" complaints received by telephone will require a walk-in report during specified hours or no report will be filed and assigned and any temporary "auto-alert" computer entries will be terminated if an in-person auto theft report is not made during specified hours and within 24 hours of the original telephone complaint.

Walk-in reports will also be used for all non-injury auto collisions during any snow or similar emergencies. Mobile service will not be allowed for such incidents during severe weather emergencies. Failure to stop after an accident complaints will be mobile or walk-in at the option of the OIC during snow or severe weather emergencies.

f. Appointment Procedures will be used for routine juvenile or similar neighborhood complaints which do not justify mobile responses. Such appointments, depending upon the problem, may be in place of or in addition to telephone incident reports. Any person offering such an appointment shall instruct the complainant, etc. to telephone the correct person to make the appointment!

g. Referrals will be by the Patrol Information Officer, not the OIC, to the extent one officer can handle all such calls.

APPENDIX 3

TELEPHONE REPORT WRITING CRITERIA

Incidents which shall be referred for telephone report writing are as follows:

If the incident was not dispatched because it was not in progress or recently completed and did not involve weapons, serious injury or obviously severe emotional trauma, telephone report parameters are as follows:

1. Thefts with reported value less than $1,000.00.

2. MDP/Vandalism with reported value less than $1,000.00.

3. B & E of garage, shed, etc. with reported loss less than $1,000.00 and no known attempt to enter a business or residence in about the same location.

4. Business B & E when no potential victim was present at the time and no valuables are missing and no substantial damage to gain entry.

5. Animal bites.

6. Any theft or MDP with loss over $1,000.00 provided the RP freely agrees to the telephone option and does not request any dispatch.

7. Minor assaults *** or injuries on city property.
   a. Assaults are NOT minor and may not be taken by phone if they involve any allegation of (1) child abuse; (2) rape/sexual assault; (3) any deadly weapon; (4) victim is unconscious or to be admitted to any hospital.
   b. We do NOT take any accidental injury reports unless the victim is unconscious or to be admitted to any hospital OR unless the injury occurred on CITY (not school) property.
   c. We do not take any telephone reports from any hospital or doctor staff, we take them only from the victim or his/her parent.

8. Missing persons reports UNLESS (a) under dangerous, unusual, or suspicious circumstances (b) the missing person is less

than 13. (ALWAYS tell the RP to bring any recent photo to headquarters, when reports are made by phone)

9. Some auto thefts, provided they may be taken only by sworn officers and RP must be advised to have sufficient proof of ownership/registration at headquarters at an agreed time but in no less than 24 hours.

10. Follow-ups or additional information on previously written reports.

*** Unless they are very old, domestic violence reports are dispatches and may not be taken by telephone.

If any citizen refuses to report by telephone and such is required by this order, the only choice open to the officer and citizen is that the citizen may make a walk-in report at police headquarters. Dispatches may not be made when this order requires they be made by telephone.

Guidelines for dispatch of CST's when reports are made by telephone:

1. No such dispatch shall be made unless the matter is personally screened and approved by the OIC and at least one of the following applies:
   a. RP provides a suspect name and reasonably believes fingerprints are available at the scene;
   b. We believe we should use photos of a victim or scene to document injury or damages for a court;
   c. If criminal tools or physical evidence other than fingerprints are clearly described as still at the scene, the OIC will authorize a CST dispatch.
   d. There is a recent pattern or "rash" of offenses in a relatively small geographic area.

After an initial request, we have a 12 hour period in which to write telephone reports. Whenever any report writer or Information Officer is too busy to take a report over the telephone at the time the matter is first reported, the person speaking with the reporting party shall handle the matter in one of two ways.

1. Give the Reporting Party the telephone number of the report writer and a recommendation as to when to call again to have the report written; OR,

2. Take the person's telephone number and after asking when would be a good time for us to call them, refer the person's name, number and the requested time to a telephone report writer (or Information Officer).

If the telephone report criteria included in this order is used properly, it will be rarely, if ever, that we have a report by phone which should have been received in the field. Obviously, we should always remember that the ultimate intent of this order is to be consistent, use dispatch time only for those incidents which really require the presence of an officer, and yet avoid unnecessary complaints or inadvertent overuse of a procedure which is intended to help victims by providing improved police productivity without denying them services that their complaints really require.

APPENDIX 4

NOISE COMPLAINTS

This procedure is to deal with only simple noise complaints such as radios, barking dogs, firecrackers, etc. This is not a procedure for dealing with complaints that involve long-standing and significant "neighbor trouble" and should certainly never be used to deal with complaints which seem to involve serious threats, weapons or even minor personal assaults.

Whenever a Communications Operator is reasonably certain a request for service involves only excess noise, the Operator shall instruct the caller to "hold" and transfer the call to the Patrol Information Officer.

If the Patrol Information Officer is then too busy to receive the call, the OIC shall receive the complaint. If it is impossible for both the OIC and the Information Officer to receive the call within a minute or so, teh PSC Telephone Report Writer may be instructed to receive the call and information.

1. DEALING WITH THE COMPLAINT:

   A. The call receiving officer shall explain to the caller that we need their help to deal with the problem.

   B. Seek enough information to use the City Directory, Criss-Cross Directory and telephone book to find an address and phone number for the subject. If the caller refuses to cooperate with the information gathering, this terminates the procedure and no dispatch or other efforts will be made until a caller does cooperate.

   C. If a phone number cannot be identified with the information provided or if more than one complainant (residence) calls about the same complaint, a delayed dispatch should be made.

2. DEALING WITH THE SUSPECT:

   A. Tell the person on the phone we need their help to end a noise complaint in their area. Tell them, especially late at night, we are sorry to disturb them but we would rather handle the matter without

dispatch of an officer to their home. Describe the complaint and ask them if they (residence) are the source of the complaint.

B. If they give information which reasonably leads you to conclude they (residence) are the source of the complaint, tell the person we do not want to have to dispatch an officer to their residence and that we need their cooperation.

C. Give clear instructions for terminating the complaint and tell the person we will dispatch an officer with instructions to make all lawful arrests if we get more calls about excessive noise, etc. at their address.

D. If the person refuses to cooperate or if they insist they are not the source of the noise complaint, refer the matter back to Communciations for delayed mobile dispatch.

3. SECOND COMPLAINTS:

Whenever we receive a second complaint following a telephone response and a sufficient time to end the noise, an Officer should be dispatched delayed mobile.

Appendix 5

Communications Procedures

1. The most important communications procedure is related to call receipt. All calls for service shall be evaluated according to the DPR alternative responses plan. Operators are provided with standard call segregation questions based upon what actually has occurred, is occurring or is likely to occur in the immediate future form the standpoint of injury or jeopardy to human beings and/or the probabilities of the loss of critical evidence or a substantial chance to apprehend suspects.

   Calls shall be prioritized according to such factors as injuries, extreme jeopardy, weapons actually present and incidents which are then in progress or very recently completed and not according to the alleged criminal code violations.

   All information available to the call-taker shall be relayed to the dispatcher.

2. The dispatcher shall communicate all pertinent information about the specific dispatch to the responding officer.

   With the exception of certain highly sensitive incident types (sexual assaults, bomb threats, suicides, homicides, etc.) all information should be dispatched in plain and brief but informative English, neither 10 codes or "police slang" should be used.

3. With the exception of certain particularly sensitive incidents and certain routine radio messages concerning location or status (10-4, 10-8, 10-5, 10-81, 10-23-, 10-89, etc.), the 10 code system is hereby terminated in favor of plain, brief language. **[See also: Appendix 6]**

4. Except when an overload of emergency (9-1-1) calls exists, the person designated as the primary dispatcher shall perform only radio communications duties and LEADS/NCIC requests from officers in the field; therefore, in all except substantial emergency call receipt situations, the radio communications to and from officers in the field will receive priority attention from the "dispatcher". Telephone callers, not officers in the field, will be asked to stand-by or "hold" while radio communications are being conducted.

5. Whenever some authorized person is not physically stationed directly at the "Information" Window in Communications, such window is "closed".

6. Except in the most extreme emergency situations (saturation) or in extremely "slow" periods, communications operators should never write telephone reports, give any advice or referrals, or refer such matters to the Patrol OIC.

7. This Order provides for and expects limited operator discretion in situations where the incident response would normally be delayed mobile and the victim or caller gives clear evidence of hysteria, senility, retardation, extreme confusion or other psychological distress.

   In such situations, the dispatch should be re-prioritized to "immediate" or delayed a much lesser period of time. The "upgrade decision" information should be properly recorded and shall be clearly related to the responding officer.

APPENDIX 6

AUTHORIZED 10 CODES

These codes are permissible, not mandatory; however, certain of them such as 10-4, 10-18, 10-33, and 10-59 are highly recommended. Other codes are not valid and should never be used for any reason or purpose.

10-4	The voice transmission is received and clear; NOT an affirmative answer, not "yes", or permission to do or not to do anything.
10-5	"Advised" someone.
10-6	Busy unless urgent -- proper code when beginning an authorized directed patrol assignment.
10-7	Out of Service at (_____).
10-8	In-service (ready for assignment/information)
10-18	Dispatch concerns an apparently dead person.
10-20	(Officer) location.
10-21	Telephone Call.
10-22	Disregard message, call, dispatch, etc.
10-23	Have arrived at assigned location.
10-27	Drivers License Information/History.
10-28	Motor Vehicle Registration/Information Request.
10-29	Check for "Wanted" or stolen status.
10-33	Emergency call or Status.
10-59	Rape, Sexual Assault.
10-77	County Courts Building
10-81	Police Report Written.
10-86	Springfield Municipal Court.
10-89	Police Headquarters Building.
10-96	Mental or emotional state of subject believed "questionable", irrational.

Plain, brief, clear English is an acceptable substitute for almost all use of codes! Do not use codes to avoid giving all the information you have which is pertinent to the communication. Do not use codes not on this authorized list.

APPENDIX 7

Authorizied District (Beat) Plans

Plan A 5 unit plan (not including beat man)

1. District one would be as is customary except that sector 107 is re-assigned to D-5 and sector #201 is added to district #1.

2. D-2 remains the same, with the exception of sector 201.

3. D-3 is the same, except for the addition of sector 402 and the loss of #306.

4. D-4 remains the same, except for the loss of secotr 402.

5. Dist. #5 would then include the following sectors: 501, 502, 503, 504 plus sectors 107 and 306.

This plan obviously intends to enlarge some of the less busy district and decrease some of the more busy as well as follow the important DPR principle of clear responsibility for a given district being established (no over-lapping boundaries for routine patrol.) In addition, this is an attempt to simplify the "responding unit recommendations" for the Operators by not consistently displaying multiple choices for the same correct "district car".

Plan B 4 unit plan (not including beat officer)

1. 2. 3. and 4. would be exactly as the current custom, except the appropriate district 5 sector would be attached to each of the districts. (502 is now in D-1, 503 is in D-4, etc.) Use of this plan implies it is not necessary to run more than 4 beats at a particular time due to a dispatch load which can be handled by 4 units.

Plan D 3 unit plan

This plan should be used only when it is necessary to use only 3 units and its use implies 3 units can handle the existing dispatch load well enough that it is not necessary to require overtime, hold-over, etc. so more beats can be established.

1. D-1 includes all sectors beginning with "1" as well as sectors 301 through 306.

2. D-2 includes all sectors beginning with "2" and sectors 502 and 504.

3. D-3 includes all other sectors.

Plan E 6 unit plan (not including beat officer)

The E plan is somewhat more complicated than the others as establishing clear responsibility and etc. creates six separate districts. If we follow the exisitng custom and number the districts clockwise, what has customarily been called the "east wagon" is district two and what has customarily been called the "west wagon" is district five.

1. D-1 includes all sectors beginning with the number 1 EXCEPT 108, 109, and 111.

2. D-2 (east wagon) now includes sectors 502, 205, 201, 202, 504, 108, 109, 111.

3. Dist. 3 includes all of the sectors beginning with the number 2, except sectors #205. 201 and 202.

4. D-4 includes all of the sectors beginning with the number 4, EXCEPT those reassigned to the next district.

5. D-5 (west wagon) includes sectors 501, 308. 309, 307, 503, 402, and 401.

6. D-6 includes all sectors beginning with the number 3, except those reassigned to the previous district.

Springfield Police Division

General Order

Number: 36
Subject: Court Appearance Procedure
Revised: October 1st, 1990

Court Appearance Procedure

Effective October 1, 1990 all police personnel shall completely conform to this order whenever they appear as a witness upon any Police Division business in **Municipal Court.**

1. All officers assigned to Uniform Patrol or who normally work in Uniform shall appear for a court case only in the full and proper police uniform.

2. Those who normally work in plain clothes but who actually made the particular arrest while in uniform shall appear for that case only in the full and proper uniform.

3. After time stamping the form for payment for the court appearance, the employee shall proceed directly to the proper courtroom for that case and clearly make themselves available to the assigned prosecutor. (Police employees shall not go to the Prosecutors' Office or any other place unless the assigned prosecutor tells them to do that after he or she is clearly aware you are present at the assigned court room.)

4. When the assigned Prosecutor clearly advises a police employee is free to leave court, the Prosecutor will sign the form to be submitted to Police Records.

No employee may leave and no employee should expect any compensation until the form is signed by the proper Prosecutor at the time he or she directly states you may leave and the properly time-stamped.

By Order of:

Roger L. Evans
Chief of Police

Springfield Police Division

General Order

Number: 37
Subject: Illness or Injury Leave Usage
Revised: June 3rd, 1991

The purposes of this order are to better communicate and coordinate shift or unit staffing and daily assignments as related to notice, documentation, and approval of time lost from work due to any illness or injury.

Nothing in this order changes any previous orders or authorizes practices except those portions, which directly and narrowly relate to time and manner of communicating and documenting a report of an inability to perform any work at the shift or unit level.

This order consists of three sections: (A) manner and times of notifications of inability to work due to any illness or injury which will result in any request for City compensation of any type; (B) requirements for statements from licensed medical care providers; (C) final documentation and approval for applications to use any type of leave due to the illness or injury of any person or due to the death of any immediate family member.

A. All notices of inability to work will be properly made at the earliest feasible time. Therefore, as soon as the member knows of illness or injury preventing work, the call will be made.

1. Telephone notices must be given only to the OIC of the Patrol Sub-Division.

2. Unless such is not then feasible, such notice must be given by the member who cannot report to work.

3. The reason must be clearly stated.

4. The OIC receiving such a report must promptly document the request for leave on a notice of sick leave or injury leave form.

   a. The for, is used in every case, for every type of leave, unless the regular leave request form is completed and signed at the same times as the first notice.

   b. The form must be completed in duplicate, the original promptly submitted to Records/Payroll and the clear copy to the attention of the Shift Commander or OIC of the member requesting leave.

5. Until the member files a copy of a physician statement with the office of the Chief, such notices must be given each calendar day the member still cannot report for work. Such notices must be given at the earliest feasible time and only to the OIC of the Sub-Division or unit at the time of such notice.

a. The duplicate notices of requests for leave must be promptly completed and submitted by the OIC receiving all such daily notices

b. Whenever any physician statement is received by the Office of the Chief, a copy will be promptly sent to the Shift Commander or current OIC of the member submitting the statement.

B. Statements of licensed medical care providers must be promptly submitted to the Office of the Chief whenever required by City or Division Orders or as required by Supervision. Members may at any time voluntarily submit such statements in order to terminate the requirement to call-in each day.

1. Such statements must always include the title, name, address, and telephone number of the physician

2. Such statements must include a clear statement of the illness or injury for which the member is seeking any type of leave.

3. The statements must include a clear statement of the degree of disability which specifically states either that the member is/was totally disabled from any type of Divisional work or whether the member can/could perform "light" administrative or clerical duty such as talking to people in person or on the phone, writing or typing brief reports, etc.

4. Statements must include a professional estimate of a specific date by which either type of disability is likely to being or terminate.

As in the past, the failure to promptly provide current statements acceptable to the Chief may result in delay or denial of leave benefits in addition to any other administrative or supervisory corrective action.

C. All formal applications for use of any type of leave must still be promptly completed and submitted either at the time of first notice or the first day the member returns to work.

1. It is the obligation of the member applying for leave to properly file all leave requests with the appropriate supervisor.

2. It is the obligation of any Supervisor receiving or controlling any such applications for leave to see all such forms are complete, proper, and submitted to Records/Payroll at the earliest feasible moment.

As in the past improper or late applications for leave of any type may result in delay or denial of benefits in addition to any other administrative or supervisory corrective actions.

The effective date of this General Order is June 3, 1991.

Roger L. Evans
Chief of Police

Springfield Police Division

General Order

Number: 38
Subject: Injured, Ill, or Severely Intoxicated Persons in our Custody
Revised: June 12th, 1995

I. Suspects who have any untreated injuries or who allege any injury or illness needing medical attention.

A. Anytime anyone under arrest or other wise in our custody or control is found to have or claims to have any untreated injury or illness or injury for which they may need treatment, they will be taken to the nearest Hospital emergency room before they are taken to jail. If the injury or illness is apparently serious, FES will be called for paramedical treatment and medical transport and we will assist with the person in the FES vehicle if requested.

B. That person will be told to seek treatment by signing themselves into the medical facility. We will not sign any such forms or verbally indicate any responsibility for any medical treatment.

C. No affidavits will be filed with the Court until after that person either clearly refused to sign the treatment request forms or is released by the facility as properly treated.

D. After medical treatment or clear refusal to request any treatment, the person will be transported to jail if it is reasonably believed the jail is then accepting person charged with he particular offense to be charged.

E. If the jail refuses to accept any such person, a supervisor shall be called to the intake center to make a prompt detailed report to the Chief and the suspect shall be ordered into Court.

II. Severely intoxicated persons.

A. Whenever any person could be charged with Disorderly: Intoxication because they are unable to properly care for themselves or control their behavior due to alcohol or drugs, this agency will respond to that incident as a medical problem by calling FES to the scene for paramedical and medical transport services. We will assist FES or hospital staff with controlling the severely intoxicated person, if so requested; however, no intoxication charges will be filed with the exception of lawfully protecting person or property we will not accept any further responsibilities for that person.

B. If other charges should be filed, such severely intoxicated persons will first go to the nearest hospital only via FES and no such person will be taken to jail and no affidavits filed with the Court until after the hospital releases that person as properly medically stabilized and clearly eligible for incarceration without medical aid.

Springfield Police Division

General Order

Number: 39
Subject: Holdover and Overtime Procedure
Revised: September 27th, 1991

This order is an amendment to 6.12, IV B. Any and all conflicts between this order and the former orders makes the previous holdover language null and void to the extent of the conflicts.

A holdover is an order to respond to dispatches or other police duties which are given to the officer after the scheduled ending time of the officer's previously assigned shift or hours.

Dispatches issued prior to the previously stated end time of an officer's assigned shift or duty hours do not constitute a holdover.

Dispatches or other duties of priority one (emergency) at or after an officer's previously scheduled ending time do not constitute a matter to be handled by the selection of the holdover procedure.

Holdover Procedure

When the OIC finds it reasonably necessary to hold over one or more officers because of any factors which allow such an order, the OIC shall make reasonable attempts to seek volunteers.

If because of a lack of time, other important duties or an insufficient number of volunteers, the OIC resorts to compulsory holdover the decision as to who is held over will be as follows:

1. Each OIC will maintain a list of offices assigned to the shift in order of least to greatest seniority of all officers who have actually completed their FTO training.

2. Whenever an officer, beginning with the least senior, is held over for one or more hours, that fact will be noted next to the officer's name.

3. Each compulsory holdover will begin with the presently working officer with the least seniority who is next on the list after the name of an officer where it is indicated he or she has recently received a holdover order.

   That is, each compulsory holdover of one or more hours is recorded and then that person is removed from consideration for compulsory holdover until all on the lists have the same number of compulsory holdovers (in which case the next compulsory holdover begins with the least senior non-probationary officer.)

Emergency Overtime/Call-In

A call-in is an order to report to work properly uniformed and equipped to perform all assigned police duties.

An emergency overtime/call-in order is an order to work when the OIC determines such is reasonably necessary to increase the numbers of officers working due to insufficient officers to maintain the minimum effective staffing level, answer a back-log of dispatches, or to handle serious police problems.

For all such required overtime, the overtime shall be assigned by proceeding through the roster of officers who have actually completed their FTO training listed from least to most seniority. All officers assigned to Uniform Patrol Services will be called before an officer assigned to another sub-division is called.

Non-Emergency Overtime

That overtime which is reasonably known to be required more than 24 hours in advance of the regularly scheduled beginning of the shift to be worked will be handled by first requesting volunteers eligible for time and one-half and then by proceeding through the Division Roster of officers who have actually completed their FTO training and assigning overtime as follows:

(A) Off-duty officers of the Patrol Sub-Division who are not on authorized leave and who are eligible for compensation at time and one-half.

(B) Off-duty officers of the other Sub-Divisions who are not on authorized leave and are eligible for duty at time and one-half.

(C) Uniform Patrol Services officers not on authorized leave and eligible for double-time compensation.

(D) Off-duty officers of other Sub-Divisions who are not on authorized leave and are eligible for double-time compensation.

(E) If the Chief or his designee previously concurs, all days off of all types may be cancelled until sufficient numbers of officers report to work.

When assigning non-emergency OT, OIC's will make reasonable efforts to avoid assigning an officer in such manner as to schedule less than 8 consecutive hours from the anticipated end of the OT assignment until the beginning of an officer's regularly scheduled duty hours.

The effective date of this General Order is September 27, 1991.

SIGNATURE
Roger L. Evans, Chief of Police

39. GENERAL ORDER

AMMENDMENT TO POLICY 6.12

Uniform Patrol Overtime Distribution Procedure

The purpose of this procedure is to distribute overtime occurring in the Uniform Patrol Sub-Division in a consistent and uniform manner.

I. When submitting their semi-annual shift preference, supervisors and patrol officers will also make a notation indicating their desire to be placed on an overtime list for that six-month period.

a) Officers can place their name on the overtime list for one, two, or all three shifts.
b) Anytime during the six-month period, officers can request to have their name removed from any or all of the overtime lists.
c) During each six-month period, officers who chose not to place their name on an overtime list can request to have their name added to an overtime list, however, they will be placed at the bottom of the rotation, regardless of seniority.

II. Once completed, overtime lists will be distributed to all three shift commanders.

a) On each list, volunteers for overtime assignments will be listed by departmental seniority.
b) These lists will be utilized for both "call-in" and "holdover" situations.

III. In situations where overtime is planned in advance, shift commanders/ supervisors will give first preference to officers currently assigned to their shift who are off-duty on the particular day that overtime exists. This procedure will be followed regardless of how many overtime assignments an officer receives who is regularly assigned to that particular shift.

a) If there is more than one officer assigned to the particular shift that is off-duty and willing to work the overtime assignment, these assignments will be rotated, beginning with the officer with the most departmental seniority.

b) If there are no officers available using this procedure, the shift commander/supervisor, will revert to the overtime list for their shift.

IV. Anytime an officer that is on the overtime list is not able to be contacted, or declines the overtime offer; the date and time of refusal, as well as the supervisors initials will be noted on the list and that officer will go to the bottom of the rotation.

V. Anytime an officer on the overtime list accepts the overtime assignment, the assigning supervisor will note the date, time, and number of hours worked and will initial the entry.

VI. In situations where overtime is created due to personnel calling off sick on that particular day, the oncoming Shift Commander will have the discretion to call someone in from his own shift that is on the overtime list, or hold someone over from the preceding shift who is on the overtime list and later calling in someone from the next shift who is on the overtime list.

a) In sick call off situations, when determining whether to call someone in who is off-duty or holding someone over from the previous shift, supervisors should exercise discretion in which method to use by considering timeliness, calls for service and overall efficiency.
b) When an on-duty supervisor receives a sick call-in from an officer on the next shift, and that supervisor has knowledge that the call-off will create an overtime issue, the on duty supervisor <u>should</u> make an attempt to fill the overtime by referring to the overtime list of the oncoming shift commander, if a reasonable amount of time exists.
    - For this purpose, 2 hours will normally be considered reasonable.
    - Each Shift Commander should leave their "Overtime List" in a common area, accessible to supervisors from other shifts.

VII. For clarification, the term "officer" in this General Order includes both Patrol Officers and Supervisors.

Effective Date: March 8, 2010

By order of: Stephen P. Moody
Chief of Police

Springfield Police Division

General Order

Number: 40
Subject: Court Appearance Procedure
Revised: June 16th, 2018

Beginning Monday, July 16, 2018, all police employees who have received notice of a subpoena for court cases in the Clark County Municipal Court, Clark County Court of Common Pleas or the Clark County Juvenile Court must check their city employee email account (*username*@springfieldohio.gov) before going to court. The courts will send an email notice of cancellation before 5:00pm on the business day prior to the subpoena court date.

If the employee does not check their email and the case has been cancelled, the employee will not receive any compensation for a court appearance.

If the employee has properly checked their city assigned email account and if the case has not been listed in the system as cancelled, the employee will be properly compensated if all other court appearance procedures are followed and the employee appears in court as subpoenaed.

Any police employee who does not understand this order or proper email procedure must promptly contact his or her immediate supervisor.

This version of General Order #40 replaces any previous orders relating to Additional Court Appearance Procedure for Police Employees.

By order of
Chief Lee. E. Graf

Springfield Police Division

General Order

Number: 41
Subject: Portable Radio Leather; Maintenance, Inspection, and Replacement
Revised: June 5th, 1995

Maintenance, Inspection, and Replacement of Portable Radio Leather

1. The City will be responsible for the replacement of portable radio holsters and belt attachments if the responsible employee provides reasonable, proper care and maintenance and the equipment becomes unserviceable through normal wear and tear.

2. As with all leather goods, the belt attachment and radio holster must be kept in good condition through reasonable efforts at being kept clean and properly treated with appropriate leather care goods such as leather cleaner, polish, softeners, and silicone or other moisture protectants.

3. Each employee should carefully inspect all such equipment at least once a month and be aware of its general condition at all times through routine inspection and maintenance. Supervisors should pay particular attention to all leather items during routine inspections of Officers and both the radio holsters and --especially-- the belt attachments must be inspected for wear, particularly the loosening of any stitches.

4. Whenever any employee or supervisor notes more than one stitch is broken or particularly loose, the belt slide attachment should be properly submitted to the Office of the Chief (Operations Captain).

5. The appropriate supervisor must submit a memo with the worn item, which states his or her belief the item needing repair or replacement has not been abused or neglected. The approximate amount of time the item has been in-service with the employee must be included in the memo.

6. As with portable radio batteries, a replacement belt slid e or holster will be issued provided it is reasonably determined no abuse, including a failure to provide reasonable maintenance, has occurred.

The effective date of this General Order is June 5, 1995.

Roger L. Evans
Chief of Police

Springfield Police Division

General Order

Number: 42
Subject: OC Spray
Revised: June 12th, 1995

Authorization for carry or use of OC spray:

Employees who are trained and authorized may carry pepper (OC) spray while on or off-duty.

Authorized uses:
All police defensive weapons require proper use according to the specific situation as reasonably known or should be known to the prudent officer.

Use of force continuum as applied to chemical aerosols:

The proper utilization of force by police officers may be the most critical concern of contemporary law enforcement. The authority to use force carries with it truly awesome responsibilities. While judges and juries may take months to review evidence and deliberate the legality of an Officer's decision, the reality of police service is that decisions must be made rapidly-sometimes instantly- and often in the face of danger to the Officer or to others.

The Supreme Court of the United States has established criteria for the Use of Force. The Court recognizes that the duty to make arrests and to conduct searches and investigatory stops, carries with it the authority to reasonably use or reasonably threaten the use of force. Force is authorized for only tow purposes: *defense and control.* As a benchmark, the courts generally apply the concept of a *reasonable perception.* That is, would a reasonable and prudent person faced with the same circumstances likely reach the same conclusion as the threat posed and the selected response.

It is important to understand how force techniques are ranked. Techniques are ranked on against another according to each techniques propensity, or likelihood, for causing various degrees of pain or injury. On a continuum, force is generally ranked from lowest to highest as follows:

A. Officer presence;

B. Dialogue or verbalization;

C. Empty hand control;

D. Impact instrument;

E. Firearm.

The use of pepper (OC) spray should generally fall between empty hand control and an impact instrument on the use of force continuum; however, if the subject is engaged in assaultive behavior or in a severe crowd disturbance, pepper spray should be used *before* an attempt at hands-on control.

While modern aerosol sprays can cause severe discomfort, they usually cause little or no bodily injury. Impact instruments, depending on the area struck, may cause severe tissue damage. Therefore, in most cases, the chemical aerosol has a lower propensity for causing both pain and injury. Use of pepper spray is, therefore, a lower level of force, which may prevent the need for even greater force.

When used as authorized, *there are four general situations wherein the use of pepper (OC) spray may be appropriate.*

1. Imminent or actual assault upon an Officer or another.

2. Imminent or actual *violent* resistance to arrest or custody.

3. A severe crowd disturbance or a sustained failure to disperse after clear orders to disperse.

4. Repeated non-compliance to orders of personal search, arrest, or custody.

In the first three general situations which may allow the use of pepper spray, the device should be used *before* any hands-on or physical contact with the subject. If physical contact has already occurred in such a situation, that contact should be terminated or "broken: and a safe distance within the effective use zone of the spray should be attained before first use of the device.

In situation 4, repeated non-compliance to orders of personal search, arrest or custody, *"hands on" control* should be *attempted* **before** any *warnings* or *use* of the spray. If the subject can be controlled or taken into custody without unusual danger to the Officer or to others, neither warning nor actual use of the spray should occur. In the case of *purely passive resistance*, such as a "sit-in" demonstrator, *warning or use of pepper spray should not occur* (unless the subject changes to assaultive behavior.)

In all cases, warnings and spray must be used only as demonstrated during the training or
as otherwise required by divisional orders. In all cases, clear warning should be given whenever feasible and the word "spray" loudly stated prior to actual use.

Improper use, threats, display:

Improper use, carry, or display of OC spray r an improper warning or threat, whether verbal or otherwise clearly implied, is prohibited. In addition, there shall be no removal or threatened removal of the device from the holster unless a general situation which permits its use is occurring and, when feasible, only after the required warning has been made.

We do not routinely answer "trouble" calls with the device in hand or with verbal or implied threats to use the spray. Each specific situation must be correctly analyzed and reasonably determined to be a situation where personal violence is in progress or imminent before any removal, display, or warnings occur.

Careless carry, handling, display, or games or "horseplay" of any type are prohibited.

Documentation of spray discharge required:

With the sole exception of proper used during authorized divisional training, all discharges of pepper (OC) spray, whether intentional or accidental, must be reported.

Any discharge, whether intentional or accidental and all claims of use by any person, must be reported as required by Policy 6.13 (G) and (H) just as if the person has been struck or impacted by any thing or body part or claims such occurred.

When issued, the statement of force report must be properly completed and promptly forwarded.

Decontamination Procedure

After use of O.C. Spray, this procedure for decontamination shall be used by personnel of this department.

I. **Post Application**

A. After spraying the subject the last time you should allow approximately five seconds for the mist to dissipate and then verbalize specific and distinct commands. Do not rush into the mist cloud. Tell the subject exactly what you want him/her to do. In mist cases, tell the subject to stand still and not move around. After directing the subject to stand still or not move, approach the subject with caution as you would any potentially dangerous subject. Then apply your handcuffs or use other authorized restraining devices and complete the arrest.

1. If circumstances allow, do not attempt to forcibly handcuff a sprayed subject immediately after spraying. Give the subject 30 to 60 seconds to react to the spray and overcome gagging or coughing before handcuffing.

2. ***When O.C. pepper spray is inhaled, the respiratory tract is inflated, and breathing is restricted. Hand-cuffing the subject behind the back while laying him/her o on his/her stomach and placing pressure on the back or in any position that may cause difficulty in breathing (such as maximal prone position) may deny the subject proper breathing and cause positional asphyxia.***

a. Do not handcuff a subject lying on the ground while applying pressure to the back or head.

b. If practicable handcuff a subject while on their side, or while standing or kneeling.

B. Subjects who are sprayed with O.C. pepper spray should be closely monitored and reassured that they are safe and will be helped, when they cooperate. These subjects should be told to try to breathe normally and relax as much as possible.

1. All subjects should be asked if they are suffering any serious medical conditions. Look for a Medic Alert bracelet or necklace on the subject. Ask the subject if he/she suffer from any respiratory diseases or problems such as asthma, bronchitis, and emphysema. ***If yes, seek immediate medical attention.***

C. Whenever possible, subjects sprayed with O.C. spray should be removed to an area of uncontaminated air. If practicable before transporting, cool water may be used to flush the subject's face and eyes. However, this procedure should not be attempted if not readily available, or at the risk of the Officer's safety.

D. Some sprayed subjects require "special attention" because of their physical condition.

1. The following subjects are in "special attention" category for medical emergencies:

a. Subjects substantially impaired by alcohol or drugs.

b. Subjects who are breathing rapidly, or sweating heavily, or exhibiting pallid skin.

c. Very obese subjects who have medical conditions like diabetes, a seizure disorder, asthma, emphysema or heart trouble, or are of advanced age.

2. "Special attention" subjects should be handcuffed with hands in front, not behind the back, unless officer safety considerations make that too dangerous. Transport the subject in an upright position with a seat belt buckled. ***Do not transport the subjects lying face down or face up on the back seat. Do not "hog tie" subject by connecting foot and hand restraints. Do not gag subject or cover the mouth or nose.***

3. Monitor the level of consciousness and breathing of the subject. While uninterrupted monitoring is not possible, Officer (s) should attempt to look at and talk to the subject on a frequent basis during custody. Subject should not be left alone in a car or in a room for any period of time. ***Do not assume a silent prisoner is asleep or harmlessly intoxicated.***

4. The Officer(s) should seek immediate medical attention if the subject demonstrates the following symptoms:

a. Loses consciousness.

b. Stops breathing.

c. Suddenly becomes incoherent.

d. Begins to hyperventilate.

e. Starts to look very sick.

II. Transportation of sprayed prisoners.

A. The prisoner will be placed in a patrol car or wagon for transport. Transporting Officer(s) will notify communication personnel of their cruisers mileage and their intent to transport the prisoner to the Clark County Jail, communications personnel will then acknowledge with the correct time. Jail personnel will then be contacted by communications personnel advising him/her that a sprayed prisoner is being transported to the jail for decontamination and detention.

B. The prisoner will be taken to the sally port pf the jail and subsequently escorted into the intake area and led to the booking counter the prisoner will be turned over to Intake personnel and they will complete those procedures required of them by the Clark County Sheriff's Cap-Stun Procedure. Generally this will include a rapid, but thorough, pat down search to prevent the introduction of a weapon or contraband into the facility. Intake personnel will also remove all personal items from the prisoner this time.

C. Decontamination of a prisoner is the responsibility of the escorting Officer(s), who will ensure that the prisoner flush, then wash their face and contaminated area with cool water and a non-oil base soap or dish washing liquid to remove the resin from the skin. Decontamination will generally take place in the intake shower room for a ***minimum of 15 minutes.*** If the prisoner is of the opposite gender, then jail personnel will be asked to oversee the shower with someone of the same gender. Once this is accomplished then the prisoner should pat dry with a towel, and advised to rub. **Absolutely no commercial eyewash should be used during the decontamination process.** Prisoners wearing contact lenses or a prosthesis should remove them, if possible, during flushing.

D. It should be noted that prisoners that have completed the decontamination process will still experience a mild to moderate burning sensation about the facial area for up to an hour after decontamination. This condition does not require additional medical attention. **All prisoners will be place in jail clothing at the completion of the decontamination process.**

III. Observation checklist.

A. The escorting Officer(s) will start the Sheriffs Department's observation checklist with the time the prisoner is placed into the shower. Fifteen-minute intervals will be recorded on the list indicating the prisoner has been monitored and his physical condition recorded. The escorting Officer(s) will stay with the prisoner the first 15 minutes. The 30 and 45 minute checks may be done by the escorting Officers(s0 or if he/she has to leave, then intake personnel will complete the checklist. If it becomes necessary for the escorting Officer(s0 to leave the Jail to handle an emergency call, ***the Shift Commander will notify the Jail Supervisor*** of the call and the Officer(s0 will be relieved by intake personnel.

B. Under normal circumstances symptoms of O.C. pepper spray, such as coughing, involuntary closing of the eyes, loss of body motor control, and an intense burning sensation of the skin should disappear within 30-45 minutes. If symptoms exist past 45-50 minutes, other than a mild burning sensation of any affected skin area, transport the subject to the nearest hospital for medical treatment. Normal prisoner transport procedures will apply.

C. On completion of the decontamination process or medical treatment, the prisoner will be returned to the booking counter for processing.

D. Once booked and accepted by jail personnel the Officer(s) is then relieved of his/her responsibility for the prisoner and can resume normal duties.

E. A statement of force report shall be completed and forwarded up the chain of command before the end of the shift. Supervisors will review the report, sign it as being correct and reviewed, then send it immediately to the Sub-Division Commander.

F. When a prisoner is brought in on a charge of OMVI, the arresting Officer(s) should process through decontamination first. If time is a factor in giving a breath test the Officer(s) may give the prisoner the first test. This determination will be made based on the time frame that the test has to be given within, as well as the physical condition of the prisoner.

IV. Area and Cruiser Decontamination

A. Normal ventilation will removed the O.C. pepper spray from the environment within 45 minutes.

B. Cruiser clean up is the responsibility of the Officer(s) who transfer the sprayed prisoner. Clean up can be done by simply washing all affected areas with a non-oil base soap and water, then wiping with a dry cloth. Cruiser windows should be opened for a short period of time to allow ventilation. Decontamination of contaminated cruiser shall be done before the end of the transporting Officer(s) shift.

C. Cleaning supplies shall be kept in the Uniform Patrol area in a place where they can be located easily. Shift Commanders will have the responsibility to make sure the supplies are available and accessible.

By Order of:

Roger L. Evans
Chief of Police

Springfield Police Division

General Order

Number: 43
Subject: Telephone Report Writing Criteria
Revised: June 21st, 1995

Incidents, which shall be referred for telephone report writing, are as follows:

If the incident was not dispatched because it was not in progress or recently completed and did not involve weapons, serious injury or obviously severe emotional trauma, telephone report parameters are as follows:

1. Thefts with reported value less than $1000.00.

2. MD of P/Vandalism with reported value less than $1000.00.

3. B & E of a garage, shed, etc with reported loss less than $1000.00 **and** no known attempt to enter a business or residence in about the same location.

4. Business B & E when no potential victim present at time **and** no valuables missing **and** no substantial damage to gain entry. The same applies to attempted B & E.

5. Animal bites.

6. Any theft or MD of P with loss over $1000.00 **provided the R.P. freely agrees to the telephone option and does not request any dispatch.**

7. Minor assaults or injuries to city property.

    a. Assaults are NOT minor and may not be taken by phone if they involve any allegation of

        (1) Child Abuse
        (2) Rape/Sexual Assault
        (3) Any deadly weapon
        (4) Victim is unconscious or to be admitted to any hospital

    b. We do NOT take any accidental injury reports unless the victim is unconscious or to be admitted to any hospital OR unless the injury occurred on CITY (not school) property.

    c. We do not take any telephone reports from any hospital or doctor staff, we take them only from the victim or his/her parent.

8. Missing persons reports UNLESS

   a. Under dangerous, unusual, or suspicious circumstances

   b. The missing person is less than 13 years old.
      (ALWAYS tell the RP to bring any recent photo to headquarters, when reports are made by phone.)

9. Most auto thefts- RP must be advised to have sufficient proof of ownership/registration at headquarters at an agreed time but in no less than 24 hours.

   a. Complicated case, like disputed ownership, or complainants who can't give needed information for the report should be transferred to the information officer.

10. Follow-ups or additional information on previously written reports.

11. Thefts of checks, frauds, or forgery cases under $1000.00

12. Unless they are very old, domestic violence reports are dispatched and may not be taken by telephone. They must be approved by a shift commander and at the request of the reporting party.

13. If a complainant makes a request for an officer to come to their location, we must dispatch an officer.

    a. If this request is made to a dispatcher or report writer they must forward the complainant to the shift commander, and he will make sure an officer is dispatched. The dispatcher or report writer must inform the shift commander of the request before they forward the call to him.

14. All incidents involving guns shall be dispatched, including MD of P's, thefts, etc.

    a. If the complainant believes that a gun caused damage to his/her property, an officer must be dispatched. If the damage is the result of a BB gun, the dispatcher can forward the call to the shift commander, and he will determine if the report writer can take the report.

    b. Threats that involve the use of a gun can be taken by a report writer, if the complainant has not seen a gun and knows the suspect was not armed.

15. Officers dispatched to a call shall not refer calls to a report writer.

Guidelines for dispatch of CST's when reports are made by telephone:

1. No such dispatch shall be made unless the matter is personally screened and approved by the OIC **and** at least on of the following applies:

    a. The RP provides a suspect name and reasonably believe fingerprints are available at the scene

    b. We believe we should use photos of a victim or scene to document injury or damages for a court

    c. If criminal tools or physical evidence other than fingerprints are clearly described as still at the scene the OIC **will** authorize a CST dispatch

    d. There is a recent pattern or 'rash' of offenses in a relatively small geographic area

After an initial request **we have a 12-hour period in which to write telephone reports.** Whenever any report writer or Information Officer is too busy to take a report over the telephone at the time the matter is first reported, the person speaking g with the reporting party shall hand the matter in one of two ways:

1. Give the Reporting Party the telephone number of the report writer and a recommendation as to when to cal again to have the report written.

OR

2. Take the persons' telephone number and after asking when would be a good time for us to call them, refer the person's name, number and the requested time to a telephone report writer (or Information Officer).

If the telephone report criteria included in this order is used properly, it will be rarely, if ever, that we have a report by phone which should have been received in the field. Obviously, we should always remember that the ultimate intent of this order is to be consistent, use dispatch time only for those incidents which really require the presence of an officer, and yet avoid unnecessary complaints or inadvertent overuse of a procedure which in intended to help victims by providing improved police productivity without denying them services that their complaints really require.

Springfield Police Division

General Order

Number: 44
Subject: Internal Control Policy
Revised: September 22, 1995

I. Purpose

The City of Springfield Police Department pursuant to law as required by Sections 2923.32, 2923.35, 2925.03, 2933.41, and 2933.43 of the Ohio Revised Code as amended, hereby adopts the following as the written Internal Control Policy for recording custody and disposition of lost, abandoned, stolen, seized, or forfeited property, evidence, and personal property that comes into the possession of the Police Department. This Policy will also provide guidelines for recording the receipt and expenditure of proceeds from Court-ordered forfeiture of criminal assets and mandatory drug fines. Lastly this Policy will provide guidelines for the sale of a controlled substance by a Peace Officer as outlined in Section 3719.141 of the O.R.C., as amended.

II. Property Intake and Care

A. All recovered lost, abandoned, stolen, seized, or forfeited property, evidence, and personal property that comes into the possession of the Springfield Police Department, by any means, becomes the responsibility of the Department for it's proper care. (O.R.>C> 2933.41 as amended) The responsibility of the Department shall be to properly establish:

1. The identity of any such property
2. The reason for the department's possession of the property
3. The placing of responsibility for its care
4. The location of the property
5. The availability of the property for court presentation
6. Responsibility for the release of the property
7. The prevention of unauthorized or inadvertent release or loss
8. The assurance of its return to the lawful owner
9. The lawful disposition of any unclaimed property
10. The lawful disposition of any forfeited or contraband money or property.

B. Collecting Officer's Responsibilities

1. The collecting Officer shall be responsible for properly filling out all reports, receipts, and/or appropriate paperwork

a. Property receipts must be filled out completely, including but not limited to:

(1) Each receipt must have the appropriate case number(s)
(2) The names and addresses of the owner, person arrested, and/or person the property was received from

(3) Dates and times received, and turned into the Police Department
(4) List all criminal charges, if applicable
(5) A brief description of the property, evidence, or contraband for forfeiture
(6) Indicate if the property is found, evidence, or contraband for forfeiture
(7) Complete all other areas of the receipt appropriate to the case

2. Indicate on all Arrest Reports or Tow Reports the property receipt number, and where property has been seized as contraband and/or for forfeiture in relation to an arrest, and the reason it is contraband

3. Submitting evidence, contraband, or other items of property as required by General Order 29, effective April 27, 1987, as modified.

C. Property Officer/Clerk Responsibilities

1. The Property Officer/Clerk shall be responsible for safekeeping of property, completing all paperwork, and filing all appropriate reports.

a. The Property Officer/Clerk responsibilities include, but are not limited to:

(1) The safekeeping of all property submitted to the Property Room
(2) Keeping a log of all property and the location of all the property
(3) The availability of all property requested by officers for court
(4) The return of all property to the rightful owner
(5) Disposing of all unclaimed and forfeited property as required by law

D. All items of property whether, seized as contraband, lost property, stolen property, evidence, unclaimed or abandoned property, and property received in the course of investigations, subject to forfeiture, kept in the possession of the Springfield Police Department shall be recorded in the Property System files.

E. Only employees designated by the Department shall record property into the Property System files.

F. All entries into the Property System files shall list and include, at a minimum:

1. A brief description of the items of property.
2. Whether the item(s) are subject to forfeiture.

3. Date that the item(s) came into possession of the Police Department.
4. Manner of disposition of the item(s) of property.
5. Date item of property was disposed of.
6. If applicable, the name of the person who received the item(s).
7. The assigned case number; the owner's name, if applicable.
8. If the property is seized or forfeited property and sold at sale pursuant to 2933.41 O.R.C., as amended, entries shall include the amount of proceeds received for the property.

G. To maintain the chain of custody written receipts shall be required for all acceptance and transfers of property, coming or leaving, the possession of the Department. Evidence or recovered property shall not be retained in the individual possession of any member of the department. All such property shall be submitted to a property locker, the Crime Laboratory evidence depository, or other designated secure place, as soon as practicable but no later than the end of the submitting Officer's assigned shift.

1. Evidence signed out for use in a court proceeding, should be returned to a property officer in person, when possible. If this is not possible the evidence should be submitted as above.

H. Under no circumstance shall any of the required records or reports outlined in this Internal Control Policy reflect the identity of any law enforcement officer that participated in the seizure of the item(s) or reveal relevant information that may compromise an ongo9ing investigation.

I. A cumulative record of all transactions of such property subject to forfeiture recorded in each calendar year shall be sent to the Attorney General no later than March 1st of the next ensuing year. Such cumulative record shall include all information required by Section IV-B of this Internal Control Policy and 2933.43 of the O.R.C., as amended.

J. All lost, abandoned, stolen, seized, or forfeited property, evidence, contraband, unclaimed property, and personal property that comes into the possession of the Springfield Police Department, shall be held by the Springfield Police Department pending disposition of the criminal charge or until ordered otherwise by a court of competent jurisdiction.

III. Disposition of Lost and Abandoned Property, Evidence, or Contraband

A. Currency forfeited to the Springfield Police Department under State law shall remain in the Property Room safe until a court order is obtained ordering its deposit to the appropriate statutory trust fund. Funds, which are ordered forfeited pursuant to forfeiture actions, will be deposited in the City of Springfield Law Enforcement Trust Fund, fund code (account number).

1. After receiving a court order forfeiting cash the Property Room Supervisor will release the money to the Chief of Police or his designee for deposit.

2. A log of deposits into the City of Springfield Law Enforcement Trust Fund shall be accurately kept and shall include the date of receipt of the proceeds and the amount of the proceeds received. All moneys shall be deposited into the City of Springfield Law Enforcement Trust fund as provided by law.

B. Items of property which are seized through either State criminal or State civil forfeiture and which are serviceable items of equipment which may be used by the Police Department pursuant to Section 2933.43 of the Ohio Revised Code, as amended, will be placed into service within the department at the discretion of the Chief of Police.

1. Vehicles or equipment placed into service in this manner shall remain associated with the appropriate trust fund, depending on the source of the seizure. At such times as those items no become no longer useable, they shall be disposed of pursuant to Section III, C, 1, below and the proceeds of such disposition will be deposited into the appropriate trust fund account.

C. Assets other than currency, which are obtained through State criminal forfeiture proceeding or State civil proceeding and are not placed into service within the Department of Police will be disposed of pursuant to law. The proceeds of that disposition will be deposited in the City of Springfield Law Enforcement Trust Fund.

1. Any property to be sold will be sold at either a public auction or through sealed bids. Notice of such sale will be published seven (7) days prior to the public auction or acceptance of sealed bids in a newspaper of general circulation.

2. All costs incidental to the seizure, storage, or sale of the property shall be deducted from the receipts after the property is sold.

3. Any lawful liens, security interests or encumbrances on the property held by innocent third parties will be paid in full, if possible, or if the sale price is less than lien or encumbrance, the full amount of the money received will be paid, but only after costs as referenced in Section III, C, 2, above have been deducted.

D. Property in the possession of the Springfield Police Department other than property seized pursuant to O.R.C. 2923.31 et seq and 2933.43 shall be disposed of pursuant to O.R.C. 2933.41.

1. Property which has been found and the owner can be determined:

a. The owner of this property will be notified that the Police Department is in possession of the property. The notification will state that the property will be held by the Springfield Police Department for a period of 30 days. At the end of the 30-day period this property will be disposed of in accordance with provisions of 2933.41 O.R.C. as amended.

b. If the finder of this property wishes to make claim to the property, which he has turned in to the Springfield Ohio Police Department, and the owner has failed, to pickup, he may do so at the end of the 30-day period. This may be done by notifying the Police Department Property Room Supervisor of the finders wish to claim the property. The finder must produce photo identification identifying him as the finder, which appears of the Police Department property receipt.

2. Property which has been found and the owner cannot be determined:

a. This property will remain in the possession of the Police Department for 90 days as a reasonable length of time for a true owner to make a claim. If during that ninety day period the finder makes a claim on the property he will have the right under 2933.41 (B), as amended, to recover the property at the end of the 90 day period. The finder must produce photo identification identifying him as the finder, which appears of the Police Department property receipt.

3. Final claim to found property, or property lawfully disposed of as allowed by Section 2933.41 O.R.C., as amended, may be made the day before the Police auction during viewing hours.

IV. Expenditure of Proceeds from Law Enforcement Trust Fund

A. Proceeds used from the City of Springfield Law Enforcement Trust Fund shall be expended in the furtherance of investigation and prosecution of criminal cases in the City of Springfield, and in support of the Department of Police DARE program within the following general categories:

1. Investigation costs of complex cases.
2. Costs of training and providing technical expertise.
3. Application toward Federal matching funds
4. In support of the Springfield, Ohio Department of Police DAREE program or other programs designed to educate adults or children with respect to dangers associated with the use of drugs of abuse. At least ten percent (10%) of the first hundred thousand dollars of proceeds and forfeited moneys deposited during each calendar year in the Law Enforcement Trust Fund pursuant to Division (B)(8)(c) of Section 2925.44 of the Revised Code, as amended, and at least twenty percent (20%) of the proceeds and forfeited moneys exceeding one hundred thousand dollars that are so deposited, shall be used in connection with community prevention education programs.

5. Any other Law Enforcement purposes as determined by the Chief of Police.

6. Moneys deposited in the fund may not be used for operating costs of the subdivision if those costs are not related to law enforcement.

B. A detailed log of all proceeds and expenditures shall be kept, and recorded, with appropriate written receipts documenting such transactions. The log of Proceeds and Expenditures shall include:

1. The date of expenditure of proceeds from the account.

2. The specific amount of expenditure listed under the appropriate general expenditure category in which the specific amount falls.

3. The total amount of proceeds and forfeited moneys deposited each year in the City of Springfield Law Enforcement Trust Fund, and the portion of that amount that was used pursuant to Section IV-A-4 of this Internal Control Policy.

4. Specific expenditures of moneys shall not be immediately listed during investigation of ongoing cases since such specifics, open to public inspection, may jeopardize the integrity of the investigation and thwart justice.

5. A cumulative record of receipt and expenditure of proceeds from the Department's Law Enforcement Trust Fund recorded each calendar year shall be sent to the Ohio Attorney General no later than March 1st of the next ensuing year. Such cumulative record shall include:

a. Date and amount of proceeds
b. That expenditures are used in accordance to section 2933.43 of the O.R.C., as amended
c. All requirements listed above in Section IV, B

V. Division Mandatory Drug Fine Account

A. Receipt of fine moneys:

1. All proceeds from mandatory drug penalty fines, pursuant to Section 2925.03 of the Ohio Revised Code, as amended, and directed to the benefit of the City of Springfield Police Department shall be promptly recorded by employees designated by the Chief of Police in a log reflecting deposits into the Department's Mandatory Drug Fund Account.

2. The log of deposits into the Drug Fund Account shall be accurately kept and shall include the fine amount received and the date of receipt of the fine. All moneys shall be deposited into the Mandatory Drug Fund Account as provided by law.

B. Expenditure of fine moneys:

1. Proceeds used from the Department's Mandatory Drug Fund Account shall be expended in the furtherance of investigation and prosecution of crimes involving drugs in the City of Springfield within, but not limited to, the following general expenditure categories:

    a. Investigation costs of complex cases
    b. Costs of training and providing technical expertise
    c. Application toward Federal matching funds
    d. Special equipment
    e. Any other law enforcement purpose in the furtherance of investigation and prosecution of crimes involving drugs in the City of Springfield, as determined by the Chief of Police Office

2. Moneys deposited in the fund may not be used for operating costs of the subdivision if those costs are not related to law enforcement.

3. A detailed log of all expenditures shall be kept and recorded with appropriate written receipts documenting such transactions. The log of expenditures from the Drug Fund Account shall include:

    a. The date of expenditure of proceeds from the account
    b. Specific expenditures of moneys shall not be immediately listed during investigation of ongoing cases since such specifics, open to public inspection, may jeopardize the integrity of the investigation and thwart justice.
    c. A cumulative record of receipt and expenditure of proceeds from the Department's Law Enforcement Trust Fund recorded each calendar year shall be sent to the Ohio Attorney General no later than March 1st of the next ensuing year.

VI. Sale of Controlled Substances by Peace Officers

A. Ohio Revised Code 3719.141, as amended, - Sale of Controlled Substances by Peace Officers. Guidelines established shall be followed as outlined in Ohio Revised Code 3719.141 (A and B), as amended.

1. Prior approval for the sale has been given by the Prosecuting Attorney of Clark County, in any manner described in division (B) of section 3719.141 of the O.R.C., as amended.

2. The sale involves at least the “Bulk Amount,” as defined in section 2925.01 of the O.R.C., as amended of the controlled substance.

3. The City of Springfield, (Springfield Police Division), shall keep detailed records as to the amount of money or other things of value obtained in the sale in exchange for the controlled substance.

4. Any money, or other thing of value received in a “Reverse Buy”, shall be turned over to the Clark County Prosecuting Attorney's

Office, according to section 3719.1241 O.R.C. (Division D), as amended.

5. This agencies use and disposition, of all such moneys or things of value that are deposited in the municipal corporations “Law Enforcement Trust Fund”, must be pursuant to Division (D) of section 3719.141 of the Revised Code, as amended.

6. The City of Springfield (Springfield Police Division), must keep detailed financial records of the receipts of the proceeds, the general types of expenditures made out of the proceeds received, and the specific amount of each general type of expenditure.

(This policy shall not provide for or permit the identification of any peace officer involved in the sale, any information that is or may be needed in an ongoing investigation, or any specific expenditure that is made in an ongoing investigation.)

7. The purchaser of the controlled substance acquires possession of it in the presence of the peace officer who makes the sale.

8. Upon consummation of the sale, either of the following occurs:

   a. The peace officer arrests the purchaser of the controlled substance, recovers it, and the proceeds of the sale, and secures it and the proceeds as evidence to be used in subsequent prosecution.

   b. The peace officer make a reasonable, good faith effort to arrest the purchase of the controlled substance and the proceeds of the sale, but he/she is unable to make the arrest and recover all of the controlled substance and proceeds for reasons beyond his/her control, and the peace officer secures all of the controlled substance recovered and all of the proceeds recovered as evidence to be used in a subsequent prosecution.

VII. Records

A. All property coming into the possession of the Springfield Police Department shall be fully documented as described in Section II, F, above.

B. All property records, Mandatory Drug Fund account records and Law Enforcement Trust Fund records shall be cataloged in such a manner so that the information can be compiled into a format suitable for annual reporting to the Ohio Attorney General.

1. Reports submitted to the Ohio Attorney General shall be due in Columbus no later than March 1st of the calendar year following the calendar year covering the report.
2. Said annual reports shall cover the period of January 1st through December 31st.

VIII. Public Records

A. This Internal Control Policy and any expenditure records are open to public inspection in accordance wit Section 149.43 of the Revised Code.

Springfield Police Division

General Order

Number: 47
Subject: Temporary Holding Facility Procedure
Revised: November 23, 2010

I Purpose

To coordinate our departmental policy with the State of Ohio Department of Rehabilitation and Correction, Bureau of Adult Detention guidelines and requirements for temporary holding facilities.

II Terminology

For the purposes of this policy-

The term "detainee" is used to define any person locked in the Temporary Holding Facility (holding cells) in the Springfield Police Division. This shall include persons detained whether formally charged or not and applies to persons physically placed in the Temporary Holding Facility. Persons detained at Headquarters in an open area are not subject to this policy.

The letters "T.H.F." refers to the temporary holding facility.

III. Requirements and Guidelines

A. Any officer(s) who place a detainee in the T.H.F. or who takes responsibility for that detainee is the officer(s) responsible.

B. Any officer(s) who place a detainee in the T.H.F. shall complete a 'Booking Form' (see-attached sample). This form includes the name, date and time of incarceration and release, case number, charge or reason for incarceration, any health or injury problems noted, times of checks/observations and any unusual occurrences.

1. Unusual occurrences may be injury/illness or claims of injury/illness, uses of force, damages to the T.H.F. by detainee, suicide threats or attempts, escape or attempts or any occurrence the officers feels should be noted.

2. Notations of unusual incidents on the booking form does not relieve officers of reporting such incidents in accordance with existing procedures.

3. If no other case number exists for the detainee, a new case number will be generated for the booking form.

C. Personal property shall be removed from the detainee before being placed into the T.H.F. and locked in the security box provided. Any item too large for the security box should be placed within the view of the detainee. This personal property includes wallets, jewelry, and smoking materials.

D. Searches of detainees shall be in accordance with existing laws and policies as stated in the Division Rules and Regulations Manual, i.e. Procedure 6.28, Section 2, Paragraph B.

E. Checks and observations of any detainee placed in the T.H.F. will be made at least every 60 minutes on a random and irregular basis and will be noted, with the time the check was made, on the booking form.

1. If officers have reason to believe detainees may present risks to themselves or others; these checks will be made and noted every **ten (10) minutes.**

F. Restraining devices will only be kept on a detainee in the T.H.F. if the detainee presents an imminent danger to any person. In the event the detainee held in the T.H.F. is restrained, then checks will be made and noted every ten (10) minutes.

G. Any officer responsible for a detainee being held in the T.H.F. shall remain within normal hearing distance of the T.H.F. The detainee should be able to contact an officer verbally while in the T.H.F. If the officer finds it necessary to leave, the officer must find a designated person to assume responsibility for the detainee.

H. **Juvenile arrestees must remain beyond the range of touch of adult prisoners, be visually supervised at all times by staff and <u>must not be handcuffed to or otherwise physically secured to any stationary</u> object. Juvenile status (Unruly) offenders must not be held in a secure area of the T.H.F.**

I. Persons of the opposite sex will not be placed in the same cell.

J. Any medical emergency that arises with any detainee held in the T.H.F. will be handled within normal departmental procedures.

1. No officer will knowingly allow any detainee to take any medication or keep any medication with the detainee while in the T.H.F. Any detainee claiming that lack of medication could result in serious illness will be booked into the jail, transported by the F.E.S. to the hospital, or released from custody.

K. Officer should visually check the T.H.F. before placing detainees in the T.H.F. and after removing them from the T.H.F., with any damage being noted on the booking form.

L. In the event of an escape, fire, suicide, or suicide attempt, or any situation, which places persons at immediate risk, after first taking steps necessary to defuse any immediate threat, the officer shall notify a supervisor of the situation.

1. In the event of a fire or fire alarm, the officer shall remove and evacuate detainees from the building if necessary; after taking necessary precautions to retain custody.

a. In the event of a fire alarm, the officer has a heightened responsibility and should try to ascertain the legitimacy of the alarm rather than assume it is a false alarm.

M. Any officer who notes an unsanitary or dangerous condition, or condition of disrepair in the T.H.F. should leave any inter-office communication to the Office of the Chief. If the condition presents an immediate risk, the Officer in Charge of Headquarters should be notified.

N. **Adult arrestees may be handcuffed to the bar located on the bench in the workroom. Once an officer handcuffs an adult prisoner to the bar they MUST complete a Booking Form. Adult prisoners who are handcuffed to the Bench Bar must be checked every ten (10) minutes. Those checks must be noted on the Booking Form.**

O. The effective date of this General Order is February 26, 1996.
First revision February 2, 2001.
Second revision November 23, 2010.

Springfield Police Division

General Order

Number: 48
Subject: Use of Covert Identification for Undercover Police Operations
Revised: May 9th, 1997

Use of Covert Identification for Undercover Police Operations

The purpose of this General Order is to establish guidelines for use of covert identification in undercover police operations.

A. "Covert Identification" shall be defined as social security cards, driver's license, and other identification properly issued to members of this Department with the intent to shield the member's true identity from the subject(s) of a properly authorized police undercover operation.

B. The Investigation Sub-Division Commander shall be the Department's contact for agencies issuing cover identification to members of this Department.

C. A member of this Department shall be authorized to apply for and receive covert identification upon approval of the Chief of Police.

D. A member of this Department authorized to carry covert identification shall be permitted to carry the covert identification at all times.

E. Covert identification issued in the name of a member of this Department that is not currently being carried by the member shall be stored in the safe in the Chief's Office.

F. Each time a member of this Department uses covert identification for identification the member shall promptly and properly document the circumstances of the use in and Inter-Office Communication to the Investigation Sub-Division Commander.

Springfield Police Division

General Order

Number: 49
Subject: Police Headquarters and Police Personnel Security
Revised: October 12th, 2018

I. Purpose

The purpose of this order is to provide better security for all police personnel and authorized visitors and to better ensure we are at all times able to conduct our important public safety mission.

Our intent is to ensure all designated security doors remain closed and locked and that all persons in the building are here with proper permission, only in authorized areas, and easily identified.

All persons seeking entry to police work areas enclosed by security (card/code entry) doors must comply with this order.

It is the duty of all police personnel to ensure all persons comply with this order.

A. The building and personnel security log shall be maintained by the Officer in Charge of Headquarters.

1. With the exception of persons specifically exempted from this portion of this procedure, no one shall enter, be allowed entry, or be allowed to remain in the secured areas of our building unless they have first properly completed all required log information and been granted permission to enter the specific area(s) requested.

2. This order includes retired/resigned/terminated members of this division.

2. **Exceptions**

a. On duty police employees

b. On duty CCSO employees, in uniform or displaying ID

c. On duty BCI employees, in uniform or displaying ID

d. Common Pleas or Municipal Court Prosecutor employees

e. Persons personally escorted to and from the Office of the Chief, or about the building for a purpose and by a person explicitly designated by the Chief.

f. Persons who are crime suspects, confidential informants, and persons voluntarily being fingerprinted do not need to sign in or be issued a visitor ID *provided they are at all times within the immediate personal control of a responsible officer or the person conducting the printing.*

SPD personnel responsible for persons within this exception are strictly personally accountable to ensure any such person is at all times within custody and control.

g. SFD Firefighters responding to an alarm or a call for service

h. Off-duty SPD personnel are exempted from *this portion* of this procedure ***provided*** *they immediately speak with the OIC and state where they will be and their purpose for being in the building* whenever they enter the building. Off-duty personnel must also notify the OIC when they leave the building.

B. Other than as stated in paragraph (A)(2), the person then in charge of the building and personnel security log shall not allow entry to any person unless it is reasonably determined the required information has been written in the log and that entry to the specific area(s) requested is both appropriate and necessary.

1. Excluding persons exempted in paragraph (A)(2), all **persons permitted entry** shall be issued an appropriate **visitor ID badge** and the supervisor responsible for the log shall ensure any required escort is provided whenever such persons enter our facility.

2. The County Prosecutor, the Municipal Court Prosecutor and the CCSO shall be issued special ID badges by the Chief. Persons properly wearing those badges do not need any escort.

3. All persons who need frequent access to our facility should apply for special access permission through the office of the Chief. Such authorized persons shall be background checked and will receive approval for authorized entry access. The Chief, or his designee, will notify the command staff with regard to who the person is, including a photo, and the reason for their access. Such approved persons do **not** require any escort.

8. <u>Any failure to fully comply with these instructions is grounds for any on duty employee or off duty officer to stop and question any such person (and, *if lawful,* an officer may conduct a reasonable search of a person or of their belongings.) The OIC will determine the remedial action for the violation.</u>

C. Off duty police employees must enter the building as follows:

1. Through a lobby door or any security door for which they have personal, card authorized access.

2. Immediately notify the OIC that they are in the building and state the portion of the building where they will be and the purpose of the entry.

3. Off-duty employees must also notify the OIC when they leave the building.

D. On duty employees must enter the building as follows:

1. Through one of the lobby security doors.

or

2. If their ID will unlock one of the other doors, any authorized security door.

E. ***The sally port doors and all doors, except the doors to the shift commander/information office, controlled by ID cards shall be kept both close and locked at all times unless:***

1. It is necessary to move items which are numerous, bulky, or heavy. However when such entry is necessary the door must be *immediately closed and locked* whenever any portion of such an entry is completed. Unless a police employee is physically present at the doorway at all times the door is open.

or

2. The Chief, Captain, or the OIC determines a door must be kept open due to emergency health or safety concerns. However, any determination by anyone other than the Chief requires a prompt inter-office memo to the Chief explaining the reasons for the decision and the times the door was kept open.

Springfield Police Division

General Order

Number: 50
Subject: Career Criminal Investigation and Apprehension Program
Revised: February 7th, 2001

I. Policy

The General goals of our Career Criminal Investigation and Apprehension Program are as follows:

(A) Enhance Community Safety.
(B) Enhance Officer Safety.
(C) Enhance the efficiency and effectiveness of local Public Safety and Criminal Justice Agencies.

- ***Specific goals and objectives:***

A. Community Safety

1. Those who commit felonies are a small percentage of the general population. Of those who are felons, a small percentage commits the vast majority of felonies.

   Objective- Improve the ability of all personnel to quickly and effectively identify felons or suspected felons we believe are most active or most likely to be active in serious crime in our community.

2. Those who are a threat of serious personal harm or death to innocent person are an investigative priority. Those who have committed or are often suspected of crimes of violence or highly dangerous offenses, specifically including misdemeanors, are an investigative priority.

   Objective- Improve the ability of all personnel to quickly and effectively identify those persons we believe are most active or likely to be active in jeopardizing the physical safety of others.

3. Those who frequently commit offenses that harm private or public property or who often cause reasonable perceptions of jeopardizing the public peace and order, citizen safety, or the sense of security in a specific area are an investigative priority.

   Objective- Improve the ability of all personnel to quickly and effectively identify those persons we believe most likely to threaten property or to cause numerous reasonable complaints in an area.

B. Officer Safety

1. Preventing, limiting, or reducing the injury of Police Officers is a priority.

   Objective- Improve the ability of all personnel to more quickly and effectively identify violent and dangerous persons, including but not limited to those arrested for assaulting an officer.

C. Efficiency and effectiveness of local public safety and criminal justice resources

1. Part of the mission of contemporary policing is to produce the greatest contributions to improving public safety allowed by our staffing and budget.

   Objective- Improve the ability of officers to quickly and effectively identify those we believe pose the greatest risk to the public safety, peace, and welfare of the community.

   Objective- Through such identification, stress the importance of prioritizing resources for the investigation, apprehension, and prosecution of suspects we believe pose the greatest risks to our community.

   Objective Create on-line records about prioritized criminal suspect, what they drive, where they live, etc.

2. Lawful investigations of persons, searches and seizures of evidence, stolen property, contraband, or profits of crime and arrests based upon reasonable cause are primary police responsibilities. One element of reasonable cause is officer information about potential suspects.

   Objective- Improve the ability of all personnel to more quickly and effectively obtain both public and confidential law enforcement information about the known or suspected crimes and the reported criminal acquaintances, residence, vehicles, and crime specialties or MO's of the prioritized suspect in our City.

3. Improve the usefulness of criminal suspect investigative search software.

   Objective- Expedite the entry of reported crime specialties and specific methods of operation into the electronic 'jackets' of those we believe frequently jeopardize the public safety and welfare.

4. Collect and make readily available updated information about the addresses, associates, vehicles, activities, and locations of criminal suspects and suspicious persons.

Objective- Institutionalization of Field Interview Cards and making all information about those interviewed, especially those in the Career Criminal database, readily available through use of our Field Investigations, vehicles, and 'house watch' software.

- ***Achieving the goals and objectives:***

A. We have purchased and installed 'Career Criminal' software for our primary local law enforcement information system. The 'Career Criminal' software is the technical and operational foundation of our Career Criminal Investigation and Apprehension Program. We will also use our Field Interview (investigation) software so we keep as much current and useful information on-line as our staffing allows.

This program is the most efficient and effective means to improve ready access to critical information about those we believe pose the greatest jeopardy to our citizens, or to police officer, or to reasonable perceptions of quality of life in our neighborhoods or business area.

B. All sworn personnel are encouraged to provide recommendations and information for entry into the Career Criminal database. The primary responsibilities for decisions about the actual entry of career criminal, crime specialty, and MOP information are assigned to the Investigation Services Sergeants. Their work is assisted, reviewed, and coordinated by their supervisors and by Technical Services.

C. *It is extremely important all personnel and all communications personnel read the pertinent career criminal records whenever conducting a 'wants and warrants' inquiry or researching a persons 'activity' records in the SPD computerized information system. Such entries are located in both the Career Criminal database and the 'jackets' 'activity' ('Global Name') of our police information database.*

D. ***It is extremely important officer(s) in contact or about to be in contact with any person listed in the CC file be given the 'CC class' and any additional words displayed in the abbreviated 'jacket' activity record as soon as possible, preferably before the contact.*** The CC class is the words or abbreviations following a CC coed (such as 3CC 'drug dlr' 'DV also'). The CC record should then be displayed and if a 'document' is attached to the CC record, it should be read as soon as feasible, and excluding any information labeled 'not for voice radio,' the substance of the information should be given to the officer(s) as soon as practicable.

E. Career Criminal 'crime specialty,' 'MO,' and Field Interview data (specifically including the mere existence of such a record) is 'confidential investigative information.'

F. ***Career Criminal, FI, crime specialty, and MO information or date shall not*** *be accessed by or disseminated to anyone who does not have both 'the police right and the police need to know.'*

G. **Beginning February 7, 2001,** *all* on-duty sworn personnel who have an in-person contact with any person listed in the Career Criminal database are **required to submit an FI card** that lists all information that can be used to 'track' or investigate the suspect. All sworn personnel should submit FI cards for all persons interviewed die to suspicions of criminal activity or association with criminal suspects. Unless any CC file entry indicates the FI card is to be sent to another person or unit, all FI cards shall be promptly forwarded to Investigation Services and shall be delivered to records by 1600 the first regular business day they are received by Investigation.

1. Records shall enter FI and update CC, Field Inv., Jackets, Vehicles, and House Watch files.

II. Procedure

- ***Confidentiality of police investigative operations, opinions, theories, methods, or techniques***

A. Proper understanding of police policies and procedures requires the knowledge and understanding of all relevant SPD directives.

1. If any specific conflict is apparent, this order determines the proper conduct as narrowly and specifically applied to our Career Criminal Program and all information related to career criminals.

2. The requirement of confidentiality specifically includes but is not necessarily limited to all information located in the CC database, the FI card database, the recorded crimes specialties or MO's in electronic 'jackets' and SPD 'house watch' entries. This requirement of confidentiality includes the mere existence of such records.

B. Knowledge of confidential information shall not be disseminated to any person except as provided by this order.

1. With the exception of proper relay to SPD personnel by Communications Operator or by sworn personnel assigned to work a case with another agency, *only the Records Section may release such information*-- especially printouts, memos, or copies of CC, FI, jacket crime specialties or MO data.

2. If anyone *not* known to have the police right and the police need to know requests either-

a. CC, FI, crime specialty, MO, SPD house watch

or

b. 'All records related to' a person'

-that portion of the request shall be immediately forwarded to the office of the Chief of Police.

3. After reasonable review, the Chief or his designee will release any such information that is determined to be 'public information' rather than confidential law enforcement information.

4. Personnel of the SPD, CCSO, OSP, BCI, FBI, BATF, DEA, or of a local federal prosecutor seeking to access all records indexed to a person may receive CC and related information. All *printouts, copies, or memos* containing ***such information given*** *to anyone* ***other than SPD employees must be labeled 'Confidential.'***

5. All other 'law enforcement' requests require the review and approval of a sworn supervisor assigned to Records, or if none is present the supervisor then in charge of headquarters, a detective supervisor, or a Captain. **Printouts, copies, or memos containing such information must be labeled 'confidential.'**

- ***Electronic and hard copy access of Career Criminal and related information.***

A. All persons authorized to access such confidential investigative information will be given security clearance and training sufficient to complete their assigned tasks.

1. Recommendations should be forwarded to the Sergeant or other person designated by this order as responsible for the recommended CC class of the criminal suspect.

B. Designated Technical Services personnel are primarily responsible for CC entries concerning arrests for felony homicide, assault of an officer, multiple DV cases, multiple DUI cases the gun offender classification, parolees/probationers and the initial assignment of a crime specialty for all new 'jackets' caused by an FI card or the creation or substantial amendment of a hardcopy jacket.

1. It is the duty of all officers to properly submit accurate criminal suspect information. Other specifically designated units or personnel share responsibility for CC and related information entries and updates.

C. The Sergeants assigned to the units of the Investigations Services are primarily responsible and personally accountable for the entry, change, and updating of *all* CC and related data.

1. CC entries should be created for only those suspects believed to be frequently involved in criminal cases normally assigned to the Sergeant's unit, those believed to be extremely dangerous to officers or citizens, or those who are currently a priority of the unit for investigation and eventual prosecution.

2. The Sergeants may add, change, or amend information concerning *all* CC and related jacket information. When they create, change, or amend a CC document they must enter their (user) PDNAME, followed by the date of the entry at the end of the new entry.

3. The Sergeants must coordinate with their subordinates, each other, and their supervisors.

4. Deletions of any entries, the entry of new electronic jackets, or entries other than crime specialty or MO data are restricted to explicitly authorized Technical Services personnel. Any such requests must be forwarded to the Records Supervisor.

5. Records personnel will enter all Field Interview Cards into the SPD NWS FI and other such files as apply to each FI card. All FI cars shall be entered no later than the fourth business day after submission to the Records Section.

D. At least once each calendar moth, the Investigation Services Sergeants **must** review the *CC work file.* Designated Technical Services personnel will initiate a new work file no later than the tenth day of each calendar month. Any Investigations Services supervisor with the applications (security) authorization may initiate a new work file but should not do so more than once a calendar month.

1. To review the CC 'work file,' enter option 3 from the CC main menu.

2. The purpose of the monthly review is to bring attention to subjects who might not otherwise be considered for CC entry and to stimulate unit discussion about such entries.

3. At least once each calendar month Investigation Sergeants **must review all of the subjects in the CC file** for the classes of crimes normally investigated by their unit and consider whether their CC class or the information in the 'description' field, or any CC' document' ought to be revised or deleted.

E. All sworn personnel involved in investigations of crimes should used the information created by and for the FI and Career Criminal Program.

1. All CC and FI entries are indexed to jackets and may be accessed through the (opt. 9) 'activities.'

2. Anyone investigating a suspect should always check all date in electronic jackets, especially all known associations, addresses, aliases, MO's, and also all jacket activity, especially CC and FI entries.

3. Vehicles included in cases as 'suspect,' stolen vehicles, impounded vehicles, vehicles involved in traffic crashes, and vehicles listed in FI cards may also be accessed through Global Vehicle searches.

4. When officer are seeking possible suspects for any crime, including traffic offenses such as FTSAA, the Career Criminal, Global Vehicle, and Field Investigative files should be searched.

- Our Computer Aided Investigations software enables searches for possible crime suspects based upon not only personal characteristics but also the specialty and the MO data included in the electronic jackets. Although it will take some time to enter at least one 'crime specialty' in the jackets of persons who are not listed in CC, we will introduce sworn personnel to the use of our Computer Aided Investigations software during the next several months. Personnel accessing electronic jackets for any reason should report any recommendations for jacket s that do not have any crime specialty data.

Springfield Police Division

General Order

Number: 51
Subject: Subpoena Tracking
Revised: December 11th, 2002

I. Purpose: To establish departmental policy to facilitate prompt service and detailed tracking of subpoenas.

II. Terminology: The term 'Records Personnel" is used to define all Springfield Police Division Records section clerical staff.

III. Requirements and Guidelines

A. Subpoena Procedure

1. All subpoenas will be delivered to the Records Section and their receipt will be documented as follows-

   a. Records personnel will initial, date, and time stamp the subpoena log.
   b. Records personnel will separate Springfield Police Division personnel from citizen's subpoenas.
   c. Records personnel will deliver both copies of all subpoenas to the appropriate sub-division Lieutenant or his designee.

2. The appropriate Lieutenants, or designees, will be responsible for seeing that all subpoenas are served in a timely manner.

   a. Subpoenas for Springfield Police Division personnel must be served by a supervisor, appropriately completed as served with time and date of service, and the Court's copies returned to the Records Section.

3. In the vent a Springfield Police Officer or Employee is unavailable and cannot be served before the Court date, the subpoena should be marked as such and returned to the Records Section.

4. Records Personnel will document the time and date of service of subpoenas for Springfield Police Division personnel on the subpoena log and will place the served Court copy of the subpoenas in the designated location to be distributed to the appropriate repository.

Note: The Common Pleas Court subpoenas for Springfield Police Officers will no longer be marked as personally served by the Sheriff's Department. Both copies of the subpoenas will be delivered to the Records Section and the Court's return copy of the subpoenas kept in the Records Section until retrieved by a Sheriff's deputy.

By Order of
David L. Walters
Chief of Police

Springfield Police Division

General Order

Number: 52
Subject: Access to LEADS, NCIC, CJIS, OHLEG, OLLEISN, etc.
Revised: Thursday, July 20, 2006

1. LEADS Member: The Springfield Police Division is a member of the Ohio Law Enforcement Data Automated Data System. (LEADS.) Division access to the National Crime Information Center (NCIC) and the Criminal Justice Information System (CJIS) is made through LEADS.

2. Compliance: The use of LEADS shall be in compliance with all prescribed operating procedures, rules, regulations, and training bulletins established or issued by the LEADS Steering Committee, as well as NCIC and CJIS. Personal or non- official inquiries and disclosures of information received through LEADS outside of law enforcement is prohibited unless specifically authorized by LEADS and this Division.

3. Confidentiality: Information sent or received on this system is the official business of the Division and will not be disclosed to any person outside of law enforcement agencies, or the courts, unless such disclosure is necessary for Division operations, or otherwise permitted by law, statute, or ordinance.

4. Infractions: LEADS violations are considered serious infractions and shall be addressed according to the Division's Disciplinary Procedure.

   A. Activities which result in the unauthorized modification or destruction of system data, loss of computer system processing capability, or loss by theft of any computer system media (including memory chips, optical or magnetic storage medium, hardcopies, printouts, etc), will be addressed based on the policy of progressive discipline.

   B. Un-intentional Disclosure- The unintentional disclosure of LEADS information to an unauthorized individual is a serious matter. It will be addressed based on the policy of progressive discipline.

   C. Intentional Disclosure- The intentional disclosure of LEADS information to an unauthorized individual warrants only the severest discipline, including dismissal and/or criminal prosecution.

      - In all cases, consideration should be given to the extent of loss or injury to the system, agency, or another person.

5. Applicability: Additional data sharing systems may be made available to SPD officers in the future. This order applies those systems, as they are added. SPD officers should regard information that is accessed through any of the above systems, those described below, or any systems that are added in the future as subject to all of the provisions of this order.

6. Examples: OHLEG (Ohio Law Enforcement Gateway), OLLEISN (Ohio Local Law Enforcement Information Sharing Network), or any Memorandum of Understanding between SPD and any other local, state, or federal agency granting access to their information sharing systems.

By order of-
Stephen P. Moody, Chief of Police

Springfield Police Division

General Order

Number: 53
Subject: Temporary Protection Order Service
Effective: Monday July 9, 2007

1. Purpose: The purpose of this order is to establish departmental policy to facilitate the prompt service of Temporary Protection Orders. (TPO's)

2. Procedure:(Records Section)
   A. When the Records Section receives a TPO, personnel will initial and date the TPO. The information will then be entered into New World Systems. (NWS)

   B. A copy of the TPO will then be faxed to the Communications Center for the information to be entered into LEADS.

   C. If the TPO has already been served prior to being received in the Records Section, the information will be entered into NWS, faxed to the Communications Center and the TPO is then appropriately filed in the Records Section.

   D. If the TPO has not been served, once the aforementioned procedure is completed, Records Personnel will hand deliver the TPO to the current Officer in Charge. (OIC)

3. Procedure (Uniform Patrol)
   A. The OIC who receives the TPO will make every effort to have the TPO served on his or her shift, preferably as soon as possible, staffing and call load permitting.

   B. If the TPO is not served by the shift that originally received it, the TPO will be passed on to the next OIC for an attempted service.

      i. Note: The passing of the un-served TPO will involve the day shift and evening shift OIC. We generally will not attempt to serve a TPO after 2100 hours; however, the OIC does have the discretion to attempt a TPO after 2100 hours.

   C. Officers that are unsuccessful in serving a TPO will make a notation of the date and time of the attempt, similar to the notations currently made on attempted subpoenas.

   D. Served TPO's will be sent back to the Records Section in the normal manner. TPO's that have not been served within two days of receiving them will be forwarded to the Uniform Patrol Commander with a brief explanation as to why it has not been served.

By order of

Captain Bruce Sigman
Uniform Patrol Commander

Springfield Police Division

General Order

Number: 54
Subject: Assisting Bail Bond Agents
Effective: Wednesday, July 18, 2007

1. Purpose: The purpose of this order is to establish departmental policy regarding our assistance to bail bond agents in the apprehension of subjects who have not fulfilled the requirements of their contractual bail bond.

2. Definition: Pursuant to Ohio Revised Code, section 2927.27 (A), a subject that we commonly refer to as having "skipped bail" is identified as a "principal."

3. Requirements:
   A. Pursuant to Ohio Revised Code, section 2927.27 (A) (1 a-e), only a law enforcement officer or a person meeting all of the following criteria shall apprehend, detain, or arrest a principal on bond;
      - Qualified, licensed, and appointed as a surety bail bond agent under sections 3905.83 to 3905.95 of the ORC.
      - Licensed as a surety bail bond agent by the state where the bond was written.
      - Licensed as a private investigator under Chapter 4749 of the ORC.
      - Licensed as a private investigator by the state where the bond was written.
      - An off-duty police officer, as defined in section 2921.51 of the ORC.

   B. Pursuant to Ohio Revised Code, section 2927.27 (A) (3), the person, prior to apprehending, detaining, or arresting the principal, must notify the local law enforcement agency having jurisdiction over the area in which such activities will be performed and must provide any form of identification or other information requested by the law enforcement agency.
      - A violation of this section is a misdemeanor of the first degree.

   C. Pursuant to Ohio Revised Code, section 2927.27 (B), no person shall represent themselves to be a bail enforcement agent or bounty hunter, or claim any similar title, in this state.
      - A violation of this section is a misdemeanor of the first degree.

4. Procedure:
   A. Effective immediately, any time we receive a call for assistance from any bail bond agent or other individual that meets the requirements set forth in the ORC as having authority to apprehend, detain, or arrest a principal, the Officer in Charge (OIC) shall be notified immediately.

   B. The OIC will confirm that the person or persons requesting assistance meet the requirements as described in the ORC. This includes, but is not limited to, verifying their identification and also seeking any other information deemed necessary.

C. If a decision is made by the OIC to have officers assist these individuals in the apprehension of a principal, a street supervisor should also be dispatched to the location where this principal is believed to be located.

D. Typically, we will not assist bail bond agents in attempting to locate, detain, or apprehend a principal after 2200 hours and before 0600 hours. However, the OIC has the discretion to assist at any time.

By the order of:
Captain Bruce Sigman

Springfield Police Division

General Order

Number: 55
Subject: Use and Care of Reflective Traffic Control Vests
Effective: Wednesday, June 17, 2009

In order to enhance officer recognition and safety, all sworn personnel are issued high visibility reflective clothing that meets ANSI 107 or 207 standards.

1. Anytime an officer is conducting traffic control or in the roadway for any prolonged period, the officer shall wear high visibility reflective clothing. For the purpose of this General Order, a prolonged period is defined as five or more minutes. This does not include a typical traffic stop.

2. Reflective vests shall be worn over the outermost garment. Officers will also have their uniform hats on when directing traffic to increase drivers' recognition.

3. During periods of rainy weather, the orange or green reflective side of the reversible rain gear shall be worn. If the reversible rain gear is not green, the reflective vest shall also be worn on the outside of the rain gear.

4. No other traffic control vests are authorized.

5. Any officer replacing a raincoat should consider replacing it with an ANSI 107 standard raincoat (green reflective inside).

As an issued uniform item, it is the officer's responsibility to replace an unserviceable high visibility reflective vest with an ANSI 207 standard vest.

Springfield Police Division

General Order

Number: General Order#56
Subject: JuvenileArrests
Revised: Monday, November 26, 2018

I. Policy

The Springfield Police Division arrests juveniles in consultation with the Clark County Judicial system based on Ohio law and within the guidelines of departmental policy.

II. Procedure

1. Juvenile Unrulyoffenses

    a. <u>When investigating any juvenile unruly offense members of the Springfield Police Division shall properly document the reported offense by filing all required policereport(s).</u>

    b. Unruly arrests,generally-

        i. As a general rule, members of the Springfield Police Division will not file any unrulycharges.

        ii. Parents, or guardians, wishing to file unruly charges should be directed to Juvenile Court, where they will be instructed further as to how charges may befiled.

        iii. Officers of the Springfield Police Division may consult theJuvenile Court Prosecutor or the on-call Common Pleas Court Prosecutor, with regard to unique or challengingsituations.

        iv. Prior to calling the prosecutor to discuss any case outlined here, a detailed investigation shall be completed by the officer. This helps to ensure that the prosecutor has all of the then currently available facts, from which they may make arecommendation.

        v. If charges are filed following consultation with a prosecutor the officer filing the charges shall detail in their report(s) the name of the prosecutor that advised them, along with the specific recommendationsmade.

vi. Juvenile unruly offenders cannot be placed in JuvenileDetention, by law, and are generally released to a parent orguardian.

c. Unruly/Curfewviolations

i. When investigating any curfew violation offense members of the Springfield Police Division shall properly document the reported offense by filing all required policereport(s).

ii. Officers of the Springfield Police Division shall arrest allcurfew violators, as determined by SPD policy and cityordinance.

iii. Officers of the Springfield Police Division shall arrest parents, or legal guardians, of curfew violators upon the second offense committed by the curfewviolator.

iv. Officers of the Springfield Police Division may consult anSPD supervisor for permission not to arrest a curfew violator, or parent, based on the specific circumstances of theevent.

1. In such a case the officer shall document, in an inter-office memo, detailing why no arrest was made and to whom the juvenile wasreleased.

2. In the event the officers do not arrest for a curfew violation parents, or guardians, wishing to file unruly charges should be directed to Juvenile Court, where they will be instructedfurther as to how charges may befiled.

v. Juvenile/unruly offenders cannot be placed in JuvenileDetention, by law, and shall only be released to a parent orguardian.

1. Under no circumstances will an officer simply direct a curfew violator to, “gohome.”

2. The curfew violator shall only be released to a parent,or legalguardian.

2. Juvenile Delinquent criminal offenses, not trafficrelated-

a. When investigating any juvenile delinquency criminal offense members ofthe Springfield Police Division shall properly document the reported offense by filing all required policereport(s).

b. Juveniles ages ten (10) andunder-

i. As a general rule, members of the Springfield Police Division will not file any juvenile delinquency charges on juveniles aged ten (10),and under.

ii. Officers of the Springfield Police Division may consult theJuvenile Court Prosecutor, or the on-call Common Pleas Court Prosecutor, with regard to unique or challengingsituations.

iii. Officers of the Springfield Police Division shall consult the Juvenile Court Prosecutor or the on-call Common Pleas Court Prosecutor, with regard to any/all extremely serious situations orevents.

iv. Prior to calling the prosecutor to discuss any case outlined here, a detailed investigation shall be completed by the officer. This helps to ensure that the prosecutor has all of the then currently available facts, from which they may make arecommendation.

v. If charges are filed, following consultation with a prosecutor, the officer filing the charges shall detail in their report(s) the name of the prosecutor that advised them along with the specific recommendationsmade.

c. Juveniles ages eleven (11) and up, detained at a cityschool.

i. As a general rule, members of the Springfield Police Division will not file any juvenile delinquencyfelonycharges on juveniles for events investigated in city schoolsduring regular business hours, ages eleven
(11) and up, without prior consultation with the Juvenile Court Prosecutor or the on-call Common Pleas Court Prosecutor.

ii. Officers of the Springfield Police Division shall consult the Juvenile Court Prosecutor or the on-call Common Pleas Court Prosecutor, with regard to any/all extremely serious situations orevents.

iii. Prior to calling the prosecutor to discuss any case outlined here, a detailed investigation shall be completed by the officer. This helps to ensure that the prosecutor has all of the then currently available facts, from which they may make arecommendation.

iv. If charges are filed, following consultation with a prosecutor, the officer filing the charges shall detail in their report(s) the name of the prosecutor that advised them along with the specific recommendationsmade.

d. Juveniles ages eleven (11) andup-

i. Juveniles detained on delinquency charges ages eleven (11), and up, where the event did not occur at a city school,during the normal business hours of that school, will be charged based on Ohio law and departmentalpolicy.

ii. Officers of the Springfield Police Division may consult theJuvenile Court Prosecutor, or the on-call Common Pleas Court Prosecutor, with regard to unique or challengingsituations.

iii. Officers of the Springfield Police Division shall consult the Juvenile Court Prosecutor or the on-call Common Pleas Court Prosecutor, with regard to extremely serious situations orevents.

iv. Prior to calling the prosecutor to discuss any case outlined here, a detailed investigation shall be completed by the officer. This helps to ensure that the prosecutor has all of the then currently available facts, from which they may make arecommendation.

v. If charges are filed, following consultation with a prosecutor, the officer filing the charges shall detail in their report(s) the name of the prosecutor that advised them along with the specific recommendationsmade.

3. Juvenile Delinquent offenses, trafficrelated

a. Juvenile delinquent offenses related to traffic offenses shall be filed based on Ohio law and departmentalpolicy.

i. Officers of the Springfield Police Division may consult theJuvenile Court Prosecutor or the on-call Common Pleas Court Prosecutor, with regard to unique or challengingsituations.

ii. Officers of the Springfield Police Division shall consult the Juvenile Court Prosecutor or the on-call Common Pleas Court Prosecutor, with regard to extremely serious situations orevents.

iii. Prior to calling the prosecutor to discuss any case outlined here, a detailed investigation shall be completed by the officer. This helps to ensure that the prosecutor has all of the then currently available facts, from which they may make arecommendation.

iv. If charges are filed, following consultation with a prosecutor, the officer filing the charges shall detail in their report(s) the name of the prosecutor that advised them along with the specific recommendationsmade.

Springfield Police Division

General Order

Number: General Order #57
Subject: Cell phone assigned to the Officer-in-Charge
Revised: September 25th, 2018
Approved by: Chief Lee Graf

I. Purpose- To ensure that the Officer-in-Charge can be contacted in an emergency, no matter where he or she is, in the building.

II. Procedure-

A. A cell phone has been assigned to the Officer-in-Charge.

B. The main number for the OIC, 937-324-7716, is now set to roll over to the cell phone after six (6) rings.

C. All supervisors assigned to work as the OIC must have this cell phone in their possession when they leave the office for anything more than a brief (under 5 minutes) period.

D. The OIC phone must be turned over to the OIC, on the relieving shift.

Springfield Police Division

General Order

Number: 58
Subject: Special Assignments
Effective: Monday April 22nd, 2019

I. Special Assignments, as defined here, are comprised of sworn officers assigned to complete specific, or unique, tasks with regard to law enforcement for the City of Springfield.

   A. Special Assignment tasks are created, modified, or rescinded at the sole discretion of the Chief of Police.

   B. Officers are assigned to work Special Assignments at the sole discretion of the Chief of Police.

   C. Similarly, officers may be removed from a Special Assignment with, or without cause, at the sole discretion of the Chief of Police.

II. Special Assignment tasks are outlined in the attached appendices.

   A. Appendix 1- Clark State Community College Patrol Officer (CSCCPO)
   B. Appendix 2- Opioid Diversion Officer (ODO)
   C. Appendix 3- Safe Streets Task Force (SSTF)
   D. Appendix 4- School Resource Officers (SRO)

Springfield Police Division

General Order

Number: 58; Appendix 1
Subject: Special Assignments: Clark State Community College Patrol Officer (CSCCPO)
Effective: Monday April 22nd, 2019

I. This position arises from the shared security proposal that is negotiated and agreed upon annually by the Springfield Police Division and Clark State Community College. Many of the assignment duties and procedures are mandated by this agreement.

II. Staffing

A. The CSCCPO position is a special assignment within the Uniform Patrol Sub-Division under the direction of the Uniform Patrol Administrative Lieutenant's office.

B. Staff levels permitting, this assignment will be staffed by two police officers assigned in accordance with traditional practices at the discretion of the Chief of Police.

C. Likewise, officers can be removed from this assignment by the Chief of Police at his/her discretion. The Chief of Police and the City of Springfield or Clark State Community College can terminate this program as noted in the security agreement.

D. Per the agreement, the days and hours of the CSCC Patrol Officer's assignment are as follows:

1. 2nd Shift CSCCPO – Monday through Friday – 7:00am to 3:00pm

2. 3rd Shift CSCCPO – Monday through Thursday – 3:00pm to 11:00pm
Friday – 3:00pm to 4:30pm

E. Should the assigned CSCCPO not be available to work their assigned shift, the affected shift commander shall assign a patrol officer to assume CSCCPO duties for that shift. That officer is required to assume all of the duties of a CSCCPO during their tour.

III. Process

A. The CSCCPO's will be assigned a dedicated SPD cruiser.

1. This cruiser will be equipped with the CSCCPO cell phone and charger (937-328-6144), a CSCC portable radio and charger, and a copy of this document.
2. The CSCCPO cell phone will be the CSCCPO's primary source of communication for calls for service on campus.

a. The CSCCPO will ensure that the cell phone is charged and the ringer is "on".

b. The CSCCPO shall carry that cell phone throughout their shift.

3. The CSCCPO will also turn the CSCC portable radio on, but will only carry it outside of the car when the officer feels it is appropriate to do so.

B. CSCCPO's will maintain a hand written run-sheet throughout their shift and will detail all of their activities during their tour of duty. This run-sheet shall be turned in to the Administrative Lieutenant at the end of each shift.

C. The CSCCPO assignment is primarily a walking post.

D. The CSCCPO will use the cruiser to travel between the various campus locations, but foot patrol inside and around these facilities, shall take up the majority of the CSCCPO's activities during their shift.

1. When parking the cruiser to conduct foot patrols, the CSCCPO should always park the cruiser in a prominent and highly visible location to show the presence of the CSCCPO and to add deterrent value to the patrol.

2. Clark State Community College Springfield campuses:

a. Leffel Lane Campus, 570 E. Leffel Lane, all grounds and buildings
b. Downtown Campus, Brinkman Educational Center (BEC), 100 S. Limestone St.
c. Hollenbeck Bayley Conference Center (HBC), 275 S. Limestone St.
d. Clark State Performing Arts Center (PAC), 300 S. Fountain Ave.

E. CSCCPO Folder – Will be maintained at SPD HQ in the Uniform Patrol Administration Office area.

1. The folder will contain information related to the CSCC community – event notices, incidents, updates to policy, etc.

2. It is the responsibility of each CSCCPO to review the folder at the start of their shift for updates and new materials.

3. It is the responsibility of the 2nd Shift (Days) CSCCPO to collect the folder, read the materials in it, and place it in the CSCCPO cruiser.

4. It is the responsibility of the 3rd Shift (Evenings) CSCCPO to read the materials in the folder at the start of their shift, and to return the folder to the Uniform Patrol Administration Office area and to place any new materials in the folder at the end of their shift.

5. It is the responsibility of all SPD supervisors to keep the folder updated.

6. Clark State Community College staff can forward event notifications, special security concerns, and other materials for the folder by emailing them to spdcscc@springfieldohio.gov. Emails sent to this address are received by the Uniform Patrol Commander, the Uniform Patrol Administrative Lieutenant, the

Uniform Patrol Shift Commanders, the Traffic Sergeant, and the assigned CSCCPOs.

F. Any documentation generated during the CSCCPO shift that relates to CSCC shall be copied and attached to that tour's daily run sheet and submitted to the Administrative Lieutenant.

G. CSCCPO's may be required to attend meetings conducted by CSCC Staff.

1. Attendance is subject to approval by the Uniform Patrol Captain, Chief of Police, or their designees.

2. CSCC Staff will advise the Uniform Patrol Captain/designee of upcoming meetings (spdcscc@springfieldohio.gov) and the Uniform Patrol Captain shall determine who should attend those meetings.

3. The same procedure will be in place regarding meetings with students, student behavioral intervention conferences/planning sessions, etc.

H. CSCC Staff will be responsible for advising the Division of scheduled campus events (see E-6, above).

1. When events take place during CSCCPO hours, it is expected that the CSCCPO will check in on these events as they patrol the campuses, as part of their patrol regimen.

2. The CSCCPO will not "post" at these events. Should CSCC staff need additional officer coverage at an event, arrangements should be made as set forth in the Security Agreement.

IV. Cadets

A. Cadets are employed by Clark State and have duties that are related to the role of CSCCPO. Because of this the CSCCPO must be aware of the CSCC Cadet role and responsibilities on campus.

B. CSCC Cadets are supervised by the Clark State Community College and do not report to SPD officers.

C. CSCC Cadets, when on duty and available, are primarily responsible for escorts on campus, helping students and visitors with car troubles, dealing with on-campus parking violations, assisting at events, observing and reporting security and safety issues/concerns, etc.

1. Cadets can be reached at 937-605-8269.

2. Cadets are exclusively responsible for "lock-out" and "car jump" services.

3. CSCC Cadets provide student and guest escorts; however situations may dictate that the CSCCPO perform some escorts (stalking situations, protection orders, disorderly or suspicious persons or groups in an area, etc.)

4. Cadets work hours and assignments are as follows-

    a. Day Shift – Monday through Friday – 9:00am to 4:00pm
    b. Evening Shift – Monday through Friday – 5:00pm to 9:00pm*

*Cadets are required to work inside the HBC and PAC Monday through Friday – 5:00pm to 8:00pm and cannot leave that post.

Springfield Police Division

General Order

Number: 58; Appendix 2
Subject: Special Assignments: Opioid Diversion Officer (ODO)
Effective: Monday April 22nd, 2019

I. This position arises from a grant, and may be modified at the discretion of the Chief of Police at any time.

II. Staffing

A. The ODO position is a special assignment within the Uniform Patrol Sub-Division under the direction of the Community Response Team Sergeant.

B. Staff levels permitting, this assignment will be staffed by one officer assigned in accordance with traditional practices at the discretion of the Chief of Police.

C. Likewise, officers can be removed from this assignment by the Chief of Police at his/her discretion. The Chief of Police and the City of Springfield can terminate this program at their discretion.

III. Chain of Command- Diversion Officer, CRT Sergeant, Administrative Lieutenant, Grant Coordinator (Currently the Staff Services Captain).

IV. Procedure

A. Dispatch notifies SPD of an overdose and this information is relayed to the McKinley Hall Peer Support Specialist and the Opioid Diversion Officer.
B. Response by the ODO to the hospital.
C. Communication with overdose victim; kind and focused;
D. Communication with overdose family and loved ones;
E. Offer immediate and continued help: assessment and treatment to assist overdose victim;
F. Continue necessary communication with overdose victim as they enter Detox setting;
G. Continue supportive interface with family of overdose victim;
H. Create and maintain Case File on overdose victim;
I. Communicate with victim of overdose in recovery housing
J. Follow ups- immediately, 30, 60, and 90 days. (via telephone and/or in-person.)
K. Communicate with prosecutor with regard to OD victim's compliance
L. Provide information, only, to the narcotics unit with regard to drug traffickers.

V. The ODO is not assigned to the Narcotics Unit, and should not be participating in the execution of search warrants by the Narcotics unit, nor should they be an affiant on search warrants for the Narcotics unit.

VI. The Opioid Diversion officer is not to respond to routine calls. They should provide assistance when they are not otherwise busy or when specifically ordered to do so by a supervisor.

VII. The ODO works directly with the Person's unit Sergeant to follow up on, and complete written police reports when an overdose becomes a death, after the victim is taken to the hospital

VIII. Attend Communication for Change meetings with McKinley Hall staff. Work with McKinley Hall staff on the GROW program. Attend the monthly drugged death reviews.

IX. Maintain Google calendar and share it with chain of command so meetings can be tracked.

X. The ODO, and the CRT Sergeant when available, will attend a regular, at least bi-monthly, meeting with the Grant Coordinator (Staff Services Captain) to outline current work status.

XI. This is a uniformed position.

A. The diversion officer is expected to wear a full uniform, and drive a marked police cruiser except when completing home visits.

B. On home visit days the assigned officer is expected to wear business casual. Jeans/t-shirts are not acceptable work wear for this position.

Springfield Police Division

General Order

Number: 58; Appendix 3
Subject: Special Assignments; Appendix 3, Safe Streets Task Force
Effective: Monday April 22nd, 2019

I. General Order 58; appendix 3 describes the framework of the Safe Streets Task Force (SSTF). The team's primary focus is quality of life issues within Springfield neighborhoods and on high crime areas as determined by calls for service and intelligence provided by other divisions within the agency. The unit has two goals. First, they are expected to take a proactive approach to criminal activity, to deter future crime. Second, they are expected to participate in community based events as a proactive way to partner with our community.

II. Members of the SSTF are assigned, and removed, solely at the discretion of the Chief of Police and/or his/her designee.

III. Days of activation, and deactivation, of the SSTF are solely at the discretion of the Chief of Police. The intent is for the SSTF to be activated during the warmer portion of the calendar year, roughly May through September.

IV. What the Safe Streets Task force is:

A. The SSTF is comprised of one police sergeant and up to five (5) patrol officers, as specified by the Chief of Police at the time the unit is started each year. (Subject to the discretion of the Chief of Police.) The SSTF conducts pro-active patrol in areas of high crime that require more attention than a district officer is able to provide during the shift. The SSTF works to develop street intelligence and target individuals engaging in criminal activity such as crimes of violence, auto theft, burglary, drug trafficking and prostitution. The SSTF is also designed to be a visible presence at community based events where the officers engage with citizens in a positive and welcoming manner.

B. The SSTF exists to provide proactive enforcement pertaining to current crime and disorder problems within our community. The SSTF also works community events, subject to the approval of the Chief of Police. When requested, they may provide investigative support to the Investigations sub-division, as well as regional task forces, such as SOFAST.

1. Quality of life issues, as defined by the community, the Uniform Patrol Captain, and the Chief of Police.

2. Crime and disorder assignments.
3. The SSTF may be assigned to work a problem area that is experiencing a high number of automobile crashes. In this instance the SSTF would conduct proactive traffic enforcement with the goal of reducing traffic crashes.

4. The SSTF may be assigned to work areas experiencing problems with prostitution or drug trafficking. One way this may be addressed is in uniform, walking a foot beat for a shift, several shifts, or even an extended period of time as ordered by the Uniform Patrol Captain or the Chief of Police.

5. Community based events that all SSTF team members participate in:

   a) Memorial Day Parade
   b) National Night Out
   c) G.R.O.W (Get Recovery Options Working)
   d) Culture fest
   e) Other assignments as identified by the Uniform Patrol Captain or the Chief of Police.

V. Responsibilities of the SSTF sergeant-

A. Prior to each week the SSTF is working, the SSTF sergeant will prepare a written plan detailing the assignments for each day of the upcoming week.

   1. This written plan will be created in consultation with the Chief of Police, Uniform Patrol Captain and the Shift Commanders.

   2. This written plan will detail hours of work, officers assigned each day, planned assignments, locations, uniforms, etc.

B. At the start of each shift, the SSTF sergeant shall

   1. Check in with the shift commander and advise them of their assignment that day.

   2. If the hours of work of the SSTF overlap multiple shifts the SSTF sergeant is required to notify the shift commanders of each shift involved as to their expected duties.

C. By the end of each shift the SSTF sergeant shall file a written, inter-office memorandum and forward it to the Shift Commanders identified above, the Uniform Patrol Captain, and the Chief of Police. This memo must include, but is not limited to, the following information-

   1. Date, time, and duration of assignment for that day.

   2. Location and/or type of assignment for that day.

   3. A complete description of interaction with the public, if the assignment was community response/community engagement oriented.

   4. A complete list of any/all persons arrested and all charges filed, if the assignment was community problem oriented.

   5. A complete list of any/all out of the ordinary events that occurred during the shift, involving the unit. This could be serious injuries to suspects or officers; damage to vehicles; etc.

VI. Responsibilities of all SSTF officers-

A. Work the hours assigned by the SSTF sergeant.

B. Remain culturally and community sensitive at all times.

C. Possess a thorough knowledge of search and seizure, constitutional law, legal and civil rights.

VII. What the Safe Streets Task Force is not:

A. The SSTF is not an undercover assignment.

1. All officers assigned to the SSTF shall wear the uniform patrol uniform of the day, or the SSTF shirt as approved by the Chief of Police.

2. The SSTF was designed to be a high visibility street unit. Undercover assignments may be used from time to time, but that is not the primary mission of the unit.

B. The SSTF was not designed to serve as an extension of any unit of the Springfield Police Division, such as Investigations, CRT, etc. The SSTF may work with these units from time to time; however, they are not to become working extensions of those units.

1. The SSTF was devised to fill in the gaps that sub-divisions, including uniform patrol, cannot cover without abandoning their primary missions.

2. The SSTF concentrates on neighborhood and community issues in a way that no other unit at SPD can.

Springfield Police Division

General Order

Number: 58; Appendix 4
Subject: Special Assignments: School Resource Officer (SRO)
Effective: Monday April 22nd, 2019

I. The Springfield City School District and the Springfield Police Division jointly developed a list of Standard Operating Procedures that outline the assignment duties and duties of a School Resource Officer. The SOP's are attached to this appendix.

II. Staffing

A. The SRO position is a special assignment within the Uniform Patrol Sub-Division under the direction of the Uniform Patrol Administrative Lieutenant's office.

B. Staff levels permitting, this assignment will be staffed by one, or more, police officers assigned in accordance with traditional practices at the discretion of the Chief of Police.

*As of 3/22/19 there are two police officers assigned to work at the High School, two police officers assigned to work in the middle schools, and two police officers assigned to work D.A.R.E. in the elementary schools.

C. Likewise, officers can be removed from this assignment by the Chief of Police at his/her discretion.

School Resource Officer Springfield City Schools Springfield Police Division Standard Operating Procedures

Mission Statement

Minimize disruption to the educational process in the Springfield City School District by a commitment to maintain a zero tolerance for weapons, drugs, violence and unruly behavior through the intervention or arrest of violators, confiscation of contraband, counseling at-risk youth and maintaining an atmosphere that is conducive to learning.

Goals

1. Make the schools a safe environment for learning.
    a. Law Enforcement
    b. Crime Prevention
2. Foster a positive attitude toward law enforcement.
3. Encourage more cooperation between students and police.
4. Reduce juvenile crime.
5. Assist teachers/staff with instruction or support information as requested.

Springfield City Schools Springfield Police Division
School Resource Officer Program

The Springfield Police School Resource Officer (**SRO**) program will be based on the input from the Springfield Police Division, the school administration, teachers, faculty and students. The program will be fashioned to fulfill four main roles: 1) Law enforcement, 2) Crime Prevention, 3) Education and 4) Mentor/Problem Solver.

Law Enforcement: The **SRO** will be responsible for the majority of law enforcement activities occurring at the school during school hours. This will involve the traditional enforcement activities of arrests, reports and filing charges etc. The officer is also responsible for conducting follow-up investigations at the request of other police division personnel. In addition, the officer is responsible for information sharing between school officials and the police division. To establish and maintain credibility it is imperative that the **SRO** not be compromised as an enforcement authority.

While enforcement is a role of the **SRO**, alternatives to arrest will be widely used in cases which warrant this response. The officer in conjunction with school resources could serve as coordinator of an alternative to a suspension/arrest program where a form of community service may be done and coordinated by the officer: in the school setting.

It is critical that we establish, with school administration's input, protocol and procedures for enforcement action detailing the officer's role and the school's role. It must be clear when and how the officer's law enforcement activities and the schools administrative discipline will be coordinated.

Crime Prevention: A second role the **SRO** would fulfill is crime prevention. The officer will conduct various activities including foot patrol and internal security throughout the school property. The officer will routinely complete security surveys relative to the physical security of the school property and facilities. The officers may also assist with security at special events occurring during the school day such as assemblies. Additionally, the officer will ad as a resource to the facility and staff of the school to advise on matters relative to criminal activity. The officer will coordinate or conduct crime prevention presentations for faculty, staff and students. Topics of interest such as date rape, vandalism, theft prevention and victimization could benefit students and staff. Finally, the officer

will gather and disseminate intelligence to prevent potential crimes.

Education: The third role of the **SRO** is education. Considering the overall mission of our schools is to educate, it is very important that the **SRO** participate in this mission. By becoming a member of the educational team, the **SRO** will become more accepted by the students, faculty and staff. Officers can provide presentations on law related topics to any class by teacher and or administrator invitation. The officer can also speak to student support groups, parent support groups and provide training to administrators and faculty in the area of law enforcement. Lesson plans will be developed for any presentation to ensure consistency. An added benefit to this role is the presence of the officer in the classroom. Students who have the opportunity to spend some time with a police officer in a positive, non-threatening setting are always more likely to open up and share information with that officer. Thus building trust and respect.

Mentor/Problem Solver: The fourth role of the **SRO** is that of a mentor/problem solver. Officers can mentor students within the context of that officer's knowledge, training and experience. The officer can be available to the students on a variety of issues which range from dealing with anger, personal conflicts, drug and alcohol issues, abuse and neglect and other issues which may in some way be connected with the law. The **SRO** would work closely with school counselors, social workers and psychologists in order to provide appropriate levels of support and information to students in need.

SRO Standard Operating Procedures

The **SRO**'s activity in the school will be guided by the following procedures. These procedures have been drafted in a cooperative effort between the Springfield Police Division personnel and the Springfield City Schools. These procedures highlight several areas, which are collectively felt to be necessary.

Duties of the SRO: The primary function of the **SRO** will be to provide a safe and secure school environment, serve as an educational resource and serve as liaison between the school system and the Springfield Police Division Specific daily assignments to accomplish this function will vary by school. Toe **SRO** and school principal or designee will meet to discuss plans and strategies to address specific issues or needs that may arise. The **SRO** will not be utilized in a parking enforcement role.

Role in Crime Suppression: One of the **SRO**'s roles will be enforcement to include traditional criminal investigation and report taking. As a police officer, the **SRO** has the authority to make arrests and use alternatives to arrest at his or her discretion. The following procedures will help the **SRO** be as effective as possible in this role.

1. The **SRO** should be informed of all criminal activity, which occurs on the school property during the day, regardless of the seriousness of the offense. The **SRO** will also inform school administration of all criminal activity occurring on campus to make sure all interested parties remain informed.

2. Typically, for all misdemeanor offenses other than drug offenses and offenses and offenses of violence, the **SRO** working cooperatively with the school administration will determine whether formal charges will be filed. For drug offenses and offenses of violence the **SRO** will normally file formal charges.

3. For all felony offenses the **SRO** will normally file formal charges or facilitate the filing of formal charges in conjunction with school administration and other Springfield Police Division personnel.

Enforcing/Reporting School Policy Violations: The **SRO** is not a school disciplinarian and normally will take action only when there is a violation of law. School discipline is the responsibility of the appropriate school administrator. The **SRO** will normally report school policy violations through the proper channels to be handled by school administration. It is the responsibility of the **SRO** to become familiar with the student handbook and school policy.

Sharing of Information: Recognizing communication and information sharing is essential to the success of the **SRO** program, the following **procedures** should be followed to facilitate a free flow of information to and from the **SRO:**

1. Sharing of information will be governed by the Ohio Revised Code: the Ohio Administrative Code. Ohio's Public Records Law and relevant Springfield Police Division and Springfield City Schools policies.

2. The sharing of arrest related information by the **SRO** with school administrators upon request or at the direction of the **SRO.**

3. Juvenile fingerprints and photos as part of the arrest record will not be shared by the **SRO.**

4. If the **SRO** is aware of information on a student that is obtained by the Springfield Police Division which reflects that a student is in violation of school policies (Student Handbook or Extracurricular Code) the **SRO** may forward that information to school administration.

5. If a juvenile or employee is an uncharged suspect in a crime his/her information will not be released unless authorized by the Springfield Police Division.

6. Information which the **SRO** obtains from school personnel which deals with criminal or possible criminal intelligence will be maintained by the **SRO** as a criminal justice file. This file may be shared with other police personnel and Criminal Justice Agencies, but will not be part of the student's record.

7. Hearsay information or rumors will alone, not be the basis for formal action by the school or the Springfield Police Division. It can be used in an intelligence capacity or to validate the need for further investigation.

Role in the Administrative Hierarchy: The **SRO** will be accountable to the Springfield Police Division's chain of command. However, while at school, the **SRO** will be accountable to the building administrator or designee. The **SRO** is expected to cooperate with the school officials, including administrators and faculty. The **SRO** will abide by school policy and respond to requests of school officials.

Role in Locker, Vehicle and Personal Searches: When requested, the **SRO** may assist school administration in searches of person(s), property or vehicles under the following, but not limited to, applicable reasons:

1. Person may be considered a threat to assault the searcher.

2. Person may attempt to escape in a situation in which the student would be a danger to themselves or a danger to others.

3. Person may possess a firearm or knife, a suspicion that may be supported on the slightest articulated indication including conclusions drawn as a result of teaching or law enforcement experience.

4. Person is suspected of having drugs, which may include needles or toxic substances.

5. Items being searched may contain dangerous items.

6. Item to be searched, e.g., and automobile requires professional search techniques to make the search effective.

The **SRO** may perform searches independent of the school administration only under the existing provisions of the Ohio Revised Code and the Springfield Police Division General Orders.

Role in Critical Incidents: The **SRO** will be familiar with the emergency operations manual of the Springfield City Schools. During any critical incident occurring on school property the **SRO** will act as liaison between school administration, Springfield Police and any other emergency resources involved. The **SRO** will be a member of the schools crisis team and active in developing the building crisis plan.

Role in Truancy Issues: Truancy will continue to be handled by school personnel. Normally the **SRO** will not take an active role in the tracking of truants. The **SRO** will act as a liaison between school and police personnel should police involvement become necessary due to safety concerns.

Role as an Educator: The **SRO** will serve as an educational resource to school faculty, staff and students. The **SRO** may be called upon for presentations on specific topics that may lend valuable insight regarding a particular subject matter. The **SRO** may not be a certified teacher: therefore, the normal classroom teacher will be present during any instructional period. The **SRO** will maintain complete lesson plans on their topics of instruction and will furnish a list of topics to school personnel. The school faculty and staff will assist the **SRO** in endeavors such as lesson topics and lesson planning. The cooperation of the faculty, administration and **SRO** will assure a positive education experience for all students.

Officer Selection and Training: As with any program of this type, the success or failure largely depends on the officer involved with the program. For this reason selection of the **SRO** will be carefully done to insure a good match. The candidate should meet the following general requirements:

1. **Experience:** A minimum amount of experience as a police officer should be established by the Springfield Police Division.

2. **Successful performance:** All candidates should have proven performance as reflected by prior performance evaluations. Candidates should be free of disciplinary action for the past period of one year.

3. **Interview Team:** The candidates shall undergo an interview process with a cooperative interview team, consisting of but not limited to the following individuals:

   a. Springfield Police Division officials
   b. Springfield City Schools administrators

4. **Training:** The candidate upon being selected for the position will attend basic **SRO** training classes offered by the school district and the National Association of School Resource Officers (NASRO) when available or as soon as practical.

Evaluation: A yearly evaluation model will be developed by the Springfield Police Division and Springfield City Schools cooperatively. The evaluation team shall consist of building administrators, police officials, and liaisons from both the police Division and school district. Evaluation teams will establish a date near the end of the school year to evaluate the individuals and program.

School Liaison: It is recommended that each school's administrator act as the liaison with the building **SRO.** The program coordinator for the school district will be the Coordinator of Student Attendance, Discipline & Safety. Cooperation and communication is essential for acceptance and successful implementation of the program at the district level as well as the building level. Building liaisons should help coordinate the officer's presence in the various classrooms to insure maximum utilization of the officer in an educational role.

Written Agreement: This document will serve as the written agreement between the Springfield City School District and the Springfield Police Division. This agreement establishes the needed commitment and support from both institutions. This document also provides a series of guidelines and policies relevant to the **performance** of the School Resource Officer. This document will be the guiding agreement our officers, school administrators and city administration look to for structure and accountability and should not become static, but rather should be under constant review. This agreement does not include any budgetary matters that will be addressed by the City of Springfield, Springfield Police Division and the Springfield City Schools.

Springfield Police Division

General Order

Number: 59
Subject: Bias Free Policing
Effective: Thursday August 1st, 2019

Ohio Collaborative Standard 3.2017.6/A

1. Purpose: To provide guidance to ensure that police services are delivered equitably, respectfully, and free of bias in a manner that promotes broad community engagement, trust, and confidence in the Springfield Police Division.

2. Policy: The Springfield Police Division is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair and equitable manner based on mutual trust and respect with Springfield's diverse groups and communities. Bias-based policing is strictly prohibited. Bias-based policing degrades the public's confidence in the Division and is detrimental to effective law enforcement because it fosters distrust in the community and undermines the Division's ability to enforce the law.

3. Definitions:

   A. Bias-Based Policing: A law enforcement action motivated by discrimination on the basis of an individual's demographic category.

   B. Bias-Free Policing: Bias-free policing is policing that is free of discriminatory effect as well as discriminatory intent.

   C. Demographic Category- Race, ethnicity, national origin, age, gender, gender expression or identity, sexual orientation, disability, religion or limited English proficiency.

   D. Investigatory Stop or Investigatory Detention: A temporary restraint, based upon reasonable suspicion, where the subject of the stop or detention reasonably believes that he or she is not free to leave within the meaning of Terry v. Ohio.

   E. Probable Cause: Facts and circumstances which would support a reasonable belief that a crime has been committed and that the person being detained committed the crime. Probable cause involves an examination of all the facts and circumstances known to the Officer at the time of an event.

   F. Procedural Justice: Four central principles designed to build public confidence in the police by: 1) treating people with dignity and respect; 2) giving individuals a chance to be heard during encounters; 3) making decisions fairly and transparently, based on facts; 4) conveying goodwill and trustworthiness.

   G. Reasonable Articulable Suspicion: The standard of proof necessary for a police officer to engage in a temporary investigatory detention of an individual. While reasonable suspicion is a lesser standard than probable cause, it must be supported by specific and articulable facts for suspecting a person of criminal conduct.

4. Procedure: Guidelines for Bias Free Policing.

   A. Officers shall:

      1) Treat everyone with courtesy, professionalism, dignity, and respect.

      2) Make all decisions related to law enforcement activities based upon observed behavior, reasonable suspicion, and/or probable cause.

      3) Ensure bias-free encounters by relying on information that is accurate, specific, and free from bias while developing reasonable suspicion and/or probable cause.

      4) Conduct law enforcement activities, including any decision to engage in an investigatory stop or investigatory detention of a motorist or pedestrian, without discrimination on the basis of an individual's demographic category.

      5) Interact with the public using the principles of procedural justice.

         Examples of this type of interaction include but are not limited to the following:

         a) Introducing yourself and stating the reason for the interaction, as soon as practical, unless providing this information will compromise officer or public safety.

         b) Ensuring that detentions are no longer than necessary.

         c) Wherever time and circumstances permit, explaining what the Officer is doing and why.

         d) Wherever time and circumstances permit, listening to the individual and answering reasonable questions that the individual has relating to the interaction.

         e) Providing individuals with the Officer's name, rank, and badge number when asked.

         f) Call for a supervisor whenever any person requests to file a complaint with regard to bias based policing.

   B. Officers shall not:

      1) Engage in, ignore or condone bias-based policing.

      2) Use harassing, intimidating or derogatory language verbally, in writing, or by gesture concerning any demographic category.

      3) Determine reasonable suspicion or probable cause based upon a demographic category, except when the characteristic is part of an actual and credible description of a specific suspect in an investigation that includes other identifying factors.

      4) Delay or deny police services based on an individual's demographic category.

5. Procedure- Reporting Bias Based Policing

   A. Officers who are aware of or who have observed bias-based policing shall report the incident, as soon as practicable but no later than the end of the Officer's tour of duty, to a supervisor.

   B. No officer shall retaliate against, discourage, intimidate, or coerce another officer or individual, who provides, files, investigates or reviews information about incidents of biased policing. Officers or individuals shall be protected from retaliatory conduct.

   C. If an individual indicates to an officer that they would like to make a complaint about bias- based policing, the officer shall immediately request that a supervisor respond to the scene.

   D. Supervisors shall respond to the scene in which an individual expresses that they would like to make a complaint about bias based policing. Upon arrival the supervisor shall:

      1) Address the concern in accordance with the procedures for responding to misconduct complaints while conducting a preliminary investigation of the complaint in order to preserve key evidence and potential witnesses.

      2) Provide the individual a blank complaint form to be completed at that time, or later.

      3) Refer the individual to the Professional Standards Unit.

      4) If the complainant changes their mind and decides not to file a formal complaint, or leaves the scene prior to the supervisor's arrival and cannot be contacted, the supervisor shall document the results of their investigation in an inter-office memo and forward it to the Chief of Police, their Sub-Division Commander, and their Shift Lieutenant.

      5) Members of this division shall not discourage any individual from filing a formal complaint.

6. Discipline- (Ohio Collaborative Standard 3.2017.6/C)

   A. Officers who engage in, ignore, or condone bias based policing shall be subject to discipline.

   B. Officers who fail to report observed or alleged bias based policing shall be subject to discipline.

   C. Supervisors who fail to address complaints of bias-based policing will be subject to discipline.

7. Training- (Ohio Collaborative Standard 3.2017.6/B)

   Officers shall receive annual training on bias free policing that is adequate in quality, quantity, type and scope as determined by the Chief of Police.

8. Data collection procedure- (Ohio Collaborative Standard 3.2017.6/D)

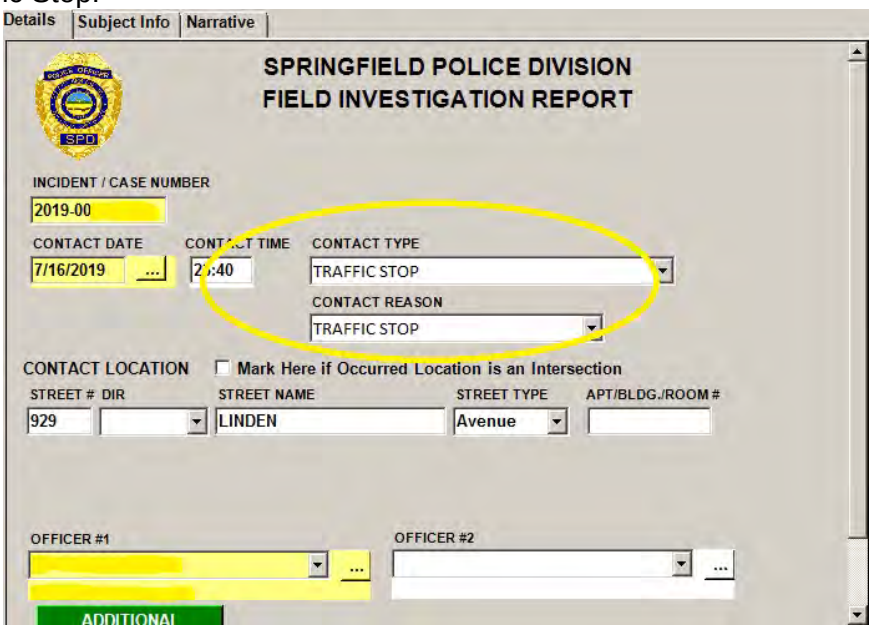
   A. Officers conducting any traffic stop within the city have three (3) options to submit the required data. (1- Traffic citation, 2- digital FI card, 3- paper FI card. See below.)

      1) If the **driver** is issued any traffic citation (not a parking ticket) the officer simply needs to follow their normal procedure and the data will be collected through a computer search on tickets issued.

      2) If the **driver** is not being issued a traffic citation the officer **must** complete either a digital FI card, or a paper FI card.

      3) The digital FI card must be completed as follows-

         a) Using the tabs for "Contact Type" and "Contact Reason" the officer must select "Traffic Stop."



         b) Under the subject info tab the officer should fill out as much information as possible. At a minimum the officer shall include the full name of the driver, their address, race, and sex. If the officer has the drivers information in the call, from LEADS, they are expected to auto import all information into the fields.

         c) Under the Narrative tab the officer must list their reasonable cause for the stop and describe the details of the stop.

      4) Officers who do not have a computer in their cruiser, **only,** have the option of completing a paper FI card.

         a) It should be completed much like the digital FI card, above, and submitted along with all other FI cards.

         b) Paper FI cards are a method of last resort for submitting this data.

c) Supervisors, who determine that an officer had a mobile computer available and submitted a paper FI card, anyway, shall instruct officers to go back and complete the mobile FI card.

5) The traffic stop data is currently only collected for the driver.

a) Officers are not required to complete FI cards for passengers when conducting a traffic stop, but should note the number of passengers in the narrative on the drivers FI card.

b) If additional information about the passengers is also obtained during the stop it may be noted in the narrative.

c) Officers should refer to Training Bulletins 2012-01 and 2012-02 for information with regard to completing FI cards for all other reasons.

IV. Annual Administrative Review- (Ohio Collaborative Standard 3.2017.6/E)

The Chief of Police shall designate a staff member to conduct a documented annual review of agency practices related to this policy, to include: agency practices, data collected and any citizen concerns related to this policy. This document is a public record.

Springfield Police Division

General Order

Number: 60
Subject: Continuity of Police Operations in an Emergency
Effective: Friday, April 3, 2020

1. The Springfield Police Division follows the most current City of Springfield Emergency Plan, with regard to all emergiences.

2. The primary role of the Springfield Police Division, in an emergency, is to provide for the safety and security of human life and to protect property.

3. In order to maintain this ability the Springfield Police Division is obligated to ensure that the Uniform Patrol Sub-Division has sufficient personnel to respond to the emergency.

4. City Ordinance 115.01 Emergency:

   "115.01 PROCLAMATIONS; ISSUANCE AND CONTENT. Whenever, pursuant to Section 7 of the City Charter, the Mayor issues a proclamation declaring a state of public danger and emergency to exist in the City, such proclamation shall state the presence of such danger and emergency; the causes therefor, if known; the period during which such proclamation shall be in force and effect; the rules, regulations and directives to be followed by persons in the City; and the specific prohibitions of action, if any, by persons in the City during the period of such proclamation. (Ord. 53-136. Passed 8-3-53.)

5. Union Contracts:

   A. Article 4, of the SPPA contract states: "In cases of circumstances beyond the control of the City, such as, but not necessarily limited to, acts of God, riot, strikes, flood and civil disorder, the City Manager or his designee, after formal declaration of emergency by the Mayor in accordance with the ordinances of the City of Springfield, Ohio, may, to the extent necessary, make such assignments within the recognizable scope of the Police Division skills, as is deemed necessary, without regard to employee classifications, overtime limitations, or seniority."

   B. Article 6, Section A of the SCOA contract state: "In cases of circumstances beyond the control of the City, such as, but not necessarily limited to, acts of God, riot, strikes, flood and civil disorder, the City Manager or the manager's designee, after formal declaration of emergency by the Mayor in accordance with the ordinances of The City of Springfield, Ohio, may, to the extent necessary, make such work assignments as is deemed necessary, without regard to employee classifications, overtime limitations, or seniority. Nothing contained in this Section shall limit the payment of overtime for time worked by an employee.

6. Assignment Protocol

A. During the period of the emergency the Uniform Patrol Commander shall report to the Chief of Police with regard to personnel needs, and make requests for additional personnel as needed.

1) Additional personnel may be required if the scope of the disaster is beyond the ability of the current staffing of the Uniform Patrol Sub-Division to handle.

2) Additional personnel may be required in the event of division wide illness which reduces the number of Uniform Patrol personnel available to work.

3) Additional personnel may be required based on anticipated needs, as determined by the Chief of Police.

B. If the Chief of Police determines that additional personnel are needed to staff Uniform Patrol they will be drawn from all other areas of the division, at his/her discretion.

C. Generally, the supervisors in the other sub-divisions will remain in their positions and take up all of the duties of their assignment until such time as the officers are returned to their original capacity.

D. In the event that the division is no longer able to staff all three Uniform Patrol shifts, on a 24 hour basis, the Uniform Patrol Sub-Division may switch to 12 hour shifts. The first beginning at 0600 and ending at 1800. The second beginning at 1800 and ending at 0600. Staffing of these shifts will be based on the needs of Uniform Patrol.

E. In the event that the division is unable to staff the two 12 hour shifts, sufficiently, supervisors from all other units within the division may be assigned to Uniform Patrol to cover the need.

WEEK 1							
	SUN	MON	TUE	WED	THU	FRI	SAT
Platoon							
A (16 officers)	6a to 6p	6a to 6p	6a to 6p	off	off	off	off
B (16 officers)	off	off	off	6a to 6p	6a to 6p	6a to 6p	6a to 6p
C (20 officers)	6p to 6a	6p to 6a	6p to 6a	off	off	off	off
D (20 officers)	off	off	off	6p to 6a	6p to 6a	6p to 6a	6p to 6a

WEEK 2							
	SUN	MON	TUE	WED	THU	FRI	SAT
Platoon							
A (16 officers)	6a to 6p	6a to 6p	6a to 6p	6a to 6p	off	off	off
B (16 officers)	off	off	off	off	6a to 6p	6a to 6p	6a to 6p
C (20 officers)	6p to 6a	6p to 6a	6p to 6a	6p to 6a	off	off	off
D (20 officers)	off	off	off	off	6p to 6a	6p to 6a	6p to 6a

2 week platoon system with 12 hour shifts.

Platoons A and C work 36 hours on, 48 off the first week. Then 48 on, 36 off the second week.

Platoons B and D work 48 hours on, 36 off the first week. Then 36 on, 48 off the second week.

Platoon system seperates officers by hour/shift, decreasing chance of each platoon spreading virus.

Platoon system requires 4 hours of overtime per officer, every two weeks.

72 officers are needed to staff the platoon system shown here.

16 officers assigned to each day shift platoon (A & B)

20 officers assigned to each night shift platoon (C & D)

INTER-OFFICE COMMUNICATION

FROM THE OFFICE OF

STAFF SERVICES

DATE December 10, 1984

TO: ALL MEMBERS

IN RE: TRAINING BULLETIN #84-018
PARKING VIOLATIONS & TOWS FROM
PRIVATE PROPERTY TOW-AWAY ZONES
(ORC 4511.681)

Persons who leave vehicles on private property without or beyond the properly posted restrictions and notices of the owner or occupant of the property may be charged with a traffic (parking) offense.

It is a misdemeanor for any person to tow or cause to be towed any vehicle from any private property without complying with a number of statutory requirements.

It is a misdemeanor for any property owner/agent to have a vehicle towed from a private property tow zone and fail to report the tow to the police.

Except in the cases of abandoned junk, unclaimed vehicles, vehicles left over 72 hours, and similar vehicles as defined by R. C. Sections 4513.60 to 4513.65, it is illegal to tow any vehicle from private property unless the owner or agent of the property has created a lawful tow-away zone by complying with numerous provisions of 4511.681.

In summary, those requirements are as follows:

A. A sign at least 18" x 24" is visible from all entrances of the property clearly states:

   1. The property is a private tow zone;
   2. Unauthorized vehicles will be towed;
   3. The telephone number of the person who will release the vehicle;
   4. The address of the place the vehicle will be taken and from which it may be recovered at any time of day or night.

B. 4511.681 also limits the tow and storage fees which may be charged and requires the storage facility must be:
   1. Conveniently located;
   2. Well lighted;
   3. Close to a regular route of at least one mode of public transportation.

C. Requires the use of only licensed tow services if such services are licensed in the political sub-division.

D. Requires the owner/operator of a vehicle to prove ownership and pay all legally permitted charges when claiming a towed vehicle or one-half the tow charge and immediately move the vehicle off the property if the owner/operator claims the vehicle after the tow service has "prepared" the vehicle but not yet made the tow.

E. Requires the person who causes a tow from a private tow-away zone to notify the police of the tow and the vehicles license plate number.

All officers should carefully study 4511.681 and be careful they give only correct statements of the law to those who inquire about tows from private property. It should be mac clear it is a misdemeanor to tow vehicles from your own property in violation of 4511.68 R.C., and it is a good idea to give interested parties the correct State Code Section number(s) and suggest they contact an attorney before causing a tow from their property.

INTER-OFFICE COMMUNICATION

FROM THE OFFICE OF

STAFF SERVICES

DATE March 11, 1985

TO: ALL MEMBERS

IN RE: TRAINING BULLETIN #85-01
CHANGES IN LAWS EXPLAINED IN
TRAINING BULLETIN #84-018

The State Legislature has amended Section 4511.681 of the Ohio Revised Code. Section 4511.681 entitled "Parking on Private Property in Violation of Posted Prohibition or Restriction Prohibited" was the subject of Training Bulletin #84-018, which dealt with the creation of a private tow-away zone for private property.

Section 4511.681 of the Ohio Revised Code now only penalizes those who park on private property in violation of law. The provisions for creating a private tow-away zone have now been incorporated into Section 4513.60 of the Ohio Revised Code.

While the law has not changed in regard to the creation of private tow-away zones and Training Bulletin #84-018 is still pertinent on that point, Section 4513.60 provides for two (2) important exceptions to the former law. Section 4513.60 of the Ohio Revised Code now provides that the police--not the owner or occupant--may tow and impound any motor vehicle left upon private residential property or private agricultural property for at least four (4) hours without the permission of the person having the right to the possession of the property, when a complaint has been made by any person adversely affected.

Private residential property, for purposes of the new law, is defined as a one (1) or two (2) unit (household) residence, home, or sleeping place which is used for such a purpose; therefore, apartment houses or complexes still must comply with all of the posting requirements for private tow-away zones or be subject to arrest or citation.

In summary, Section 4513.60 of the Ohio Revised Code now requires all the procedures formerly required by Section 4511.681 of the Ohio Revised Code, EXCEPT in the case of private residential property containing no more than two (2) households or sleeping rooms and private agricultural property.

In order to utilize Section 4513.60 of the Ohio Revised Code, a vehicle must be parked on the aforementioned excepted property for at least four (4) hours; officers must receive a complaint by any person adversely affected; and the police--not the owner or occupant--must order the tow.

It should be noted that this Section of the Ohio Revised Code does not deal with abandoned junk motor vehicles; they are dealt with elsewhere in Chapter 4513 of the Revised Code.

When making a tow under this Section, make sure that a tow report has been properly filled out and the information has been given to the Shift Commander for inclusion in the Daily Bulletin.

The decision to order such a tow is subject to parameters of policy or procedure which are or may be set forth by the Chief of Police.

INTER-OFFICE COMMUNICATION

From theOfficeof:
StaffServices

Date:
June 25,1986

To:
AllSwornPersonnel

InRe:
Training Bulletin #86-03*Effective Reporting ofHazards to PublicSafety*

As police officers, our highest priority is to prevent, reduce, or limit death or serious physical harm to human beings. In addition, we are charged with prevention or reduction of damage to property as well as with many other community needs of both a criminal and con-criminal nature.

Obviously, consistent and strict traffic enforcement is a basic and very important duty of every officer assigned to patrol our streets and protect and serve the public; however,*other duties, which are very important to public safety, must not be overlooked.*

As in the past, all officers --especially Uniform Patrol Officers-- are responsible for*efficient and effective reporting of hazards to public safety such as missing, bent,turned, damaged, unclear, or malfunctioning traffic signals, signs, or devices*as well as inoperative*street lights,*damaged or otherwise*dangerous road surfaces or trafficconditions.*

Our present system for properly reporting such hazards is as follows:

A. *Be sure*the traffic signal, sign, device is not serving the apparently intended purpose in the apparently intended way (in-operative, on flasher because of electrical malfunction, bent-over, facing the wrong angle, worn- out, obstructed, etc.)

B. *Promptly report*the hazard to the Communications Center (this should be accomplished by radio when the hazard is relatively great or by telephone when relatively minor a street light or 'arc' light outage may not be minorif it is located at or near an intersection or other potentially dangerous location.)

C. Communications will fill out the appropriate form and make the necessary contacts with the properauthorities.

*Generally,*all traffic lights, signs, etc., which are not operating as apparently intended or which are otherwise damaged, turned, obstructed, etc., and which are at or near*intersections*should be regarded as requiring*emergency*repairs and be*immediatelyreported.*Traffic devices at other places may require emergency repair and should be promptly reported.

Traffic collisions are often a leading cause of death or injury as well as substantial damage to property. The victim of such an 'accident' is just as dead or physically injured as if attacked by a felon.*Prompt, proper, reporting of all*traffic or similar*hazards*must be among our priorities.

INTER-OFFICE COMMUNICATION

From the Office of:
Staff Services

Date:
August 18, 1986

To:
All Sworn Personnel

In Re:
Training Bulletin #86-08
Non-residential violator compact.

Ohio is now a permanent member of the Non-Residential (Inter-State) Violator Compact.

The Compact is an agreement *among the member states* that each state will 'enforce' non-compliance with certain traffic citations of each of the other states. *This prevents the officer/court from requiring an appearance bond from the residents of the state covered* for certain traffic offences.

The enforcement agreement results in the motorists 'home' state suspending the driver's license of the motorist if they do not properly comply with the other state's requirements regarding the citation.

The person receiving the applicable citation has the sole choice to decide whether they want to post an appearance bond or just sign their citation as an agreement to appear/comply.

A list of both the current *Compact States* and the current *types of citations*, which do not require bond of out-of-state violators, is attached to this Bulletin.

If, at the time of a covered citation, a motorist has a valid out-of-state license from a Compact State, the officer must advice the person they may choose to post bond or they may choose to sign their citation as an agreement to properly comply with the citation.

The officer must advice the *amount* of the fine/bond *and the proper address* to which it is to be mailed.

The officer must also explain that if they do not comply by the order-in date, their home state will suspend their driving license until they do.

An *order-in date of two weeks* from the date of the citation *should be* used so they have *enough time to mail the funds to the proper court.*

Training Bulletin #86-08

Motorist Signature Required
(If motorist refuses- waiver/bond is required, or immediate appearance)

UPDATED LIST OF NON-RESIDENT VIOLATOR COMPACT STATES

Alabama- AL
Arkansas- AR
Colorado- CO
Connecticut- CT
Delaware- DE
Florida- FL
Georgia- GA
Indiana- IA
Illinois- IL
Iowa- IA
Kansas- KS
Oklahoma- OK (11-1-85)
Kentucky- KY
Louisiana- LA
Maine- ME
Maryland- MD
Minnesota- MN
Mississippi- MS
Missouri-MO
Nebraska- NB
New Hampshire- NH
New Jersey- NJ
New York- NY
Utah- UT (7-1-85)
North Carolina- NC
North Dakota- ND
Ohio- OH
Pennsylvania- PA
South Carolina- SC
South Dakota- SD
Tennessee- TN
Texas- TX
Vermont- VT
Virginia- VA
Washington D.C.- DC

Citations Covered:

-Moving traffic violations which of themselves do not carry suspensions or revocations.

Citations Not Covered:

- Offenses which mandate personal appearance.

- Moving traffic violations which alone carry suspension or revocation.

- Equipment violations.

- Inspection violations.

- Size & Weight violations.

- Parking violations.

-Transportation of hazardous materials violations.

- Registration, Drivers license, and HUT violations.

INTER-OFFICE COMMUNICATION

From the Office of:
Staff Services

Date:
April 24, 1987

To:
All Sworn Personnel

In Re:
Training Bulletin #87-02
Effective Police Report Writing: Introduction

This Training Bulletin is the first of a series of five instructional summaries of the matters brought to the attention of all officers attending 1987 Annual In-Service Training.

The four additional Training Bulletins will be as follows:

A. Five Basic Concepts of Report Writing

B. Correct Completion of Key Information Blanks

C. Who is the Complainant?

D. Proper Narratives

By reading and occasionally re-reading these Bulletins, all officer and their supervisors will have clear knowledge of **what is expected** in terms of several very important matters related to proper contemporary **report writing** skills.

The last memorandum of procedure written (July 20, 1983) concerning when an incident or offense report should be written indicates an officer should submit a report on the appropriate form whenever it "… appears a crime *could* have been committed." The appropriate form could be and *Incident Report,* a specific *Offense Report,* or an *Inter-Office.* However, in all cases the **quality** of the report is of great importance.

We should always remember that many public officials, as well as the general public may read all police reports. Therefore, we should always write **legible, complete,** and **well-written** reports that fairly represent the high quality of work normally produced by members of the Springfield Police Department.

INTER-OFFICE COMMUNICATION

From the Office of:
Staff Services

Date:
April 27, 1987

To:
All Sworn Personnel

In Re:
Training Bulletin #87-03
Report Writing: Five Basic Concepts

The purpose of this Training Bulletin is to reemphasize the report writing concepts presented during 1987 Annual In-Service Training. Five basic concepts were discussed.

1. ***Fill in All the Blanks.***

2. ***Spell Correctly.***

3. ***Include All Information in the report.***

4. ***Write in Chronological Order.***

5. ***Write Legibly.***

It is important that the report be completed in its entirety. All spaces must be dealt with in some fashion so others who read the report automatically know the space on the report was not merely 'forgotten' by the officer. By placing an 'X' in those spaces where the reporting officer is not able to obtain information and fully reporting all other information available to the officer, the goal of filling in all the blanks will be attained.

Spelling is extremely important. This is especially true with regard to names. Many times, names sound alike but are spelled differently. **Always ask people how to spell their names** so the correct spelling appears on the report.

One goal when completing an initial incident report is to gain all necessary information available to the reporting officer. Information that is often missing is a simple *list of all the witnesses, neighbors, bystanders who have already been interview, even if they report they do not know anything useful about the matter*. By including all necessary and available information in the initial report, those who read the report at a later time have the information at their disposal and need not waste their time looking where the original investigating officer has already been.

As a general rule, officers use their investigative skills and obtain all necessary information. The breakdown in communication occurs when the information is not written on the report. The officer is able to answer verbal questions about the incident, but the information is not listed in the report. The primary rule regarding a proper narrative is that *every bit of information that the officer could present verbally is clearly included in the written narrative.* The report will be clearer and a great deal of time and money will be saved by putting all necessary and available information in the initial report.

When writing the narrative portion of the incident report, it is helpful to an accurate understanding of the incident if the information is presented in chronological order. *Begin with the beginning, go through the middle, and end with the end.* Tell a story and write in chronological order.

If almost everyone is able to *read, understand and use a report,* the report is useful. If not, both the reporting officer and the reader have wasted their time. *Write legibly* so others may benefit from your investigative skill and knowledge.

Remember:

1. ***Fill in All the Blanks.***

2. ***Spell Correctly.***

3. ***Include All Information in the Report.***

4. ***Write in Chronological Order.***

5. ***Write Legibly.***

INTER-OFFICE COMMUNICATION

From the Office of:
Staff Services

Date:
June 30, 1987

To:
All Sworn Personnel

In Re:
Training Bulletin #87-04
Basic Police Incident Report

This Bulletin is to clarify and reinforce the proper method of completing certain important entries on the basic police Incident Report. With the exception of arrest cards, all proper responses are the same for each form or report, which uses identical questions.

1. Day, Date, Time

A. Use common & consistent abbreviations for day of week: Su-Sun, Tu-Tue, etc.

B. Dates must be numerical: Ex. 5-16-87 or 5/16/87, and always in the order month, day, year.

C. All times must be in 'military' or 'International' terms: 2300, 1531. However, midnight should be recorded as either 2359 or 0001. *(Never use '0000' on any report.)*

2. Sector

A. This number is important because, if the reported incorrectly, it may tend to cause inappropriate distribution and assignment. Incorrect Sector numbers may also cause inappropriate district boundaries to be created or retained.

With the sole exception of arrest cards, the correct Sector number is the area where the reported incident probably occurred.

If the incident occurred on City property without a Sector number- use the closest. If the incident cannot be reasonably determined to have occurred in one Sector, use *999.*

B. *For arrest cards,* the correct Sector is *where the person first came into any police officer's control. Headquarters is NOT the correct Sector unless the person entered the building entirely of his or her own choice and without police transport.*

3. Crew Number

A. This three-digit number is determined by the person writing the report. The numbers represent:

(1) District assignment.

(2) Shift worked.

(3) Number of full time officers in the unit at the time of the report. (Ex.- night shift is '1,' district '2,' single officer unit '1'- the crew number is 121.)

(4) If an investigator or clerk writes a report, only the correct shift is used: (ex.- 020 is the detective or clerk Crew Number for the 'day shift.')

Traffic or other special units are assigned special Crew Numbers.

If a unit is assigned more than one district or an overlapping shift, the officer should use the 'primary' assignment or shift to calculate the correct Crew Number.

B. The Crew Number is important in several reports, which may be generated by computer. However, it may also be very necessary to proper dispatching of assignments in the Computer Assisted Dispatching System presently on order.

4. Complainant's Name

A. This box and the remainder of the associated entries are vital to later investigation, or as potential evidence of either careful or careless officer work, in later court cases. Always ask a complainant to properly spell their name. Use the business sign or phone book listing for correct reporting of business names and street names or numbers.

B. With the exception of robbery of business funds or property, crimes against persons usually require a person's name as complainant. Proper determination of 'who' is the complainant will be explained in a subsequent Bulletin.

C. If any person resents being asked their age or recording of their age, race or marital status, explain the information may be necessary to finding them at a later date. If the person refused the information put an 'X' in the entry space and complete the rest of the report.

5. *Reporting Party*

The 'Reporting Party' is a *person* from whom the officers investigating and reporting the incident gained *primary* knowledge of the incident. (Alarm company, telephone personnel, etc. should not be listed as the 'Reporting Party' for burglaries, etc.)

If the officers actually discovered an apparent crime (such as a burglary) one of them should be listed as the 'Reporting Party.' (It is okay to use the phrase 'Reporting Officer.')

Other persons who give information should be listed as 'Witnesses.'

Always ask the 'Reporting Party' how to correctly spell their name, and be careful to correctly record their address and telephone numbers.

(If the reporting party and complainant are related-- father, uncle, brother-in-law, etc.-- it is sometimes helpful if that relationship is included in parenthesis immediately after the person's name.)

6. *Address of Occurrence*

This space is completed with the address (street number) of the place the incident probably occurred. Locations such as 'Limestone & Main' should not be used as it is normally appropriate to use an approximate street address (whether or not such a 'number' is officially recorded.) At the least, use descriptions such as 'about 20 S. Limestone' or '50' West of the NW corner of Limestone & Main.

7. *Occurred Between*

Your best estimate of the times between which the incident probably occurred should be listed in these spaces. (Ex. If the owner closed at 2200 and if we received an alarm at 2345, on the same day, the correct entry could be SAT, 5-6-87, 2200 and SAT, 5-6-87, 2345.) Use the best estimates available from any witness, complainant, etc.

8. *Point of Entry/Exit*

A description sufficient to allow an officer who has read the report to *locate* the probable entry/exit points to an area *without any further assistance.* 'Window' or 'front door' is never proper if there is more than one window or door in a building.

9. *Tools/Weapons*

Tools/Weapons reasonably believe to have been used in any manner during an Incident, require the best available description. If the type of tool cannot be determined the best description would be 'unknown- apparently caused a 1/4" pry mark. Knife, club, or gun is totally unacceptable unless it is impossible to give any further description.

10. *Vehicles*

If a vehicle is reported, or otherwise reasonably known to have been used in any way, give the best possible description and always clearly indicate in the narrative which witnesses(s) gave which description(s).

11. *Witness(es)*

A *witness* is any person who gave, or is reasonably believed to have, any information about any incident. If a witness is already listed as the *complainant, reporting party, or reporting officer*- do not list them again.

12. *Crime Scene Evaluation*

This is very important and must be clearly documented. Any and all property receipts or arrest card numbers, which can possibly be learned prior to final submission of the report/end of the shift, must be properly recorded. It is preferred that the name of the Crime Scene Technician processing the scene is listed in the narrative portion of the report.

13. *Stolen Items*

Items reported stolen require the best available description (if any information is to be learned at a later time, indicate *who* will contact which officer, and *when*.)

Proper descriptions include *brand name, size, color, serial number, model number, owner identification marks or very obvious accidental marks.*

Serial numbers are especially important if items such as firearms, cameras, stereos, televisions, VCR's, office machines are reported stolen. *(Required for entry into NCIC)*

14. *Damaged Property*

A. Items which are damaged, or destroyed *but not stolen* are reported in the narrative portion of the report: (Ex.- 'by breaking a 14 x 28 double strength window with a brick' or 'by breaking one side of an approx. 6' x 8' neon business-- Wendy's-- sign in an unknown manner' or 'by cutting tires on a 1983 Dodge charger, OL# ------- in an unknown manner.')

B. Any value estimates, especially for large or expensive windows or signs should always be included if available: (Ex.- 'Manager's estimate for repair is $700.00.')

15. *Suspect Descriptions*

A. Obviously, these are vital. Always remember original Incident Reports may be entered as evidence in trials held months or years after an arrest. The best obtainable description is always an important concern. Even when the reporting officer makes an arrest before turning in the report.

B. Any information, which may be used to identify a suspect, must be included in the report. If, after using all available space, more information is still available, use the narrative portion or, a separate inter-office memo, to report all elements of the descriptions.

C. When there is more than one witness who provided any part of a description of a person, vehicle, weapon, etc.- be sure to indicate in the report, or a separate memo, which person gave the information.

16. *Offender Known to Victim*

A. This box is marked 'Yes; whenever the victim, reporting party, or witness has any prior knowledge of who a suspect is.

B. If such information was learned only during, or after an incident, the proper answer is 'No.'

17. *Nature/Extent of Injuries*

This can cause problems for the officers if terms are used carelessly. Terms such as 'minor; or 'serious' should never be used unless they are used by medical professionals in the presence of officers. Better words are '1/4 inch scratch to right elbow,' 'laceration of left hand,' 'bruises or swelling to left side of face,' etc.

18. *'Hospital' and 'Admitted'*

'Hospital' and 'Admitted' should be mostly understood. However, always remember such a situation may change before a report is turned in and any such changes should be listed at the end of the report narrative.

19. *'Identification' and 'Prosecution'*

Questions about suspect identifications or prosecutions should be self-explanatory. However, it is important that officers list clearly in the narrative *which witness, victim, etc.,* is likely to make an identification for *which suspect.*

20. *Un-obtainable Information*

Whenever it is impossible to obtain certain information required by the report format, and an option such as 'N/A' is not printed on the form, *officers should place a large 'X' in the appropriate space* to indicate *the information was sought but could not be obtained.*

Incomplete, improper or illegible report entries create confusion, waste personnel hours, and reflect poorly upon the professional competence of the reporting officer and the supervisor.

Proper and legible completion of all relevant information, on all reports, will alleviate the need for extensive follow-up just to be sure all information has been obtained.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
November 8, 1988

To:
All Sworn Personnel

In Re:
Training Bulletin #88-01

The Computer Aided Dispatch System will very shortly go "live" and replace the traditional pen and paper system.

As discussed during 1988 In-Service Training, the CAD System requires at least four-character call-codes (or unit numbers) for all marked cards. Rather than invent a totally new code system, we will use a four-character unit number, which adapts the present **crew number** to be a car call-code or **unit number** in the CAD system.

Once the beat (or district) plan has been designated, the 'car call' or **unit numbers** for up to six district patrol units can be determined by using essentially the same system as for a crew number. (Always remember the CAD System numbers all beasts (or districts) in all plans in a clockwise manner. Therefore, "old four" is, in most beat plans, district (beat) three.)

1. If you are assigned to a district patrol unit, the first number is your assigned beat (district), the second number is your shift, the third number is the number of sworn officers in the unit, the last character is either E (early) or L (late).

   Example- You are assigned to a district patrol unit, you are working District #2, 3pm-11pm, and you are a two-officer unit: your unit number is 232E.

2. If you are on a patrol shift and you are designated as a shift-long directed patrol unit such as warrants, traffic enforcement, etc., your unit number always begins with '7.' The rest of the unit number is calculated just like a district car.

   Example- You are an "all-over" special patrol unit for extra traffic enforcement on your shift and you are working by yourself from 4pm to 12pm: your unit number is 731L.

3. Uniform Patrol Street Supervisors have unit numbers which always being with the number '9.' They are otherwise numbered just as other patrol cars.

Example- 911L- however, if two or more supervisors are working the same hours, an area designator must be used. Some valid choices are N (North), S (South), E (East), and W (West).

For the sake of brevity, another training bulletin will deal with "Special" unit cars such as the 'downtown beat officer,' all Traffic Section units, and the 'Neighborhood Policing' project.

To summarized this bulletin, district cars one through six use the traditional 'crew numbers' plus a character indicating either early or late as their CAD unit numbers.

Shift-long directed patrol units such as special traffic or warrant enforcement use a '7' as the first character of their unit numbers and otherwise calculate their correct number as if they were a district patrol unit.

Patrol Street Supervisors use a '9' code and the last character can be either for early, late, or an area designator.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
November 9, 1988

To:
All Sworn Personnel

In Re:
Training Bulletin #88-02

Training Bulletin 88-01 discussed the proper car-call or unit numbers for District Crew, Shift-long directed patrol or special enforcement crews, and Patrol Street Supervisors. This bulletin explains how to determine your correct unit number if you are assigned to the Traffic Unit, the 'downtown foot-beat' or the 'Neighborhood Policing' project.

All such units are '8' units, that is, they all use a four-character code which uses an '8' instead of a police district (beat) number.

1. All **traffic unit** crews have a unit number, which begins with 8, designates a shift of 1, 2, or 3, and then indicates how many sworn officers are in the vehicle. The main difference in the last character is that it indicates an *area assignment* not 'early' or 'late.' (Valid area characters are: N-North, S-South, E-East, W-West, A-All-over, O- car 10, or P-Parking Control Officer. As always, no two units can use the same crew numbers.

   Example: You are on dayshift by yourself and assigned to the West side, so your unit number is 821W.

2. The downtown beat officer is considered a special unit because he or she is expected to spend as much time as practical on foot patrol, and because they are recommended for a dispatch only in the areas very near their beat and only after several other units are considered.

   To avoid using a five character code and save a great deal of important 'space' in the unit recommendation files, the downtown beat officer uses a *leading* character of 'D' and a beat number of '8' followed by the shift number and the fact it is a one officer unit.

   Example: The 11pm-7am shift downtown beat officer is unit number D811.

3. When they are working, the Neighborhood Policing projects always use either N871 for the 'East' neighborhoods or N891 for the 'West' neighborhoods. Unit number N881 is reserved for possible future use.

To summarize this bulletin, all special unit crews use '8' series unit numbers. Traffic section crews use the standard crew number plus an area designator, 8--O for 'Car 10,' or 'P' of the parking control officer.

The 'downtown foot-beat' officer uses a unit number which starts with a 'D' then an '8' and then a shift and '1.'

The Neighborhood Policing cares are either N871 or N891, depending upon their current area assignment.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
November 9, 1988

To:
All Sworn Personnel

In Re:
Training Bulletin #88-03

It is very important all officers --including supervisors-- who are assigned to marked cars and have not recently used 'crew numbers' on their run sheets or daily reports get used to constructing proper *unit numbers* well prior to the first day CAD is instituted.

It is the responsibility of each OIC and the Traffic Supervisor to be sure *both the beat plan* with all assignments and the *correct unit numbers* are delivered to the Communications Center as soon as possible and *always* several minutes *before any units* for that shift *go'in-service.'*

The unit numbers are what 'drive' the CAD system in identifying recommended units for each dispatch classification in each beat (district). The unit numbers also clearly identify the shift, early or late, the type of unit, and the number of officers in the unit, as well as the beat (district) assignment.

It is imperative that both Communications Operators and Officers use only the corrected unit number(s) when communicating because the system never tracks actual car numbers and because the unit numbers are needed to be sure units are correctly logged 'in,' 'out,' etc.

If units are not correctly identified or logged in the system, according to corrected (in/out/etc) status, they will not be properly recommended for primary dispatch or for back-up assignments.

Almost all dispatches classified as either 'emergency' or 'immediate' cause CAD dispatch recommendations for two or more officers. In addition, the CAD system database is intended to keep 'cross-city' dispatches at or near the minimum allowed by the types of dispatches, the numbers of dispatches and the number of uniform beat (district) units.

As a general policy, recommendations in the East or South areas will --when the district care is 'out' or needs back-up-- recommend units from the West and then the North areas of the city. Naturally, this trend varies depending upon which beat plan is in effect, how many units are 'busy' and exact location of the dispatch *sector* as geographically compared to other beats (districts).

If officers attempt to use incorrect unit numbers or --especially-- fail to immediately and clearly communicate whether their unit is 'in-service,' etc.- correct recommendations cannot be made and only confusion and frustration can result. Please refer to Bulletins 88-01 and 88-02 for further 'unit number' information.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
November 9, 1988

To:
All Sworn Personnel

In Re:
Training Bulletin #88-04

The Computer Aided Dispatch System makes recommendations of the *marked units* to be sent to each type of dispatch and the *minimum* number of officers to be sent to each type of call.

The general rule regarding the units to be dispatched is that a dispatch which occurs in an officer's assigned district generates a recommendation the district officer be sent *if he or she is 'in-service.'*

If the officer is not in service, the CAD System will first try to recommend a unit assigned to the West or North of that district. Naturally, this rule varies somewhat according to beat plan and the exact location of the dispatch as compared to adjacent beats (districts).

The CAD System uses a four-priority dispatch system:

'Priority One' calls- are only those, which seem to present *extreme* risk to human life. The system always recommends a minimum of three officers for emergencies.

'Priority Two' calls- are those, which require non-emergency but 'immediate' or very prompt response. These are calls which are likely to be crimes in progress or very recently completed, or 'about to being.' Risk to human beings or destruction of crime scenes is also a factor. Priority two (immediate) calls almost always result in a recommendation that a minimum of two officers be dispatched.

'Priority Three' calls- are 'delayed' calls which are normally held for the beat (district) unit for up to sixty minutes before being dispatched to another beat (district) car. Priority three dispatches usually require a minimum of only one officer.

'Priority Four' calls- are those which are the least important or which probably should not be dispatched at all bit a 'policy override' is authorized by written orders.

Naturally, if the circumstances seem to justify extra concern or caution, both Communications Operators and Street Supervisors are permitted to send more then the minimum number of officers.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
November 19, 1988

To:
All Sworn Personnel

In Re:
Training Bulletin #88-05

By now, all should be familiar with the proper construction and use of *unit numbers* for 'marked vehicles.'

Please be aware that there are two exceptions to the unit numbers for marked vehicles procedure.

1. Supervisors who normally work inside Headquarters and are *not* functioning as a Street Supervisor.

2. The Community Relations/Crime Prevention/Safety City Officer.

Those two types of marked units and all officers in unmarked units will now use their Employee ID number, plus one alphabetic character.

All officers assigned to Investigation will use the letter "I" as in I999.

All other officers classified as being unmarked will use the letter 'P' as in 999P.

Please be sure to use your correct and full 'unit number' whenever you are calling Communications for any reason. Please be sure to wait about two seconds after pressing your transmit button before speaking. (Failure to do so causes the first part of any transmission to be 'but-out' by the channel guard feature on our transmitter.)

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
August 25, 1989

To:
All Sworn Personnel

In Re:
Training Bulletin #89-01

The recent police services policy committee made numerous recommendations in an attempt to improve our Division dispatch policies. Those recommendations were approved and we are now in the process of full implementation.

Some of the primary changes are attempts to further reduce our annual total of dispatches. Others are attempts to further reduce cross-district (or, out of assigned district) dispatches for some relatively less urgent dispatches and events, in an attempt to assure that one officer district units are assigned to traffic crashes before the relatively few two officer units are assigned to such calls-for-service.

The complete car call orders are found in General Order #35, the Review Committee report, and in a Communications bulletin on file in both Services and the Uniform Patrol OIC Office. All sworn personnel are again refereed to those sources of orders and information.

Generally some relatively less urgent and less likely to be dangerous dispatches have been lowered in priority (to delayed for up to 60 minutes for the district crew), lowered in terms of the minimum number of officers to be dispatched, or both. In addition, some calls which frequently cause cross-district dispatches (such as less urgent or 'non-violent' domestic dispute have been classed as 'no dispatch,' without the prior personal screening of the OIC- to be more sure the matter cannot be handled by telephone advice and that a dispatch is really necessary accordingly to Division Policy.

In addition to some changes in priorities, the general nature of the new order is to assign traffic crashes to then in-service traffic (8) units, or then in-service special enforcement project (7) units before any district units are assigned. And, to dispatch one-officer district crews to traffic collisions before assigning any two-officer units.

Obviously, this new order will actually *cause* some out of district dispatches which would not have occurred under the previous order, however, it is hoped there will be an overall reduction in out of district dispatches for traffic crashes for both one and two officer district crews. As well as a significant decrease in the chances of two officer units being tied up on traffic crash investigations.

While we will have to have enough factual information to create better, more balanced district plans before we can make substantial reductions in out of district

dispatches, it is presently believed we can make some improvements through these and other modifications of Division policy.

If you have any questions regarding these or other new orders, first check all of the available sources of additional information and then forward your remaining questions through the chain of command.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
August 25, 1989

To:
All Sworn Personnel

In Re:
Training Bulletin #89-02
Officer Initiated Activity

Communications tracks and records both dispatches and all reported officer-initiated activities. The two primary purposes of this bulletin are:

A. So we all know more about some types of dispatch procedures and especially so we all know more about *when* units will automatically be recommended for a dispatch.
B. So all Officers know that specific types of information about an Officer initiated activity is required before such (on-view) activity can be entered in the computer as an 'event.' Being listed in the computer as 'out' at an event is what prevents an officer from being recommended for another dispatch.

All 'officer initiated' activities should be promptly and clearly reported, so that either the 'event' or the 'status' can be correctly recorded (in CAD), and so that the status/location/activity (of the unit) are immediately available to both Communications and the Patrol OIC. (As well as others who may have CAD access and the need to know.) This duty is specifically covered by *Procedure 6.41* for all officer absences from marked vehicles.

If an Officer gives sufficient information about a self-initiated or 'on-view' event to permit classification according to a dispatch activity code (alarm, burglary, traffic stop, traffic crash, suspicious activity, etc.) an 'on-view' CAD event is created. For example, being out to check an open door or window, to enforce a traffic law, to stop a suspect, etc., will result in an 'on-view' event. (If you give enough clear information for Operators to know how to classify it according to a dispatch activity code.)

If, because, you gave sufficient information, you are (listed in CAD as) 'out' on an 'on-view' event or if you are 'out' (CAD status message of 'O') in direct connection to a previously recorded dispatch or other assignment, *your unit will never be recommended for another dispatch during that event.*

If a unit is merely reported as 'out at…' or 'busy' or conducting any activity which for lack of information is not classifiable by a dispatch code (again, such as MD of P, possible burglary, etc.) the officer will be eligible and automatically recommended for another call.

Therefore, if a unit is doing very routine activities such as checking doors in a shopping center or 'busy for a while' or just 'out at…' the unit is recorded only as 'busy' (CAD status of B) and *is therefore going to be recommended for waiting dispatches*.

Your status depends entirely upon the type of activity you are performing *and* the amount of clear and classifiable information you have broadcast to communications. All of the dispatch activity classifications are on file in Technical Services and in the Patrol OIC office. If more than that information is needed to understand and use this information to best advantage, please refer your remaining questions through the chain of command.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
August 25, 1989

To:
All Sworn Personnel

In Re:
Training Bulletin #89-03
Telephone Advice & Referrals

As stated in Section 5.05 of the Division Manual, the fundamental principle of the Springfield Police Services is:

> … careful and consistent analysis of all calls for service so as to accurately and consistently apply sworn personnel hours only to, … calls, tasks, or functions, which both require and best utilize police officer skills.

One of the most important applications of this policy is in preventing unnecessary dispatches by providing telephone advice and referral. While police skills may be necessary for advice to prevent unnecessary dispatches, a report writer can write far more reports by phone and an Information Officer may give far more advice and referrals by phone than an equal number of officers answering such dispatches. When used properly, telephone advice and referrals will continue to prevent thousands of dispatches, which are not necessary to the present safety of persons or property.

When properly referred to an Officer, *there has been a prior determination* the situation as described by the caller does *not* require the training, equipment, or experience of a police officer at the scene.

Once the telephone Information Officer or the Supervisor has given correct, authorized advice or provided for authorized alternatives such as telephone reports, bulletin checks, information, or referral concerning another unit or agency, *no dispatch is required and no dispatch is authorized* regardless of the preferences of the caller or of any police officer.

Obviously, upon occasion, an officer may make a legitimate factual decision the call was not sufficiently screened/classified. In addition, in some matters such as neighbor or family trouble, the situation may change during the telephone contact.

If an when it is reasonably determined the actual situation involves a *clear & present danger* to the safety of persons or property which must be addressed by the dispatch of an officer, the matter should be *referred back to a Communications Operator*. In all except true emergency situations the actual caller should be re-connected to the Communications Center for proper screening and memos. Officers should *not* take responsibility for obtaining proper dispatch information, unless it is impossible to keep the caller on the phone. Such is a Communications function, when feasible.

In summary, telephone reports, advice, and referral prevent thousands of dispatches each year. It is not the function of personnel providing such service, to create or cause an unnecessary dispatch.

Within current directives, the only option to the caller or to the police employee, when policy does not require a dispatch, and when there is a citizen 'demand' for a dispatch is for the complainant to come to headquarters for an in-person officer contact. No dispatch is permitted.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
August 25, 1989

To:
All Sworn Personnel

In Re:
Training Bulletin #89-04
Non-classifiable calls for service

Present policy requires we do not commit Officer hours, and especially do not cause unnecessary dispatches, by accepting calls for service which do not *require and best utilize* Officer training, equipment, and experience. Another important *test*, provided by current policy, is the question as to whether or not it "is likely police officer skills or equipment at the scene can change the outcome of the event, in any way."

A really good, practical test for the Communications Operator and for the Supervisor is, as follows:

> *If there is no dispatch classification code, which clearly (by actual written definition, not by an 'assumption') covers the matter or event, it is probable that no dispatch is intended by police.*
>
> (For purposes of this 'rule of thumb' the fact that there is still a 'miscellaneous police duty' dispatch code is *not* relevant.)

Whenever it is determined a request for service does not clearly fit within a non-miscellaneous dispatch code *or* whenever *another agency* requests a non-emergency, not highly urgent dispatch, *the OIC should screen the call*, and make the decision whether such a dispatch request really requires an officer be dispatched. Some of the questions, which must be addressed by the OIC, are as follows:

1. Can that person or other agency solve their own problem?

2. Can another public or private agency handle the request?

3. Is there an alternative (to dispatch) police response for this sort of matter?

4. Is there another method such as caller use of telephone, telegraph, taxicab, private vehicle, etc. which can be used to handle the request?

5. Is there any likely present danger to persons or property, which seems to require police training, equipment, or experience?

6. Is it clear the dispatch will comply with police policy and training?

If an when such 'gray area' requests *cannot* be effectively handled by any method other than a dispatch, and the matter is within our legal jurisdiction/venue/policy, *the OIC should authorize a dispatch* and transfer the call to Communications. All such dispatches should be classified as *Per OIC* and be attributed to the Supervisor who made the decision.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
August 25, 1989

To:
All Sworn Personnel

In Re:
Training Bulletin #89-05
Telephone Referral of some Domestic Trouble Complaints

In our continuing efforts to prevent unnecessary dispatched and to 'delay' others which do not require an 'immediate mobile response' we have determined a significant number of *domestic trouble* complaints are eligible for telephone advice and referral *by the OIC.*

If an when we receive a call for police service regarding a domestic dispute, the caller should be transferred to the OIC if, and only if:

1. There is no allegation of current or recent assault or attempted assault;

2. There is no allegation of the immediate presence of deadly weapons and threats or implications they may be used;

3. There is no allegation of current threats of assault of any person at the scene of the dispute;

4. The domestic trouble involve s minor confrontation between a parent and a child less than 13.

Therefore, domestic trouble calls that involve only simple refusals to move out, old threats, simple custody disputes, getting clothes, or a parent and child less than 13, should be transferred to the OIC for telephone service.

The purpose of the transfer of the caller to the OIC is to resolve the problem and *prevent* the dispatch by supervisory telephone advice and referral. If there are two or more parties involved, the OIC should make substantial efforts to speak with all of the parties on the phone, even if doing so requires we initiate one or more additional phone calls, etc.

If , after substantial effort, the matter cannot be resolved by telephone or, if matters change and there is violence, weapons, or threats of imminent violence, the caller should be transferred back to communications, if possible. In all such cases an appropriate dispatch for *domestic violence or domestic trouble,* etc. should be made.

Whenever such a decision is made, the OIC should first notify Communications of the necessity of the dispatch and then transfer the caller back to a Communications Operator so a proper dispatch memo can be entered into the dispatching system.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
August 25, 1989

To:
All Sworn Personnel

In Re:
Training Bulletin #89-06
Telephone Reports & CST Checks for Telephone Reports

All Officers and all Communications Operators must be sure they read and understand the new telephone report guidelines included in General Order #35.

Very generally, the time limits within which a dispatch rather that a telephone report is required have remained the same. (Persons crimes- with a first call to us within 20 minutes, of the crime; and property crimes with a first call to us within 5 minutes, of the crime.) As before, certain offenses are always dispatches and may not be handled by phone.

However, all should now be aware the reported dollar loss limit for crimes against property has been raised to $1000.00 and we have a new policy, which allows a caller to freely choose to make a telephone report for property with reported losses greater than $1000.00.

Three are other important changes should also be noted:

1. We now *take non-criminal, non-serious injury reports* only by telephone and *only if they occurred on CITY (not school) property*.

2. We now take 'hospital reports' *only* from the victim or his/her parent, never from hospital or doctors' staff.

3. We take all missing person complaints by telephone *unless there are dangerous, suspicious, or unusual circumstances, OR unless the child is less than 13.*

As always, this training bulletin is in addition to, not in place of reading and using all directives. All employees involved in the telephone reporting process *must* be clearly aware of the exceptions to these general guidelines-- especially assaults which always require an officer to be dispatched for an investigation and report.

Under present policy, only the OIC may now determine when it is reasonable & necessary to dispatch a CST to do a crime scene for a matter reported by telephone. The full guidelines for those decisions are found in General Order #35.

If after reading this bulletin and all the General Order, there are still any questions about the current telephone report policies, refer the questions through the chain of command until your questions are answered.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
May 10, 1991

To:
All Sworn Personnel

In Re:
Training Bulletin #91-01
Professional Investigation, Documentation, Citation and Arrest Decisions at Traffic Crashes

This bulletin summarizes and clarifies proper officer conduct when investigating and reporting all traffic crashes, which come to our attention.

Policy 6.21 establishes the boundaries and guidelines for all enforcement decisions at all traffic crashes.

At the request of many officers, this bulletin further clarifies proper decisions for traffic crash enforcement issues.

1. There is no discretion in terms of a proper investigation and no discretion in terms of a complete, truthful, accurate, and otherwise proper traffic crash report. The only standards used will be those published by the State and the orders and authorized training of this agency.

2. There is some professional discretion in the filing of proper charges after completing a proper investigation; however, such decisions must never include any personal beliefs, feelings, or attitudes about laws/ordinances.

3. Policy 6.21 clearly establishes that one end product of an investigation is the citation or arrest of 'on or more; involved persons. 'If after proper investigation there is sufficient admissible evidence,'…(reasonable cause)…'to charge one or more persons, the charge(s) should be filed.

    A. Clearly, the policy establishes that one or all persons involved should be charged if the evidence is sufficient an lawfully obtained.

    B. That order does *not* intend that *all* proper charges (without any limit) should always be filed. As further explained, some restraint should prevail.

4. To further clarify the orders and training of this agency, additional standards for enforcement decisions for all traffic crashes are:

A. All first-degree misdemeanors should be charged. However, it is not necessary all essentially like violations (such as all types of suspensions)) be filed as long as all are clearly listed in the Court statement(s).

B. When appropriate, reckless driving charges should be filed, the 'lesser' violations which allow a reckless charge should be clearly listed in the Court statement(s0 but not charged.

C. Without regard to any limits, all 'primary cause' violations should be filed unless they are lesser-included offenses of DUI/OMVI.

D. Without regard to any limits, all clear violations of vehicle registration/licensing laws should be filed.

E. If anyone involved in any traffic crash is properly charged with any hazardous moving violations, all apparent violations of seatbelt/restraint laws should be filed.

If no one can be properly charged with any hazardous moving violation, no one should be charged with seatbelt/restraint violations *unless:*

1. The violation involves a 'child restraint' violation, or

2. Any apparent violator alleges any degree of injury.

If either case, all proper charges should be field against all apparent violators.

F. When any one person is charged with two or more hazardous moving violations ('points' assessed by BMV) officers should use reasonable professional discretion and avoid citations for all apparent violations.

The more minor charges for that person should be incorporated into the Court statement(s) for the other violations. However, this discretionary decisions must conform to Divisional directives and training and with paragraphs A, C, and D, of Section 4, above.

Whenever there is any doubt about filing charges, a Street Supervisor must be called to the scene. If the Supervisor concurs with the preliminary decision of the officer, no charges shall be filed.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
June 13, 1991

To:
All Sworn Personnel

In Re:
Training Bulletin #91-02
New FSTAA/Hit-Skip Reports

The following information is provided concerning the new hit skip reports:

1. The new reports are printed on NCR paper.

2. The purpose of the new form/report is to:

   A. Eliminate duplicate paperwork thereby reducing officer time on hit-skips.

   B. Provide additional information.

3. The first page of the new report is nearly identical t the Oh-1. Officers should complete it exactly as they have completed the Oh-1 in the past. The changed spaces on the first page of the new report are for the traffic investigator.

4. The second page of the new report is changed on the bottom portion. The top portion, i.e. -everything at or above the diagram- should be completed exactly as before. The bottom portion, everything below the diagram, should be completed as hit-skip information.

5. Filling out the new report/form is easy. Simply:

   A. Insert the first page between page one and two of the OH-1, aligning the hit-skip form with the OH-1.

   B. Fill out the first page of the OH-1 exactly as before, for a hit-skip, ensuring use of a hard writing surface and sufficient pressure for legible reports.

      Note: Do not fill out the hit-skip vehicle info on the first page of the OH-1, unless the officer is positive of the info, such as if the vehicle is left at the scene, recovered, and/or charges are to be filed, etc.

C. When filling out the OH-1, make sure the following blanks are filled in:

(1) Unit number.

(2) Number of occupants (in known).

(3) Vehicle status (i.e., hit & run).

(4) Vehicle/pedestrian direction.

D. Take out the hit-skip report from page one and write the suspect info for the hit-skip vehicle and driver onto the hit-skip form, only.

E. Insert the second page of the hit-skip report between pages three and four of the OH-1, ensuring the hit-skip form is properly aligned with the Oh-1.

F. Fill out the top portion of the second page of the Oh-1 exactly as before for a hit-skip,, ensuring use of a hard writing surface and sufficient pressure for legible reports.

G. Take out the hit-skip report

H. Fill out the bottom portion of the OH-1.

I. Fill out the bottom portion of the hit-skip report with the requested investigative information.

6. It should be noted that hit-skip evidence should be treated as any other evidence. I.E., tagged and placed in property, not placed on the floor in the traffic office. Make sure the property receipt number is listed on the report.

INTER-OFFICE COMMUNICATION

From the Office of:
Roger L. Evans
Chief of Police

Date:
February 27, 1992

To:
All Sworn Personnel

In Re:
Training Bulletin #92-01
Required CAD Case Numbering System

Beginning March 1, 1992 our department will assign case numbers to all documents generated by our officers. If the incident is documented in CAD, the number will be automatically assigned thru the CAD computer and will greatly aid all officers and civilian employees in our records management.

Beginning March 1st, all calls processed thru the CAD system that result in *documents* of any type, *property received*, or *arrests*, and *entered* by the *dispatchers* will be assigned a case number and this number will be given the officer. The officer will place this one case number on all documents that are generated on this particular call.

This number will be placed in the upper left-hand corner of *all* documents that result from this incident/dispatch.

Example: You are dispatched to a fight at a bar and as a result you arrest one subject for Disorderly Conduct, make a report on an injured victim, complete the required bar incident report, and receive property or evidence. Before the dispatcher can add the disposition and close this call she will be required to get a case number and give it to the officer. In turn the officer will enter this case number on the upper left corner of all documents connected to this call, i.e.:

-the incident report
-bar report
-Disorderly Conduct Affidavit
-property receipt
-court statement
-arrest cards
-inter-office, if used.

The officer will also give this number to the intake person at book-in to add to the upper left hand corner of the arrest card. This number will also be added to the run sheet when officer's fill in their disposition and to any inter-office directed to anyone else in the department

It is important to remember that *all* case numbers will come from Dispatch and *must be included on all documents* resulting from the CAD recorded incident.

If you don't get a case number from dispatch and you feel you need one, ask Dispatch and if the incident calls for a case number you will be given one. The best rule to remember is if you have any type of paperwork related to a CAD event, you will need a case number in the upper left-had corner. The case number will become one of the most important and beneficial aspects of our record keeping system. The use of the case number will eventually allow officers to access all information on documented incidents.

All documents that are written and are not a result of a CAD event will not receive a case number at that time. Records personnel or dispatch will add this number at a later time.

Example: A MD of P to a car that is taken as a telephone report will not be dispatched by CAD thus no case number is required by the officer taking the report. If after completing the telephone report there is a crew sent to check the are or for a lab check, the case number attached to this dispatch *will* be included on the telephone report.

Any questions or problems should be brought to the attention of a supervisor.

Roger L. Evans
Chief of Police

Inter-Office Communication

From the office of:
Chief Roger L. Evans

Date:
April 20, 1992

To:
All Sworn Personnel

Re:
Training Bulletin 92-02
Springfield Mediation Services
Policy & Procedure

Purpose: This bulletin clarifies the purpose of the mediation service for all police incidents. Neither this bulletin nor the availability of the service changes any existing orders or training regarding authorized and mandatory response or limits on discretions or priorities.

The Springfield Mediation Service is a new community service designed to mediate minor disputes between two or more people in a 'neighbor trouble' situation. The service is voluntary and both parties must agree to the mediation.

The mediation service will not handle, and no member will refer, any problems involving violence or serious threats of violence, weapons, or drug/alcohol offenses. Problems, which involve potentially serious criminal penalties, will not be handled by the service.

If both parties agree, the Service will mediate *continuing* problems with minor neighbor property or boundary disputes, minor trespasses, animal nuisances, very minor vandalism, noise or similar disturbances of the peace, as well as disputes which cannot be criminal in nature.

Policy: As a matter of policy, we will refer people to the mediation service only as an addition to and never in place of appropriate authorized police responses. We will make referrals only for those minor matters indicated and *only for continuing problems after we have done what we can do to enforce all laws/ordinances and to mediate the matter ourselves.*

If after we have fully complied with all authorized and required police responses, the problem continues, Officers should refer both parties to the mediation service.

Procedure: The procedure for all referrals is as follows:

1. Give a referral card, signed by the Officer, to both parties to the continuing minor dispute. Never submit a referral form unless at least the current complainant has been given a referral card.

2. Complete one copy of the referral to mediation form. Be sure it includes the Case # assigned to the CAD event which directly led to the referral.

3. Submit the completed form to the Chief's office.

4. The Operations Captain will forward all appropriate referrals and maintain a file of all such cases.

5. Continue to properly respond to all continuing complaints on the same matter(s) until the problem is successfully resolved or terminated.

It is hoped this new Service will help us resolve continuing minor neighbor type disputes and proper utilization of this and all other Division directives and training should reduce repeat calls to the same persons with the same minor problems.

Inter-Office Communication

From the office of:
Chief Roger L. Evans

Date:
July 27, 1993

To:
All Sworn Personnel

Re:
Training Bulletin T93-02
Fleeing & Eluding

Sir:

According to Mr. Sheils, City Prosecutor, charges filed under ORC Section 2921.331 (B)- Fleeing & Eluding- should be filed on a uniform traffic citation.

Ohio Traffic Rule 3© provides that the uniform traffic ticket shall be used in all traffic cases. Traffic Rule 2 defines a traffic case as one involving the violations of laws, ordinances, or regulations governing the operation and use of vehicles. This, charges filed under ORC Section 2921.331(B)- Fleeing & Eluding- should be filed on a uniform traffic citation.

If the charge is to be filed as a felony, be sure to specify the aggravating event listed in 2921.331(C). The felony charge will then be presented to the grand jury for review through the County Prosecutor's Office.

cc:
File

Inter-Office Communication

From the office of:
Chief Roger L. Evans

Date:
February 23, 1996

To:
All Sworn Personnel

Re:
Training Bulletin 96-01
Field Guide to many major concerns
In Domestic Disputes

MANY PROCEDURAL REQUIRMENTS FOR DOMESTIC DISPUTES

I. Determine if there are any plausible claims of domestic violence or of a TPO/CPO violation and, if so, gather information for the State **domestic dispute form** and for the required **incident report**. If the claims are plausible, investigate as required to determine if there is probable cause for any arrests and to determine if there are any primary aggressors.

II. Provide alleged victims with at least:

A. *Victims of crime information,* the *names* and *badge numbers,* and the *business telephone number* of the investigating officers;

B. *How, when,* and *where* criminal *charges* may be *filed;*

C. The right to and *how, when, and where to request a TPO* if charges are filed;

D. The right to and *how, when and where to request a CPO if ch*arges are not filed;

E. The fact that *protection orders* can be ended or *modified only by the Court;*

F. The fact the *suspect may be released by a judge at any time* and *will be released upon bail at* the **stated *arraignment date;***

G. *How to contact* social services including *emergency shelter, victim counseling, and legal advocacy.*

III. Investigate and then arrest when warranted:

A. If *probable cause* exists, *especially for a felony or for a primary aggressor, file* at least the applicable *charge* with the *highest* potential penalty;

B. If a TPO/CPO *violation,* ensure we have a *copy on file,* that it is *marked served against* the specific *suspect,* and that it *contains* one or more *terms limiting the suspect* which the particular suspect has apparently violated.

C. If a TPO/CPO violation, charge a *felony* grade offense if the suspect has at least *one conviction* for violation of *any TPO/CPO order*, or if the suspect has at least two prior convictions for 2903.211 or 2911.211 involving the same person who is the subject of the order;

D. Secure photographs and request copies of E911 calls whenever appropriate;

E. Seize and seek forfeiture of any deadly weapon involved in any portion of any offense.

REQUIRED REPORTS INFORMATION

IV. All domestic disputes require the State domestic dispute form and, if a claim of any domestic violence is plausible, a domestic violence incident report must document very specific information:

A. Documentation of the crimes scene;

B. Documentation of all injuries;

C. Other factors used to determine probable cause;

D. All weapons allegedly involved in any portion of the incident;

E. All other evidence or contraband seized;

F. Documentation of specific verbal statements of the parties;

G. Documentation of any written statements of the parties;

H. Documentation of any photographs, which document key factors of the incident;

I. Documentation of previous domestic violence and injuries involving either person;

J. Documentation of all apparent witnesses, whether or not interviewed;

K. If there is probable cause and no arrest is made, a clear explanation is required.

Inter-Office Communication

From the office of:
Chief Roger L. Evans

Date:
September 10, 1997

To:
All Sworn Personnel

Re:
Training Bulletin 97-02
Arrest Reports for Arrest
On Warrants

I. Purpose

The purpose of this training bulletin is to develop consistent record keeping practices and to alleviate the duplication of work by officers when making arrests on warrants. In the past, we have experienced problems with consistently completing supplementary reports when a subject is arrested on a warrant. The supplementary report is necessary to document the disposition of a complaint sheet. (indicating the offense was cleared by arrest)

In the past, the arresting officer would complete a second arrest report. A supplemental report would then be completed by the investigator assigned to the original report. If the assigned investigator was not aware of the arrest the supplemental report was never completed.

A manner in which to relive this problem was discussed with personnel from Uniform Patrol, Investigations, and Records. The duplicate report issue was discussed along with several other consistency problems concerning information needed to clear a complaint sheet. As a result of the discussions, the following procedure has been adopted and must be followed when a subject is arrested on a warrant.

II. New Procedure

A new arrest report must be completed the day of the arrest. This includes page #1, page #2, and if necessary page #3. Records Personnel will make a copy of the narrative pages of the new arrest report, update the disposition in the computer, and file the narrative copies of the arrest report with the original offense report.

III. Required Information

A. Page (1) of the new arrest report must be completed with special attention on updating or adding any information, which was unknown, or possibly incorrect at the time the warrant was filed. (correct spelling of the name, current address, employment, etc.)

B. Page (2) and if necessary page (3) of the arrest report **must** include the following **minimal** information:

1. The **correct original** SPD Case # as listed on the warrant.

2. The Time, Place, Date of Arrest, and Charges.

3. If the Defendant was placed in Jail or ordered into Court.

IV. Distribution of Arrest Reports:

A. All copies of the arrest report must be distributed to the appropriate places.

1. White copy to Records (original).

2. Yellow copy to Court (include it with the warrant).

3. Pink copy to Jail.

4. White (last page) to Investigations.

V. Reminders:

A new case # should only be used if the warrant does not include a previous SPD case # written on the warrant.

A separate copy of the arrest report must be forwarded to Records for each person arrested.

TRAINING BULLETIN

Training Bulletin 97-03

October 13, 1997

All Police Employees:

Ohio has enacted several substantial changes in domestic violence and protection order laws. This bulletin is part one of a series, which is crucial to obeying and enforcing both law and policy. This bulletin should be placed in the training bulletin section of your division manual.

I. Introduction

Ohio has enacted several changes in our domestic violence laws, which are effective October 21, 1997. An additional change is effective November 5.

These changes include new definitions and new enforcement standards for both the domestic violence statute and violations of protection order statute.

Because of our existing "strict enforcement policy," the changes actually required in our written policy are minimal. However, proper understanding and use of the amended laws will require this and other training materials and reading the amended statutes is strongly recommended.

This bulletin is intended only as a *summary of key changes* in the *domestic violence and violation of protection order statutes and definitions* used in the statues, which are effective October 21 and November 5. Additional bulletins will be issued.

II. Summary

A. The definition of "family or household member" which applies to the offense of domestic violence and the issuance and enforcement of protection orders will change October 21.

1. For the purposes of *all* domestic violence *enforcement*, a **family or household member** will include the "natural parent" of any child of whom the offender is the other natural parent **or** ***"is the putative other natural parent."***

2. For the purposes of *all* domestic violence *enforcement*, the *"person living as a spouse"* definition is changed to *"within five years"* prior to the date of the alleged offense. (not one year).

B. The list of offense, which provide increased penalties for the offense of domestic violence will change November 5. *In addition to the current escalating penalty offenses,* prior convictions for **negligent assault, aggravated menacing, menacing, and endangering children** (or substantially similar local ordinance) **involving a person who was a family or household member at the time of the violation,** will increase M-1 violations to F-5 and the M-f violation to M-3.

TRAINING BULLETIN

Training Bulletin 97-05

October 16, 1997

All Police Employees:

This very important bulletin should be placed in your division manual.

Effective October 21, a violation of the new "protection order" statute is generally an M-1; however, penalties increase differently depending upon the type of order which is violated.

If the violation is of an **Ohio** *TPO or CPO* **or** of any **protection order of another state,** and if the *offender has two or more convictions of menacing by stalking or aggravated trespass* **involving** the same **person** who is the **subject** of the **present order or** *one or more convictions for violating a (any) protection order, the offense is an F-5.*

However, if the violation is of an **Ohio** *anti-stalking protection* order, it is an F-5 only if the person has *two or more convictions* for violating a (any) protection order, **or** *two or more convictions* for *aggravated menacing, menacing by stalking, menacing, or aggravated trespass* involving the same person who is the subject of the protection order being violated.

Ohio protection orders issued on or after October 21, will contain a notice that only the] court can modify or end any condition of a protection order but it must be noted there is no statute which specifically covers a situation when the person who obtained the order] allows the subject of the order to violate any of the conditions of the order.

We are still required by law to *obey and enforce* all of the statutes relating to *domestic violence* and **all** *protection orders.* We are also required by law to obey any local policy which is more strict upon arrests than State law. The law specifies *three* types of *situations,* any one of which is sufficient, when officer have *reasonable cause* to make an *arrest* for *domestic violence, violating a protection order, menacing by stalking, or aggravated trespass.*

One is a *written statement* of a person which alleges the suspect has committed the offense against the person, or the child of the person, who signs the statement. The *second* is the *totality of the circumstances*---including reasonably trustworthy information---which leads an officer to believe the suspect committed the offense, and the *third* is an arrest *"upon view."*

Our policy requires *incident reports* for any *plausible* report of *domestic violence* or *violating any protection order* and, in compliance with the law, we will still *require* a clear *statement in such a report of* **exactly why no arrest was made when legal cause for an arrest existed.**

Ohio CPO's will be **valid** until a date specified **up to five years.** The mandatory arrest clause for felonious or aggravated assault includes the serious assault upon the unborn child of another.

TRAINING BULLETIN

Training Bulletin 98-01

February 11, 1998

All Sworn Personnel:

Subject: Use of force; use of deadly force.

Police Officers have public authority to use reasonable force to protect themselves and other and to effect arrests and otherwise fulfill our public safety mission.

A. The use of lawful and proper force is part of policing; however, all such force--especially potentially deadly force--must be restricted to that which is appropriate and reasonably necessary to overcome a physical threat to persons or resistance to arrest.

   1. Only that force which is reasonably necessary to achieve our proper goal in the particular situation may be used.

   2. All use of force must be reduced as the level of the threat is clearly reduced.

   3. All use of deadly force must cease when the threat or aggression which justified the consideration or use of deadly force e has been prevented or ended or when the police task or mission reasonably appears to be accomplished.

   4. The use of deadly force has been prevented or ended or when the police task or mission reasonably appears to be accomplished.

B. Our society places tremendous value upon human life. Police officers have been delegated an awesome and sometimes conflicting responsibility to protect persons and apprehend dangerous offenders.

   1. The potential use of deadly force involves a balancing test of the threat being posed and the gravity and need of such force.

   2. The fact a violent felony is being or has been committed does **not** necessarily justify the use of deadly force.

   3. Before using any force, **especially potentially deadly force,** other reasonably apparent means of protecting ourselves and others must be determined inappropriate.

   4. When feasible, some warning should be given prior to any use of force, especially deadly force.

Inter-Office Communication

From the office of:
Chief David L. Walters

Date:
April 14, 1998

To:
All Sworn Personnel

Re:
Training Bulletin 98-02
Field Guide to many major concerns
In Domestic Disputes

MANY PROCEDURAL REQUIRMENTS FOR DOMESTIC DISPUTES

I. Determine if there are any plausible claims of domestic violence or of a TPO/CPO violation and, if so, gather information for the State **domestic dispute form** and for the required **incident report**. If the claims are plausible, investigate as required to determine if there is probable cause for any arrests and to determine if there are any primary aggressors.

II. Provide alleged victims with at least:

A. *Victims of crime information,* the *names* and *badge numbers,* and the *business telephone number* of the investigating officers;

B. *How, when,* and *where* criminal *charges* may be *filed;*

C. The right to and *how, when, and where to request a TPO* or anti-stalking order;

D. The right to and *how, when and where to request a CPO;*

E. The fact that *protection orders* can be ended or *modified only by the Court;*

F. The fact the *suspect may be released by a judge at any time* and *will be released upon bail at* the **stated *arraignment date;***

G. *How to contact* social services including *emergency shelter, victim counseling, and legal advocacy.*

III. Investigate and then arrest when warranted:

A. If *probable cause* exists, (*especially for a felony or for a primary aggressor), file* at least the applicable *charge* with the *highest* potential penalty;

B. If a Protection Order *violation,* be sure it is served by others or by you and enforced if it *contains* one or more terms which the suspect has apparently violated, be sure we have a copy in our files and that your service or enforcement is documented;

C. If a Protection Order violation, charge a *felony* grade offense *if* current law permits such a charge based upon applicable prior convictions of the subject of the order;

D. Secure photographs and request copies of E911 calls whenever appropriate;

E. Seize and seek forfeiture of any deadly weapon involved in any portion of any offense.

F. Seek a **written statement** from the alleged victim, which answers questions about any prior violence between the subjects, whether police were called, and the final outcome of any police response, if known.

REQUIRED REPORTS INFORMATION

IV. All domestic disputes require the State domestic dispute form and, if a claim of any domestic violence is plausible, a domestic violence incident report must document very specific information:

A. Documentation of the crime scene;

B. Documentation of the appearance of the parties and all injuries;

C. Other factors used to determine probable cause;

D. All weapons allegedly involved in any portion of the incident;

E. All other evidence or contraband seized;

F. Documentation of verbal statements of the subjects or the witnesses;

G. Documentation of seeking and receipt of a written victim statement;

H. Documentation of any photographs, and all other evidence, which documents key factors of the incident;

I. Documentation of previous domestic violence and injuries involving the subjects of the report;

J. Documentation of all apparent witnesses, whether or not interviewed;

K. If there is probable cause and no arrest is made, a clear explanation of lawfully considered factors is required.

Inter-Office Communication

From the office of:
Chief David L. Walters

Date:
October 13, 1999

To:
All Sworn Personnel

Re:
99-01
FMLA & Birth of a child

It has recently come to my attention that we have been inappropriately granting extended sick time use, to fathers, for the birth of a child. Under City Policy, as stated in the Employee Handbook, fathers may use up to five (5) days of sick leave for the birth of a child. Apparently, the confusion stems from the language of FMLA granting up to twelve (12) weeks of leave for the birth of a child. The City does recognize such requests, but it **does not** qualify under the use of sick time; vacation, holidays, or a leave of absence are appropriate options.

Personnel is currently reviewing the City's Policy and it may be revised in the near future. However, until the policy is changed, all future requests will be held to the appropriate standards as listed in the City of Springfield Employee Handbook.

Respectfully Submitted,

David L. Walters
Chief of Police

Inter-Office Communication

From the office of:
Captain David Pritchard

Date:
May 3, 1999

To:
All Sworn Personnel

Re:
99-02 Authority to access, copy retain, or disseminate police data or information.

As we begin to enter a new era of police information systems, it is recommended each employee review SPD directives pertaining to authorizations to access, copy, retain, or disseminate, any police data or information. Among the most important are 3.07, 6.04 (especially IIA), 7.51, and 7.52.

Some of our most basic orders are summarized as follows:

A. No one is permitted to access, read, copy, retain, or disseminate any police data or information unless they are assigned to a case which reasonably requires such and they have both the police need and police right to know any data or information for the purposes of fulfilling such assignment.

B. All requests for police data or information access by any criminal justice system or governmental personnel may be honored by authorized SPD personnel provided the person seeking such access can demonstrate a criminal investigation right and need to know which is not contrary to Federal law or regulations, State laws or regulations, or any SPD directives.

C. Any and all personal rights or needs to know any police data or information require a written application to Records or the Office of the Chief.

D. All access to police data or information requested by person who are not clearly covered by A, B, C, or other written SPD directives, must proceed through the Records Section or the Office of the Chief.

E. Police employees are **not** authorized to retain copies of any police data or information, specifically including but certainly not limited to digital imaging, any linger than is necessary to an assignment.

F. Because all images can be accessed as authorized and needed, no one is authorized to keep any personal or unit files of digital photos.

G. The special photo imaging printers are supplied with special, more costly paper to produce good quality photo images; only the proper paper should be used to make such copies and the paper supplied to those printers should not be used for any other printer.

- Any questions concerning SPD directives should be referred through the chain of command.

Inter-Office Communication

From the office of:
Chief David L. Walters

Date:
December 15, 1999

To:
All Sworn Personnel

Re:
Training Bulletin 99-03
Child Abuse Call-in of Investigators

I. Purpose

Many times, what is presented as being an accident or unexplained injury to a small child or infant is child abuse. These cases are often very difficult to obtain valid information as to how the injury actually occurred. It is critical to investigate these situations immediately. Statements need to be taken, the scene of the accident needs to be viewed and photographed, possible evidence collected, etc. Generally, the perpetrator and/or other family members are most vulnerable, to relating the truth or giving poorly thought out excuses, during the initial crisis. If specific questioning is not completed until the next day, the case is very difficult to unravel and prove who abused the child. In all too many of these cases, the abused child ends up being placed back into the dangerous environment because law enforcement could not provide a sufficient case for prosecution or removal.

II. Procedure

In an attempt to minimize these situations, the following list of criteria have been developed to help officer sin the decision-making process as to when a detective, specifically trained to investigate these types of situations, should be called to the scene. This guideline is not intended to be all-inclusive, but only serve to help direct officers in reaching decisions as to when other resources are needed. If it is believed an investigator should be called, the OIC shall make the final decision and notify the appropriate personnel. In addition to the call-in of the detective, an on-call Children Services worker must be contacted and will respond according to their policy.

- **Note:** If there is any reasonable doubt as to whether to call for assistance from Investigations, please choose to err in favor of calling for assistance. The details can always be discussed and the best course of action determined at that time.

III. Criteria to Consider

1. Any injury to a child, especially under the age of 5 years old, who appears to be suffering from any broken bones, substantial or serious burns, moderate to severe bruising, unconsciousness, or displays any signs of injury or disease which could relate to possible sexual or physical abuse.

2. Any suspicious death or unknown cause of death to a child.

3. Any sexual assault or reported sexual assaults (reported within 72 hours of the actual assault) to a child under the age of 16 years or a mentally handicapped child under the age of 18 years old. Discretion should be used in circumstances involving older juveniles who have been missing, claim a sexual assault but change their story or don't appear believable; thus leading an officer to believe the reported sexual assault may be a false report.

4. Any serious assault on a juvenile where additional investigative steps need to be taken and/or the injury is life threatening.

The basic who, what, when, where, how, and possibly why, should be available to share with the investigative supervisor during the time of the call for assistance. This information is utilized to help determine what investigator should be called, based on such things as other pending cases on the family or suspect, prior cases, etc.

David L. Walters
Chief of Police

Inter-Office Communication

From the office of:
Captain David Pritchard

Date:
June 16, 2000

To:
All Sworn Personnel

Re:
Training Bulletin 00-01
Accuracy of critical law enforcement records.

We have learned that many officers of this or other agencies are not properly completing all arrest/citation paperwork with the full, complete statute or ordinance number of the specific section that is being charged.

That is, 2903.11 does not properly charge an offense. **2903.11 (A)(1) is the proper charge.**

Using 2913.02 does not properly charge an offense. **2913.02 (A)(3) is a proper charge.**

The citing of (City) 337.04 is not a proper charge. **337.04 (A) or 337.04 (B) is proper.**

It is extremely important all local agencies submit affidavits, *"arrest" (court) statements* and "arrest" cards that include only the complete, full violation identifiers.

When arrests/citations are *telephoned to Intake*, it is extremely important the person taking down the data be told *the full, complete violation number.*

SPD is an arrest record retention center for SPD, Clark County Sheriff, and any local agency, which incarcerates suspects in the Clark County Jail. Officers, prosecutors, judges, and private citizens rely upon us and rightly expect we will have only complete and accurate charge data.

When officers fail to report the proper, full charge section, we have no way of knowing with what the person is specifically charged. Therefore, when someone accesses arrest or citation records neither they nor we know which part of a statute or ordinance was used.

Such inaccurate records hinder or obstruct professional law enforcement, the judiciary, and individual persons.

Therefore we must take steps to ensure that we create and retain only completely accurate arrest/citation records.

Solving this problem requires the help of local agencies using the jail and every member of those agencies.

We need the help of individual officers, individual clerical personnel, and management & supervision, of all local agencies using the Clark County Jail.

1. **Each agency will ensure that all agency personnel are fully informed of the necessity of accurate and complete paperwork related to any arrest or citation that is reported to Jail Intake personnel**

    a. All arrest (court) statements submitted to intake must include the complete, correct statute or ordinance section identifiers.

    b. All arrests/citations reported to Jail Intake by telephone must very carefully convey the complete, correct statute or ordinance section identifiers.

2. Ensuring the creation and dissemination of only completely accurate arrest/citation data requires the best professional efforts of officers, clerical personnel, and supervisors.

3. Effective this date, SPD Officers are reminded to be sure they do all necessary research and all necessary work to ensure that all affidavits, summonses, and citations contain all of the numeric and alphabetic characters to accurately and *specifically identify the charge being field*; and

    a. The same information is included in all arrest (court) statements field; and

    b. Clearly related when they are reported to Intake via telephone

4. *Effective this date, and through the last day of this month:* all SPD Police Services Clerks involved in creating "records of arrest" must *ask every officer* who submits an arrest (court) statement at Intake or relays charge information via telephone if the section numbers being reported are *complete.*

5. Effective this data, all SPD PSC's and all SPD Records personnel shall immediately report *all possible* errors in statute/ordinance numbers of *all submitting agencies* to the Supervisor then in charge of SPD headquarters unless,

    a. The direct supervisor of an SPD officer responsible for the possible error is then on duty and promptly available for such communication.

6. Effective this date, Supervisor of this agency are directed to explain to each subordinate and then ensure through follow-up that all SPD officers are in full compliance with these instructions.

7. Effective this date, any SPD supervisor shall promptly relate all possible statute/section number errors to their subordinate officer or to the responsible SPD Supervisor.

8. Effective this date, any SPD Supervisor who is advised of a possible statute/ordinance number error by any officer of any other agency shall promptly contact an on-duty Supervisor of that agency, and

    a. Ask that we be assured the possible error is not an error or that the error be promptly corrected, and

    b. Follow-up with a SPD clerk responsible for arrest/citation record, and

    c. Promptly leave a memo regarding all confirmed erroneous statute/citation numbers of another agency to the SPD Records Supervisor.

We need your help to solve this serious problem in the accuracy of important criminal justice records. We will very much appreciate your cooperation.

Respectfully,

Captain David H. Pritchard
Springfield Police Division

David L. Walters
Chief of Police

Inter-Office Communication

From the office of:
Chief David L. Walters

Date:
December 27, 2000

To:
All Sworn Personnel

Re:
Training Bulletin 00-04
Improving the quality of data available about police incidents and false alarms

In order to improve the quality of data regarding police services deliver we need to make one change in existing police records procedures. We also need to clarify the *proper disposition* of *false alarms* and we need to *give dispatchers the best possible information whenever* we do not have a dispatch but *call "out"* at a location to *check an apparent incident.*

1. Effective December 31, 2000. Whenever anyone **generates** a (incident) **case number** for any reason **except a dispatch by the Communications Center, *always enter the number '9' as the priority.***

    - In the past we have instructed personnel o use priority 4 or a greater number. *With the exception of actual dispatches,* it is now very important that all personnel *use only the number 9 for the priority when a case (incident) number is generated.*

2. Effective December 31, 2000. **Whenever** an Officer determines that any alarm dispatch or self-initiated alarm response is a **false alarm,** it is very important that **the disposition** be given and entered as **FALSE.**

    - Since CAD records only allow for one disposition, it is not absolutely necessary to state that you have or will make a false alarm report. However, you may mention the report if you wish as long as you **clearly state the incident is a FALSE alarm.**

3. Effective December 31, 2000. It is extremely important we **do not go "out: at a location** to check a possible police problem **without telling dispatchers what the incident may be.** Unless we happen to know we are stopping someone for a very specific reason, such as a "warrant," any stopping of a vehicle is *initially* a "traffic stop."

    - While other situations may be a little more difficult, it is a very important we clearly state the apparent or possible problem. An apparent or quarrel or fight could be stated as a possible "disorderly," "domestic," "assault," etc. A suspicious person or vehicle would be classed as "suspicious activity." A possible "burglary" would be called that. An alarm ringing is an "alarm."

- **When we have stated the "possible" problem** to dispatch and we find that it was, for example, not a burglary but a "MDP" or not a disorderly but an "assault," we must **give dispatch more correct information before we go back in service. This is even more important if it was, in fact, impossible to give an opinion of the possible problem.**

By order of:

David L. Walters
Chief of Police

To: **All Sworn Personnel**
Date: **December 11, 2002**

Re: Officer Safety Issue- Training Bulletin 2002-01

When conducting a 'pat down' or other lawful search of an individual in accordance with departmental policy and rules and regulations, members are reminded to pay particular attention to oversized baggy pants that may have extended inner pockets.

It has been found that recent suspects have hidden drugs, weapons, and other contraband inside these pockets that of\ten extend down to the area of the knee. Officer conducting a 'pat down' of the traditional pocket area may not know that the actual pocket extends a substantial length. This causes difficulty in detecting weapons or contraband that the individual may have hidden in their pockets.

Officer safety is an issue that can never be taken lightly. This bulletin is issued with that belief in mind.

Approved,
David L. Walters
Chief of Police

To: **All Sworn Personnel** **Re:** **Training Bulletin #2003-01: Statement of Force**

The attached form will permanently replace the Statement of Force form, which has been used for a number of years. The most significant change is that each officer is now required to complete his or her own form each time force is used or alleged. Additionally, only one subject may be listed per form. Information from these forms will be entered into NWS and the forms will be imaged for later retrieval. Write as legibly as possible.

This statement of force must be filed whenever a report is required by Rules and Regulations Sections 6.13 (G), 6.13 (H), or Section 7.72.

Instructions for completing the Statement of Force:

1. List the case number assigned to the incident. Note, only one incident may be reported per form.

2. List the date of the incident.

3. List the time the force was used, or was alleged to have been used.

4. List the location where the use of force occurred.

5. List the sector in which the use of force occurred.

6. Indicate, with a check mark, the type of force used. Check all that apply.

7. Provide the personal information of the subject on whom the force was used. Note, only one subject may be listed per form.

8. Provide the information for any lay witnesses. Also list any officers that are witnesses. It is not necessary to provide race, sex, or DOB for any officer. You may list additional witnesses on the back of this form.

9. Provide a detailed description of the incident that precipitated the use of force. List any escalation/de-escalation of the use of force.

10. Indicate why this level of force was used.

11. List any injuries caused by the use of force, and any alleged injuries claimed by the subject.

12. Describe any visible signs of injury.

13. Indicate any medical treatment provided to the subject, or refused by the subject.

14. List any other pertinent information.

15. Indicate, with a check mark, any other evidence or documentation that exists. Check all that apply.

16. Legibly sign the form and indicate your employee identification number. Each officer who uses force, or is alleged to have used force by a subject, must fill out his or her own form. A supervisor, prior to dissemination must approve this form.

17. Route copies of this form to the Chief and the appropriate Sub-Division Commander and Assistant Commander.

The effective date of use for the new form is April 14, 2003.

Chief Stephen P. Moody

To: AllSwornPersonnel **Re: Training Bulletin 2003-02**

As stated in previous communications, all sworn personnel are properly to complete and promptly submit FI cards based upon:

A. Interview of any suspicioussuspect;

B. Contact with any person listed in Springfield Police Division Recordsand Information System as a "careercriminal";

C. All curfewviolations.

The following data is required for all FI cards:

1. Complete all data blocks on front of the card (unless FI is not related to a motor vehicle.)

2. On all FI cards, complete the data block in the upper left hand corner of thecard:

   A. DPA- FI happened due to assignment other than adispatch.

   B. DISP- FI occurred due to adispatch.

   C. SELF- FI happened due to an officer-initiatedstop.

3. CaseNumbers:

   A. Related to a previously generated case number or incident report, use that case number for all FI cards related to that incident orreport.

   B. Not related to any previous police incident or case, used the case number of the dispatch, directed patrol assignment or self-initiated field activity or stop for all FI cards related to theincident.

4. Contact Type: - Select only one that bestapplies:

   A. Related to SPD case use Case/.Invest.

   B. Related to a know problem in a specific area, not a specific SPD case but is the primary reason for contact, use AreaProblem.

   C. If the primary reason for the FI is curfew enforcement, use thatoption.

   D. If the only reason the card is filed is suspect being a career criminal, use that option.

5. Contact Reason:

   * Select only the most important option that applies to FIsubject.

6. # AsscCards:

   * Remember- indicate number of cards submitted by an officer with the same casenumber.

7. If suspect is a curfew violator, even if interview is related to another,more primaryreason:

   A. Report the age of curfewviolator.

   B. Whether suspect was either warned orcited.

   C. Whether a parent wasnotified.

   D. Whether a parent was charged for not controlling violations ofsuspect.

   E. For all curfew contacts, list name and phone of custodial parent even if no one is charged.

8. Remainder of back of the FI is for additional information regarding clothing,and anything else that should bedocumented.

9. Effective date of this Training Bulletin is May 7,2003.

Training Bulletin 2003-05
Proper Case Numbering

Effective: October 17, 2003

1. All SPD reports (other than animal bite reports) the officer shall provide the reporting party with the correct case number. This requirement is in addition to the exchange of information form provided to parties involved in all traffic crashes, and to the information required to be given to certain victims of violent crimes.

2. Always use the original case number for the service or enforcement of warrants or protection orders (not the computer warrant number). A few older warrants and protection orders do not have a case number. When this occurs, a case number is to be created, the proper case (incident) number is the dispatch or officer initiated event.

3. If an FI car is completed as part of a case investigation, use the original case number, not the number of the current dispatch or stop. If an FI card is completed for any other reason, the correct case number is that of the dispatch or stop.

4. All reports of Criminal Homicide, Rape, and any type of Assault are crimes against persons according to UCR. Thus, officers writing police incident reports for these crimes should write separate police incident reports for each victim. Each report would contain a separate case number for each victim. Example: husband assaults his wife, wife assault the husband different case numbers for each incident. All reports of rape or other sexual assault with victims, which are reported over a long period of time by the same suspect(s), must be assigned different case numbers for each incident.

5. Officers will write separate incident reports for each victim on reported crimes of Criminal Homicide, Rape, all types of Assaults, both sexual and other, and also for all reported acts of menacing, and Aggravated Menacing, Robbery, Burglary, Theft. Each report will have the same case number if: same location, same suspect, and same times of occurrence. For example: someone breaks into seven cars perked on the same lot during the same time & date. A police report would be taken for each vehicle owner but all would have the same case number.

6. If a business broken into has several officers with separate businesses located within. A separate report would be taken for each business and each assigned separate case numbers. The exceptions are a Temporary address (motel) that has a Breaking and Entering; all incidents would have the same case number.

7. Stolen Vehicles, Arsons, and Missing persons each must have a separate case number.

TRAINING BULLETIN 2003-06
GUIDELINES CONCERNING EXTENUATING WARRANT SERVICE
OCTOBER 31, 2003

In the event that an individual is taken into custody by a member of this division upon probable cause that an arrest warrant exists for that individual, based upon confirmation of name, date of birth, social security number, or other identifiers, and the actual "hard copy" of the warrant cannot be located, the following guidelines should be implemented. Following these guidelines will provide consistency within the division in regard to this issue.

- Once it becomes obvious that the actual warrant cannot be located, the arresting officer(s) shall immediately notify the Officer in Charge, or another shift supervisor. The arresting officer(s) will then request that the Records Section personnel on duty, access the Municipal Court computer program and check the status of the warrant, based upon either the assigned court case number or the name of the defendant. In case Record Section personnel are not on duty, the request shall be made to a police supervisor, authorized to make this inquiry.

- If the charge is a felony **in which the defendant has already been indicted,** the inquiry would need to be made by accessing the Common Please Court computer program, using the same procedure.

- If the results of the inquiry indicate that the warrant in question has been served, cancelled, or recalled for any other reason, the defendant shall be informed of the error and shall be released from custody. The defendant shall also be informed that the arresting officer(s) will initiate a process to correct the situation.

- The arresting officer(s) will then forward through the Officer in Charge or another shift supervisor, a written communication, addressed to the Records Office Manager, requesting that the necessary steps be taken to correct the entry in our computer system.

MISDEMEANOR WARRANTS

- If the incident occurs during normal business hours, the arresting officer(s) shall contact the Municipal Court Clerk of Courts Office, or in cases where the defendant is a juvenile, the Juvenile Court, to inquire as to the status of the case and the existence of the warrant. If this inquiry indicates that a warrant does in fact exist, the arresting officer(s) will inform the Clerk of our inability to locate a "hard copy," and will request a certified copy of the warrant. The Officer in Charge will designate someone to immediately retrieve the certified copy and once returned to headquarters, the arresting officer(s) shall serve the warrant.

- If the incident occurs after normal business hours when the Municipal Clerk of Courts Office or Juvenile Court is closed, the arresting officer(s) shall obtain all current information on the individual; including but no limited to, full name and any alias, address, date of birth, social security number, physical descriptors, telephone number, place of employment, employment address and telephone number, etc. The arresting officer(s) shall also inform the individual, and in the case of a juvenile, the parents, that an inquiry will be made to the Clerk of Courts Office or Juvenile Court, on the next business day. The individuals shall also be informed that if an arrests warrant does exist, officers of this division will make either personal or telephone contact wit the individual, during reasonable hours, advising of the existence of such warrant. If the Officer in Charge determines an hour to be unreasonable, he or she shall forward the information to the oncoming Officer in Charge. It is not unreasonable for the arresting officers(s) to suggest to the individual that he or she, or his or her respective attorney, also contact the Court of jurisdiction in an effort to determine the status of the alleged warrant. The arresting officer(s) will give updated information to the Officer in Charge regarding the situation**.**

FELONY WARRANTS

- If the incident occurs during normal business hours, the arresting officer (s) shall contact the Municipal Court Clerk of Courts Office, the Common Pleas Clerk of Courts Office *(for cases which have already been indicted)*; or in cases where the defendant is a juvenile, the Juvenile Court to inquire as to the status of the cases and the existence of the warrant. If this inquiry indicates that a warrant does in fact exist, the arresting officer(s) will inform the Clerk of our inability to locate a "hard copy," and will request a certified copy of the warrant. The Officer in charge will designate someone to immediately retrieve the certified copy and once returned to headquarters the arresting officer(s) shall serve the warrant.

- If the incident occurs after normal business hours when the Municipal Court Clerk of Courts Office, the Common Please Court Clerk of Courts Office, or Juvenile Court is closed, the Officer in Charge shall notify the Uniform Patrol Commander, or their designee of the situation. The Officer in Charge shall provide the information available, including but not limited to, the degree of felony, if the charge is an offense of violence, the criminal history of the defendant, the risk of flight of the defendant, etc. Following this notification, a decision will be made as to contacting a representative of the Prosecutor's office or Clerk of Courts office to request a representative respond to the Clerk of Courts office to conduct a more thorough research of the case.

INTEROFFICE COMMUNICATION

From: Stephen P. Moody,
Chief of Police
To: All Sworn Personnel

Effective Date: September 28, 2004

Re: Training Bulletin 2004-02
Concealed Carry Law

Purpose: The following Concealed Carry Law guidelines will be standard operating procedure for all sworn personnel of this Division. The primary goal of this bulletin is to provide guidelines for the safety of all individuals involved. Ohio's Concealed Carry Law which became effective April 8, 2004 allows citizens to obtain permits to legally carry concealed handguns within the State, with certain restrictions.

I. Arrest/Non Arrest Procedures Involving Permit Holders:

A. In general, if you are arresting a person who has a concealed carry permit and is carrying a weapon, you will secure the weapon.

B. In the event you encounter someone who is lawfully carrying a concealed weapon and who is not under arrest, you have the option of securing the weapon if it is necessary for your safety.

1. In such case, you must always consider the fact that a properly secured weapon, i e. in a holster, in a locked glove box, or in a locked box may be much safer than if you are handling a weapon about which you have no knowledge.
2. Several safety factors you should consider is that the weapon's safety may be on or off, the gun may be cocked, in a state of poor repair or the weapon is not unfamiliar to you, etc.

C. Attached is a list of guidelines that were issued by the Ohio State Highway Patrol, which will assist you when you encounter persons who are carrying concealed handguns, (ORC 2923.125).

1. The reference in the guidelines to an 'HP 26' applies to a property receipt.

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II. The Ohio State Attorney General's Office issued an opinion dated July 19, 2004, concerning when an 'off duty' police officer may carry a handgun concealed. The syllabus of that decision is attached. The entire 27-page document will be available in the OIC's Office.

A. Officers should pay particular attention as to when and where they cannot carry a concealed handgun off-duty, to remain in full compliance with the law.

B. Of particular importance is how you may carry a handgun off-duty, and in a motor vehicle. It is the same as for a permit holder—in plain sight on your person, in a locked glove box or in a case that is locked and in plain sight.

Stephen P. Moody,
Chief of Police

The New Carry Conceal Law

The following is guidelines to assist in handling violations of the carry conceal law. If the violator does not have a permit to carry a handgun or if the weapon is anything other than a handgun, the old CCW law still applies the same. As always, you should consult with your local prosecutor for advice on how he or she would like to proceed with the charges.

Contact Type	Secure Weapon	Custodial Arrest	Weapon Seizure Type	Seize Permit	Teletype Sent	Charge	Degree of Penalty
No Violation	Officer's Choice	No	N/A	N/A	N/A	N/A	N/A
In-depth Investigation i.e. SFSTs	Yes	N/A	N/A	N/A	N/A	N/A	N/A
OVI Arrest	Yes	Yes	Evidence	Yes	Yes	2923.16D1(Refuse Test) or D2 (.08 Test)	F5
**Impaired Occupant*	Yes	Yes	Evidence	Yes	Yes	2923.16D1(Refuse Test) or D2 (.08 Test)	F5
Failure to Inform officer	Yes	Yes	Evidence	Yes	Yes	2923.16 E3	M4
Failure to Comply w/Officer's Orders	Yes	Yes	Evidence	Yes	Yes	2923.16 E4	M1 / F5 if 2 or more violations
Failure to stay in vehicle and/or keep hands in sight	Yes	Yes	Evidence	Yes	Yes	2923.16 E4	M1 / F5 if 2 or more violations
Touching the weapon during stop	Yes	Yes	Evidence	Yes	Yes	2923.16 E2	F5
Arrest not weapon related	Yes	Not for CCW violation	Recovered Property only	No	No	N/A	No CCW violation
***Carried Improperly in M.V.*	Yes	Yes	Yes	Yes	Yes	2923.16 E1	F5
Carried in Prohibited Facility	Yes	Yes	Yes	Yes	Yes	2923.126B	F5

* If the violator is an occupant and not the driver, he or she has no obligation to take a test. If they will not consent to a test, handle the same as you would a 4511.19A1 charge (based upon your experience and/or SFSTs).

** This is not to be confused with improper transportation of a firearm. This is carrying the licensed handgun improperly or contrary to 2923.16E1.

Transporting the handgun:

A motorist who is licensed to carry a handgun must carry the handgun as outlined in 2923.16E1:

> ***Either in a holster and in plain sight on the person's person or securely encased by being stored in a closed, locked glove compartment or in a case that is in plain sight and that is locked.***

A violation of this would consider the violator to be in violation of their permit and improper handling in a motor vehicle – a felony of the fifth degree.

Contact with police officers/troopers:

A licensed handgun owner is required to advise a peace officer he or she has a license to carry a handgun and if he or she is carrying one any time they come into contact with law enforcement officers. *Note: a permit allows them to carry any number of handguns.*

Processing the paperwork:

As noted on the chart, most of the violations require you to seize the permit and send a teletype to the agency who issued the permit informing them of the violation. The permit should be held as evidence with the handgun for court.

An HP26 should be completed for any case where a charge is filed for weapons violations as well as any recovered property weapons resulting from an arrest not resulting in a weapons violation. For example, you arrest a license permit holder for driving under suspension. No permit violation, but you must secure the weapon as recovered property. By law, it must be returned to the owner upon being released.

Officer Safety:

Secure their weapons during any prolonged investigative detention such as a DUI investigation. It is advised that you secure the weapon yourself: **DO NOT ALLOW THEM TO TOUCH IT.** If you believe they are under the influence based upon phase one and two of the ADAP program, secure them for a violation of the permit and complete your SFSTs somewhere secure. Otherwise, any other type of investigative custody may require you to handcuff them, secure the weapon, and continue with your investigation once you have made the environment secure of weapons.

Remember:

This license applies to handguns only. All other **firearms** should be handled as we have been handling them in the past. However, an improper handling charge has now been upgraded in penalty from an M1 to an F4.

July 19, 2004

The Honorable Gary C. Bennett
Lorain County Prosecuting Attorney
226 Middle Avenue, 4th Floor
Elyria, Ohio 44035

SYLLABUS: 2004-028

1. A law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) is not required to obtain a license under R.C. 2923.125 in order to carry a concealed handgun during his off-duty hours.

2. Except as otherwise provided by statute, a law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) may carry a concealed handgun anywhere in this state while on duty or off duty.

3. R.C. 2923.121 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in any room in which liquor is being dispensed in premises for which a D permit has been issued under R.C. Chapter 4303 or in an open air arena for which a permit of that nature has been issued unless one of the exceptions set forth in R.C. 2923.121(B) applies.

4. R.C. 2923.122 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a school safety zone unless one of the exceptions set forth in R.C. 2923.122(D) applies.

5. R.C. 2923.123 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a courthouse or into another building or structure in which a courtroom is located unless one of the exceptions set forth in R.C. 2923.123(C) applies.

6. R.C. 2923.16 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a motor vehicle unless (1) he carries it in the manner prescribed in R.C. 2923.16(C), or (2) one of the exceptions set forth in R.C. 2923.16(F) or (G)(2) applies.

7. R.C. 1547.69 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a vessel unless (1) he carries it in the manner prescribed in R.C. 1547.69(D), or (2) one of the exceptions set forth in R.C. 1547.69(E)(1) or (H) applies.

STATE OF OHIO
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July 19, 2004

OPINION NO. 2004-028

The Honorable Gary C. Bennett
Lorain County Prosecuting Attorney
226 Middle Avenue, 4th Floor
Elyria, Ohio 44035

Dear Prosecutor Bennett:

You have requested an opinion as to whether a law enforcement officer must apply for and receive a license under R.C. 2923.125 in order to carry a concealed handgun during his off-duty hours. Your question arises because of recent changes made by Am. Sub. H.B. 12, 125th Gen. A. (2004) (eff. Apr. 8, 2004) to the statutory scheme governing the carrying of concealed handguns.[1] The primary purpose of Am. Sub. H.B. 12 is to enact statutory provisions authorizing and regulating the issuance of licenses to carry a concealed handgun.[2] As discussed below, nothing in these provisions requires a law enforcement officer who has a right to carry a

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[1] The United States Congress recently enacted, and sent to the President for his signature, the Law Enforcement Officers Safety Act of 2004. This legislation amends Title 18 (crimes and criminal procedure) of the United States Code to exempt qualified current and former law enforcement officers from state laws that would otherwise prohibit the carrying of a concealed handgun. Pursuant to the supremacy clause of the United States Constitution, *see* U.S. Const. art. VI, cl. 2 ("[t]his Constitution, and the Laws of the United States which shall be made in Pursuance thereof … shall be the supreme Law of the Land"), and principles of federal preemption enunciated thereunder by the federal judiciary, *see generally, e.g., Florida Lime & Avocado Growers Inc. v. Paul*, 373 U.S. 132 (1963), this legislation, if signed into law, may affect application of the provisions of Am. Sub. H.B. 12, 125th Gen. A. (2004) (eff. Apr. 8, 2004) to Ohio's law enforcement officers who carry a concealed handgun while off duty. It is neither necessary nor appropriate, however, for us to venture a definitive conclusion at this time about the possible effects of the federal legislation on the operation of Ohio's concealed carry law. Accordingly, this opinion is directed exclusively to Ohio's state law.

[2] Am. Sub. H.B. 12 enacted R.C. 2923.125 and R.C. 2923.1213, which authorize a person to obtain a license to carry a concealed handgun or temporary emergency license to carry a concealed handgun, respectively.

concealed handgun pursuant to R.C. 2923.126(D) to obtain a license under R.C. 2923.125 in order to carry a concealed handgun during his off-duty hours.[3]

Authority to Carry a Concealed Handgun Before Am. Sub. H.B. 12

Before Am. Sub. H.B. 12 was enacted, R.C. 2923.12(A) prohibited an off-duty law enforcement officer from carrying a concealed handgun unless one of the exceptions set forth in R.C. 2923.12(B) or (C) applied.[4] *See* 1974 Op. Att'y Gen. No. 74-084 at 2-348; 1949 Op. Att'y Gen. No. 912, p. 543, at 550; 1933 Op. Att'y Gen. No. 1008, vol. II, p. 1017, at 1018. R.C. 2923.12, as it existed prior to the enactment of Am. Sub. H.B. 12, read, in part, as follows:

> (A) No person shall knowingly carry or have, concealed on his or her person or concealed ready at hand, any deadly weapon or dangerous ordnance.
>
> (B) *This section does not apply to officers, agents, or employees of this or any other state or the United States, or to law enforcement officers, authorized to carry concealed weapons or dangerous ordnance, and acting within the scope of their duties.*
>
> (C) It is an affirmative defense to a charge under this section of carrying or having control of a weapon other than dangerous ordnance, that the actor was not otherwise prohibited by law from having the weapon, and that any of the following apply:
>
> (1) The weapon was carried or kept ready at hand by the actor for defensive purposes, while the actor was engaged in or was going to or from the actor's lawful business or occupation, which business or occupation was of such character or was necessarily carried on in such manner or at such a time or place as to render the actor particularly susceptible to criminal attack, such as would justify a prudent person in going armed.

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[3] For the purpose of this opinion it is assumed that the law enforcement officer is not subject to a disability under R.C. 2923.13 that prohibits him from having or carrying a handgun, or prohibited by another statute from having or carrying a handgun. *See, e.g.,* R.C. 2921.36 (the written rules of a detention facility may establish when a person may convey a handgun onto the grounds of the facility); R.C. 2923.15 (a person may not carry a handgun while under the influence of alcohol or any drug of abuse).

[4] Pursuant to R.C. 5743.45(B), an employee of the Department of Taxation who has been certified by the Ohio Peace Officer Training Commission and who is engaged in the enforcement of R.C. Chapters 5728, 5735, 5739, 5741, 5743, and 5747 has, while engaged within the scope of his duties in enforcing the provisions of these chapters, the power of a police officer to carry concealed weapons. 1987 Op. Att'y Gen. No. 87-015 at 2-95 n.2 examined this grant of authority, and stated that the language of R.C. 5743.45 does not "constitute an independent grant of authority to carry a concealed weapon, but rather reflects the legislature's intention that such [employees] should have the same authority as that customarily accorded police officers."

> (2) The weapon was carried or kept ready at hand by the actor for defensive purposes, while the actor was engaged in a lawful activity and had reasonable cause to fear a criminal attack upon the actor or a member of the actor's family, or upon the actor's home, such as would justify a prudent person in going armed.
>
> (3) The weapon was carried or kept ready at hand by the actor for any lawful purpose and while in the actor's own home.
>
> (4) The weapon was being transported in a motor vehicle for any lawful purpose, and was not on the actor's person, and, if the weapon was a firearm, was carried in compliance with the applicable requirements of [R.C. 2923.16(C)]. (Emphasis added.)

1995-1996 Ohio Laws, Part IV, 7136, 7352-53 (Am. Sub. S.B. 2, eff. Nov. 9, 1995, with certain sections effective on other dates).

Thus, before Am. Sub. H.B. 12 was enacted, an off-duty law enforcement officer was permitted to carry a concealed handgun when he was (1) authorized to carry a concealed handgun and acting within the scope of his duties, R.C. 2923.12(B), or (2) carrying a concealed handgun in accordance with the provisions of R.C. 2923.12(C).[5] *See, e.g., State v. Hassell,* Appeal No. C-920530, 1993 Ohio App. LEXIS 2364 (Hamilton County May 5, 1993) (an off-duty security guard for the metropolitan housing authority was not acting within the scope of his duties, and, as such, was not permitted to carry a concealed weapon); *State v. Little,* No. 57033, 1991 Ohio App. LEXIS 1053 (Cuyahoga County Mar. 14, 1991) (an off-duty special police officer was permitted to carry a concealed weapon because the city granted its special police officers the right to carry a weapon anywhere in the city). *See generally* 1913 Op. Att'y Gen. No. 472, vol. II, p. 985 at 987 (the object of G.C. 12819 (now R.C. 2923.12) "is to *restrict the carrying of concealed weapons*, and lessen the dangers resultant from such practices. If the legislature intended to extend the privilege *to others* to carry concealed weapons, it should have said so in section 12819. Whatever the practice or custom in that behalf was, under the old law, the same is no longer permissible under the new; and until additional legislation is had on the subject, all persons are liable under the law, unless they come within the classes of exceptions enumerated"). What constituted the "scope of [an officer's] duties" under former R.C. 2923.12(B) was a case-by-case inquiry that depended upon a variety of factors.[6]

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[5] The affirmative defenses set forth in R.C. 2923.12(C) that were available to a person before Am. Sub. H.B. 12 now appear in R.C. 2923.12(D). Am. Sub. H.B. 12. These defenses, however, no longer set forth instances in which it is permissible for a person to carry a concealed handgun. *Id.*

[6] A law enforcement officer who is off duty has the authority to preserve the peace and to arrest and detain a person found violating a law of this state, an ordinance of a municipal corporation, or a resolution of a township. *Luketic v. Univ. Circle, Inc.,* 134 Ohio App. 3d 217,

Authority to Carry a Concealed Handgun After Am. Sub. H.B. 12

With the enactment of Am. Sub. H.B. 12, the General Assembly has, among other things, extended the privilege of carrying concealed handguns to duly licensed persons and clarified when an off-duty law enforcement officer may carry a concealed handgun.[7] As amended by Am. Sub. H.B. 12, R.C. 2923.12 now provides, in part:

222-23, 730 N.E.2d 1006 (Cuyahoga County 1999), *appeal not allowed,* 87 Ohio St. 3d 1478, 721 N.E.2d 123 (1999); *State v. Sanchez,* No. 73926, 1999 Ohio App. LEXIS 2546, *3-4 (Cuyahoga County June 3, 1999); *State v. Duvall,* Case No. 95-P-0140, 1997 Ohio App. LEXIS 2463, *10-12 (Portage County June 6, 1997); *State v. Clark,* 10 Ohio App. 3d 308, 462 N.E.2d 436 (Paulding County 1983); *State v. Glover,* 52 Ohio App. 2d 35, 367 N.E.2d 1202 (Franklin County 1976); 1991 Op. Att'y Gen. No. 91-063 at 2-300. A law enforcement officer's exercise of this authority is, however, governed by statutes, departmental rules and regulations, and local customs and practices. *State v. Italiano,* 18 Ohio St. 3d 38, 40-41, 479 N.E.2d 857 (1985), *cert. denied,* 474 U.S. 904 (1985); *State v. Knight,* 140 Ohio App. 3d 797, 804, 749 N.E.2d 761 (Hamilton County 2000), *appeal not allowed,* 91 Ohio St. 3d 1416, 741 N.E.2d 143 (2001); *State v. Duvall*, *10-12; 1991 Op. Att'y Gen. No. 91-063 at 2-300 and 2-301; 1965 Op. Att'y Gen. No. 65-177. Accordingly, whether an off-duty law enforcement officer was authorized to carry a concealed handgun, or was acting within the scope of his duties, so as to be exempted from former R.C. 2923.12's prohibition was gleaned from the statutes, departmental rules and regulations, and local customs and practices governing the appointment and employment of the law enforcement officer. *See, e.g., State v. Little,* No. 57033, 1991 Ohio App. LEXIS 1053 (Cuyahoga County Mar. 14, 1991) (an off-duty special police officer who was carrying a concealed weapon was exempted from the provisions of R.C. 2923.12(A) because the city granted its special police officers the right to carry a weapon anywhere in the city); 1965 Op. Att'y Gen. No. 65-177 (syllabus, paragraph two) ("[i]f the township trustees determine that the township constable is on duty twenty-four hours a day, he is entitled to carry a concealed weapon at all times"). *See generally* 1991 Op. Att'y Gen. No. 91-063 at 2-301 (a county sheriff or township chief of police may authorize their off-duty law enforcement officers to use their firearms "if the sheriff or chief of police reasonably determines such authorization promotes the provision of police protection services to the citizens of the county or township").

[7] As mentioned earlier, prior to the enactment of Am. Sub. H.B. 12, off-duty law enforcement officers were statutorily permitted to carry a concealed handgun when they were authorized to carry a concealed handgun and acting within the scope of their duties. Application of this statute required case-by-case determinations as to when off-duty law enforcement officers were acting within the scope of their duties. *See* note six, *supra*. *See generally* 1965 Op. Att'y Gen. No. 65-177 at 2-393 ("[i]n view of the fact that the General Assembly has not defined the term 'when on duty' and has not provided for the situation when a plain clothes officer is subject to call, whether a person can carry a concealed weapon becomes a question of fact"). Also, it

(A) No person shall knowingly carry or have, concealed on the person's person or concealed ready at hand, any of the following:

(1) A deadly weapon other than a handgun;

(2) A handgun other than a dangerous ordnance;

(3) A dangerous ordnance.

....

(C)(1) This section does not apply to officers, agents, or employees of this or any other state or the United States, or to law enforcement officers, authorized to carry concealed weapons or dangerous ordnance and acting within the scope of their duties.

(2) *Division (A)(2) of this section does not apply to any of the following:*

(a) An officer, agent, or employee of this or any other state or the United States, or a law enforcement officer,[8] who is authorized to carry a handgun and acting within the scope of the officer's, agent's, or employee's duties;

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was unclear whether off-duty officers were permitted to carry a concealed handgun outside the territorial jurisdiction of their law enforcement agencies. *See generally City of Fairborn v. Munkus,* 28 Ohio St. 2d 207, 277 N.E.2d 227 (1971) (the general common-law rule, subject to change by statute, is that the power of a municipal police officer is limited to the boundaries of his municipality); 1986 Op. Att'y Gen. No. 86-068 at 2-375 ("[a] law enforcement officer who serves a particular political subdivision is, in general, authorized to exercise his powers within the territory of the political subdivision that has appointed him").

[8] As used in R.C. 2923.12 and elsewhere in the Revised Code, the term "[l]aw enforcement officer" means any of the following:

(a) A sheriff, deputy sheriff, constable, police officer of a township or joint township police district, marshal, deputy marshal, municipal police officer, member of a police force employed by a metropolitan housing authority under [R.C. 3735.31(D)], or state highway patrol trooper;

(b) An officer, agent, or employee of the state or any of its agencies, instrumentalities, or political subdivisions, upon whom, by statute, a duty to conserve the peace or to enforce all or certain laws is imposed and the authority to arrest violators is conferred, within the limits of that statutory duty and authority;

(c) A mayor, in the mayor's capacity as chief conservator of the peace within the mayor's municipal corporation;

(d) A member of an auxiliary police force organized by county, township, or municipal law enforcement authorities, within the scope of the member's appointment or commission;

(b) *A person who, at the time of the alleged carrying or possession of a handgun, is carrying a valid license or temporary emergency license to carry a concealed handgun issued to the person under [R.C. 2923.125 or R.C. 2923.1213] or a license to carry a concealed handgun that was issued by another state with which the attorney general has entered into a reciprocity agreement under [R.C. 109.69], unless the person knowingly is in a place described in [R.C. 2923.126(B)].*

....

(E) It is an affirmative defense to a charge under [R.C. 2923.12(A)] of carrying or having control of a handgun other than a dangerous ordnance that the actor was not otherwise prohibited by law from having the handgun and that the handgun was carried or kept ready at hand by the actor for any lawful purpose and

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(e) A person lawfully called pursuant to [R.C. 311.07] to aid a sheriff in keeping the peace, for the purposes and during the time when the person is called;

(f) A person appointed by a mayor pursuant to [R.C. 737.01] as a special patrolling officer during riot or emergency, for the purposes and during the time when the person is appointed;

(g) A member of the organized militia of this state or the armed forces of the United States, lawfully called to duty to aid civil authorities in keeping the peace or protect against domestic violence;

(h) A prosecuting attorney, assistant prosecuting attorney, secret service officer, or municipal prosecutor;

(i) A veterans' home police officer appointed under [R.C. 5907.02];

(j) A member of a police force employed by a regional transit authority under [R.C. 306.35(Y)];

(k) A special police officer employed by a port authority under [R.C. 4582.04 or R.C. 4582.28];

(l) The house sergeant at arms if the house sergeant at arms has arrest authority pursuant to [R.C. 101.311(E)(1)] and an assistant house sergeant at arms;

(m) A special police officer employed by a municipal corporation at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of the transportation security administration of the United States department of transportation as provided in Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended.

R.C. 2901.01(A)(11).

> while in the actor's own home, provided that this affirmative defense is not available unless the actor, prior to arriving at the actor's own home, did not transport or possess the handgun in a motor vehicle in a manner prohibited by division (B) or (C) of section 2923.16 of the Revised Code while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic. (Footnote and emphasis added.)

Under R.C. 2923.12, as amended by Am. Sub. H.B. 12, a person now is permitted to carry a concealed handgun when, *inter alia,* the person has been issued a license or temporary emergency license to carry a concealed handgun, unless he knowingly is in a place described in R.C. 2923.126(B). *See* R.C. 2923.126(A)-(B); R.C. 2923.1213(C).

In addition, Am. Sub. H.B. 12 enacted R.C. 2923.126(D), which expressly extends a duly licensed person's right to carry a concealed handgun to a peace officer: "A *peace officer* has the *same right* to carry a concealed handgun in this state as a person who was issued a license to carry a concealed handgun under [R.C. 2923.125]." (Emphasis added.) As used in R.C. 2923.126, the term "'[p]eace officer' has the same meaning as in [R.C. 2935.01]." R.C. 2923.124(F). R.C. 2935.01(B), in turn, defines this term as follows:

> "Peace officer" includes, except as provided in [R.C. 2935.081], a sheriff; deputy sheriff; marshal; deputy marshal; member of the organized police department of any municipal corporation, including a member of the organized police department of a municipal corporation in an adjoining state serving in Ohio under a contract pursuant to [R.C. 737.04]; member of a police force employed by a metropolitan housing authority under [R.C. 3735.31(D)]; member of a police force employed by a regional transit authority under [R.C. 306.05(Y)]; state university law enforcement officer appointed under [R.C. 3345.04]; enforcement agent of the department of public safety designated under [R.C. 5502.14]; employee of the department of taxation to whom investigation powers have been delegated under [R.C. 5743.45]; employee of the department of natural resources who is a natural resources law enforcement staff officer designated pursuant to [R.C. 1501.013], a forest officer designated pursuant to [R.C. 1503.29], a preserve officer designated pursuant to [1517.10], a wildlife officer designated pursuant to [R.C. 1531.13], a park officer designated pursuant to [R.C. 1541.10], or a state watercraft officer designated pursuant to [R.C. 1547.521]; individual designated to perform law enforcement duties under [R.C. 511.232, R.C. 1545.13, or R.C. 6101.75]; veterans' home police officer appointed under [R.C. 5907.02]; special police officer employed by a port authority under [R.C. 4582.04 or R.C. 4582.28]; police constable of any township; police officer of a township or joint township police district; a special police officer employed by a municipal corporation at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of the transportation

> security administration of the United States department of transportation as provided in Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended; the house sergeant at arms if the house sergeant at arms has arrest authority pursuant to [R.C. 101.311(E)(1)]; and an assistant house sergeant at arms; officer or employee of the bureau of criminal identification and investigation established pursuant to [R.C. 109.51] who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the officer's or employee's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program and who is providing assistance upon request to a law enforcement officer or emergency assistance to a peace officer pursuant to [R.C. 109.54 or R.C. 109.541]; and, for the purpose of arrests within those areas, for the purposes of [R.C. Chapter 5503], and the filing of and service of process relating to those offenses witnessed or investigated by them, the superintendent and troopers of the state highway patrol.

The law enforcement officers listed in R.C. 2935.01(B) thus are peace officers for purposes of R.C. 2923.126(D).[9]

Accordingly, under R.C. 2923.12(C)(2)(a), these law enforcement officers may carry a concealed handgun while acting within the scope of their duties. And, under R.C. 2923.126(D), these law enforcement officers also have the same right to carry a concealed handgun in this state as persons issued a license to carry a concealed handgun under R.C. 2923.125.[10]

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[9] As a general matter, the terms "law enforcement officer" and "peace officer" are not synonymous. *See* 1984 Op. Att'y Gen. No. 84-008 at 2-25. *Compare* R.C. 2901.01(A)(11) (defining "[l]aw enforcement officer" as used in the Revised Code) *with* R.C. 109.71(A) (defining "[p]eace officer" as used in R.C. 109.71-.77) *and* R.C. 2935.01(B) (defining "[p]eace officer" as used in R.C. Chapter 2935).

[10] Some law enforcement officers are included in R.C. 2935.01(B)'s definition of "[p]eace officer" when performing certain specified duties. For instance, an officer or employee of the Bureau of Criminal Identification and Investigation who has been awarded a certificate by the Executive Director of the Ohio Peace Officer Training Commission attesting to the officer's or employee's satisfactory completion of an approved state, county, municipal, or Department of Natural Resources peace officer basic training program is a "[p]eace officer" only when providing assistance upon request to a law enforcement officer or emergency assistance to another peace officer. Also, only "for the purpose of arrests within those areas, for the purposes of [R.C. Chapter 5503], and the filing of and service of process relating to those offenses witnessed or investigated by them," is the Superintendent or a trooper of the State Highway Patrol a "[p]eace officer," as defined by R.C. 2935.01(B). *See also* R.C. 2935.081 (the Superintendent and troopers of the State Highway Patrol are not peace officers for purposes of

Except as Otherwise Provided by Statute, a Law Enforcement Officer May Carry a Concealed Handgun Anywhere in this State While On Duty or Off Duty

A duly licensed person's right to carry a concealed handgun is set forth in R.C. 2923.126. This statute provides, in relevant part, as follows:

> (A) … *Except as provided in divisions (B) and (C) of this section,*[11] a licensee who has been issued a license under [R.C. 2923.125 or R.C. 2923.1213] *may carry a concealed handgun anywhere in this state* if the licensee also carries a valid license and valid identification when the licensee is in actual possession of a concealed handgun….
>
> ….
>
> (B) A valid license issued under [R.C. 2923.125 or R.C. 2923.1213] does not authorize the licensee to carry a concealed handgun in any manner prohibited under [R.C. 2923.12(B)] or in any manner prohibited under [R.C. 2923.16].[12] (Emphasis and footnotes added.)

Thus, except as otherwise provided by statute, a person licensed to carry a concealed handgun under R.C. 2923.125 may carry a concealed handgun anywhere in this state. *See* R.C. 2923.12(C)(2)(b). Implicit in R.C. 2923.126 is a legislative determination that a duly licensed person may carry a concealed handgun at all times in this state, provided he is not otherwise statutorily prohibited from carrying a concealed handgun. Indeed, this interpretation is both compatible and consistent with the unmistakable intent of the General Assembly, as revealed by the explicit language of R.C. 2923.126(B)-(C), R.C. 2923.121, R.C. 2923.122, R.C. 2923.123, R.C. 2923.16, and R.C. 1547.69, to regulate the places in which a duly licensed person may carry

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administering oaths and acknowledging criminal and juvenile court complaints, summonses, affidavits, and returns of court orders in matters related to their official duties).

Although these law enforcement officers are not considered peace officers for all purposes, these officers are nonetheless listed as "[p]eace officers" in R.C. 2935.01(B). Accordingly, these officers have, pursuant to R.C. 2923.126(D), the same right as other peace officers to carry a concealed handgun in this state.

[11] R.C. 2923.126(B) and (C) list the places in which a duly licensed person may not carry a concealed handgun.

[12] R.C. 2923.12(B) requires a person issued a license to carry a concealed handgun "who is stopped for a law enforcement purpose, and who is carrying a concealed handgun … to promptly inform any law enforcement officer who approaches the person after the person has been stopped that the person has been issued a license … to carry a concealed handgun and that the person then is carrying a concealed handgun." R.C. 2923.16 regulates the transport of firearms, which includes handguns, *see* R.C. 2923.11(B)-(C), in motor vehicles.

a concealed handgun. In accordance with this evident legislative intent, it must, therefore, be concluded that, except as otherwise provided by statute, a duly licensed person may carry a concealed handgun at all times anywhere in this state.

As explained above, pursuant to R.C. 2923.126(D), a law enforcement officer who is a peace officer, as defined in R.C. 2935.01(B), has the same right to carry a concealed handgun in this state as a duly licensed person. Moreover, no statute, either expressly or by necessary implication, indicates that such a law enforcement officer may exercise the right granted to him in R.C. 2923.126(D) only when he is on duty. Instead, the language of R.C. 2923.12(C) and R.C. 2923.129(A)(5) indicates a legislative intent to permit the officer to exercise the right granted to him under R.C. 2923.126(D) when he is on duty or off duty.

Pursuant to R.C. 2923.12(C)(2)(a), a law enforcement officer who is authorized to carry a handgun and "acting within the scope of [his] duties" is permitted to carry a concealed handgun in this state. This provision clearly indicates that a law enforcement officer who is on duty has a right to carry a concealed handgun. The authority granted to a law enforcement officer by R.C. 2923.12(C)(2)(a) existed long before the General Assembly enacted R.C. 2923.126(D) in 2004. *See generally* 1913 Ohio Laws 553 (H.B. 33, filed May 9, 1913) (amending G.C. 12819 (now R.C. 2923.12) so as to grant certain law enforcement officers the right to carry concealed weapons while on duty). Consequently, the enactment of R.C. 2923.126(D) by the General Assembly suggests a legislative intent to expressly grant off-duty law enforcement officers the right to carry a concealed handgun when they are not acting within the scope of their duties. *See generally Lynch v. Gallia County Bd. of Comm'rs,* 79 Ohio St. 3d 251, 254, 680 N.E.2d 1222 (1997) ("[w]hen confronted with amendments to a statute, an interpreting court must presume that the amendments were made to change the effect and operation of the law"); *Geiger v. Geiger,* 117 Ohio St. 451, 468-69, 160 N.E. 28 (1927) (it is presumed that the General Assembly acted with full knowledge of the existing law on the subject under consideration); *Eggleston v. Harrison,* 61 Ohio St. 397, 404, 55 N.E. 993 (1900) ("[t]he presumption is that laws are passed with deliberation and with knowledge of all existing ones on the subject").

That this was the intent of the General Assembly is further supported by the language of R.C. 2923.129(A)(5). This statute confers immunity on a law enforcement agency when one of its peace officers uses a concealed handgun while off duty:

> A law enforcement agency that employs a peace officer is immune from liability in a civil action to recover damages for injury, death, or loss to person or property allegedly caused by any act of that peace officer if the act occurred *while the peace officer carried a concealed handgun and was off duty* and if the act allegedly involved the peace officer's use of the concealed handgun. [R.C. 9.86, R.C. 9.87, and R.C. Chapter 2744] apply to any civil action involving a peace officer's use of a concealed handgun in the performance of the peace officer's official duties *while the peace officer is off duty.* (Emphasis added.)

The enactment of R.C. 2923.129(A)(5) indicates that the General Assembly was cognizant of and recognized the right of law enforcement officers who are peace officers to carry a concealed handgun while off duty. In light of R.C. 2923.12(C)(2)(a) and R.C. 2923.129(A)(5), we find that, except as otherwise provided by statute, a law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) may carry a concealed handgun anywhere in this state while on duty or off duty.

Restrictions Imposed on an Off-Duty Law Enforcement Officer's Right to Carry a Concealed Handgun Anywhere in this State

We must now determine whether any statute restricts the right of an off-duty law enforcement officer to carry a concealed handgun anywhere in this state. Several statutes arguably appear to impose restrictions upon an off-duty law enforcement officer's right to carry a concealed handgun anywhere in this state. These statutes are R.C. 1547.69, R.C. 2923.121, R.C. 2923.122, R.C. 2923.123, R.C. 2923.126, and R.C. 2923.16. For ease of discussion, we will discuss R.C. 2923.126 first.

R.C. 2923.126(A) states, in part, that, "[e]xcept as provided in [R.C. 2923.126(B) and R.C. 2923.126(C)], a licensee who has been issued a license under [R.C. 2923.125 or R.C. 2923.1213] may carry a concealed handgun anywhere in this state." Under R.C. 2923.126(B), a licensee is prohibited from carrying a concealed handgun into the following places:

> (1) A police station, sheriff's office, or state highway patrol station, premises controlled by the bureau of criminal identification and investigation, a state correctional institution, jail, workhouse, or other detention facility, an airport passenger terminal, or an institution that is maintained, operated, managed, and governed pursuant to [R.C. 5119.02(A) or R.C. 5123.03(A)(1)];
>
> (2) A school safety zone, in violation of [R.C. 2923.122];
>
> (3) A courthouse or another building or structure in which a courtroom is located, in violation of [R.C. 2923.123];
>
> (4) Any room or open air arena in which liquor is being dispensed in premises for which a D permit has been issued under [R.C. Chapter 4303], in violation of [R.C. 2923.121];
>
> (5) Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the handgun is in a locked motor vehicle or the licensee is in the immediate process of placing the handgun in a locked motor vehicle;
>
> (6) Any church, synagogue, mosque, or other place of worship, unless the church, synagogue, mosque, or other place of worship posts or permits otherwise;
>
> (7) A child day-care center, a type A family day-care home, a type B family day-care home, or a type C family day-care home, except that this division does not prohibit a licensee who resides in a type A family day-care home, a type B family day-care home, or a type C family day-care home from carrying a

> concealed handgun at any time in any part of the home that is not dedicated or used for day-care purposes, or from carrying a concealed handgun in a part of the home that is dedicated or used for day-care purposes at any time during which no children, other than children of that licensee, are in the home;
>
> (8) An aircraft that is in, or intended for operation in, foreign air transportation, interstate air transportation, intrastate air transportation, or the transportation of mail by aircraft;
>
> (9) Any building that is owned by this state or any political subdivision of this state, and all portions of any building that is not owned by any governmental entity listed in this division but that is leased by such a governmental entity listed in this division;
>
> (10) A place in which federal law prohibits the carrying of handguns.

See also R.C. 2923.12(C)(2)(b) (a duly licensed person may not knowingly carry a concealed handgun in a place described in R.C. 2923.126(B)).

R.C. 2923.126(C) prohibits a licensee from carrying a concealed handgun on private premises or property when: (1) a private employer has a rule, policy, or practice prohibiting the carrying of firearms on the premises or property, or (2) a person or entity posts a sign prohibiting a person from carrying firearms on the premises or property:

> (1) Nothing in this section shall negate or restrict a rule, policy, or practice of a private employer that is not a private college, university, or other institution of higher education concerning or prohibiting the presence of firearms[13] on the private employer's premises or property, including motor vehicles owned by the private employer….
>
> ….
>
> (3) The owner or person in control of private land or premises, and a private person or entity leasing land or premises owned by the state, the United States, or a political subdivision of the state or the United States, may post a sign in a conspicuous location on that land or on those premises prohibiting persons from carrying firearms or concealed firearms on or onto that land or those premises. (Footnote added.)

R.C. 2923.126(B) and R.C. 2923.126(C) thus set forth a list of places where a "licensee" may not carry a concealed handgun. As used in R.C. 2923.124-.1213, a "licensee" is "a person to whom a license to carry a concealed handgun has been issued under [R.C. 2923.125] and, except when the context clearly indicates otherwise, includes a person to whom a temporary emergency license to carry a concealed handgun has been issued under [R.C. 2923.1213]." R.C. 2923.124(D). The definition of "licensee" does not explicitly include law enforcement officers. *See generally* R.C. 2923.126(D) (law enforcement officers are *considered* to be "licensees"

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[13] For purposes of R.C. 2923.11-.24, a handgun is a "firearm." R.C. 2923.11(B)-(C).

"[f]or purposes of reciprocity with other states").[14] Rather, R.C. 2923.126(D) specifically confers on law enforcement officers the "same right" of a "licensee" to carry a concealed handgun. The use of the term "same right" in R.C. 2923.126(D), however, refers to the right established in R.C. 2923.126(A), the right to "carry a concealed handgun anywhere in this state." In addition to this "right," "licensees" also have some restrictions on their ability to carry a concealed handgun. But nothing in the language of R.C. 2923.126 or elsewhere in the Revised Code indicates that law enforcement officers must comply with the statutes that restrict when a "licensee" may carry a concealed handgun. In other words, the General Assembly expressly extended the "right" to law enforcement officers, but did not similarly and expressly extend the restrictions.

This is in marked contrast to the manner in which the General Assembly treats persons who hold a license to carry a concealed handgun that was issued pursuant to the law of another state and persons issued a temporary emergency license to carry a concealed handgun under R.C. 2923.1213. With respect to persons who hold a license to carry a concealed handgun that was issued pursuant to the law of another state, R.C. 2923.126(D) expressly extends the restrictions as well as the "right":

> A person who holds a license to carry a concealed handgun that was issued pursuant to the law of another state that is recognized by the attorney general pursuant to a reciprocity agreement entered into pursuant to [R.C. 109.69] has the same right to carry a concealed handgun in this state as a person who was issued a license to carry a concealed handgun under [R.C. 2923.125] *and is subject to the same restrictions that apply to a person who carries a license issued under that section.* (Emphasis added.)

Similarly, R.C. 2923.1213(C) also extends both the "right" and the restrictions to persons issued a temporary emergency license to carry a concealed handgun:

> A person who holds a temporary emergency license to carry a concealed handgun has the same right to carry a concealed handgun as a person who was issued a license to carry a concealed handgun under [R.C. 2923.125], and any exceptions to the prohibitions contained in [R.C. 1547.69 and R.C. 2923.12-.16] for a licensee under [R.C. 2923.125] apply to a licensee under this section. *The person is subject to the same restrictions*, and to all other procedures, duties, and sanctions, *that apply to a person who carries a license issued under [R.C. 2923.125],* other than the license renewal procedures set forth in that section. (Emphasis added.)

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[14] Under R.C. 2923.126(D), if a licensee has a right to carry a concealed handgun in another state pursuant to a reciprocity agreement, a law enforcement officer who is a peace officer, as defined in R.C. 2935.01(B), also has this right since he is considered to be a licensee for purposes of reciprocity with that state.

Thus, a person who holds a license to carry a concealed handgun that was issued pursuant to the law of another state or a person issued a temporary emergency license to carry a concealed handgun under R.C. 2923.1213, while having a right to carry a concealed handgun, is explicitly made subject to the restrictions that are imposed upon a person issued a license to carry a concealed handgun under R.C. 2923.125. Conversely, R.C. 2923.126(D), which extends the right to carry a concealed handgun anywhere in this state to certain law enforcement officers, does not make these officers subject to these restrictions. That the General Assembly specifically imposed these restrictions upon persons who hold a license to carry a concealed handgun that was issued pursuant to the law of another state and persons issued a temporary emergency license to carry a concealed handgun, but did not do so with respect to off-duty law enforcement officers who are authorized to carry a concealed handgun, demonstrates that these officers are not subject to the restrictions imposed upon persons issued a license to carry a concealed handgun under R.C. 2923.125. *See generally Metro. Sec. Co. v. Warren State Bank,* 117 Ohio St. 69, 76, 158 N.E. 81 (1927) (where the General Assembly uses certain language in one instance and different language in another instance, different results were intended). It is also clear that, if the General Assembly had intended for these officers to be subject to the restrictions imposed upon a duly licensed person, it would have expressly so provided, having done so in other instances. *See generally State ex rel. Enos v. Stone,* 92 Ohio St. 63, 110 N.E. 627 (1915) (had the legislature intended a particular result, it could have employed language used elsewhere that plainly and clearly compelled that result).

In light of the definition of "licensee" set out in R.C. 2923.124(D) and the specific language used in R.C. 2923.126(D) and R.C. 2923.1213(C), it is our opinion that the General Assembly intended to extend to off-duty law enforcement officers who are peace officers, as defined in R.C. 2935.01(B), the right to carry a concealed handgun, but did not intend to subject these officers to the same restrictions as are imposed upon a person issued a license to carry a concealed handgun under R.C. 2923.125. Accordingly, neither R.C. 2923.126(B) nor R.C. 2923.126(C) restricts the right of a law enforcement officer who is a peace officer, as defined in R.C. 2935.01(B), to carry a concealed handgun while off duty.

An Off-Duty Law Enforcement Officer Must Comply with the Restrictions Set Forth in R.C. 2923.121, R.C. 2923.122, R.C. 2923.123, and R.C. 2923.16

It must be noted, however, that R.C. 2923.126(B) expressly prohibits a "licensee" from carrying a concealed handgun in a "school safety zone, *in violation of [R.C. 2923.122,]*" a "courthouse or another building or structure in which a courtroom is located, *in violation of [R.C. 2923.123,]*" and a "room or open air arena in which liquor is being dispensed in premises for which a D permit has been issued under [R.C. Chapter 4303], *in violation of [R.C. 2923.121.]*" (Emphasis added.) In addition, R.C. 2923.126(B) also provides that a "licensee" may not carry a concealed handgun "in any manner prohibited under [R.C. 2923.16]." Unlike R.C. 2923.126(B), the provisions of R.C. 2923.121, R.C. 2923.122, R.C. 2923.123, and R.C. 2923.16 regulating the carrying of concealed handguns are not limited to only "licensees," but extend to every "person."

As used in R.C. Title 29, the term "[p]erson" is defined to include an "individual." R.C. 2901.01(B). Under this definition, every individual, regardless of his occupation, is a "person" for purposes of R.C. 2923.121, R.C. 2923.122, R.C. 2923.123, and R.C. 2923.16, and as such is required to comply with the provisions set forth therein. Accordingly, an off-duty law enforcement officer must comply with the restrictions set forth in these statutes unless he is otherwise exempted. *See, e.g.,* R.C. 2923.121(B)(1) (setting forth an exception for law enforcement officers acting within the scope of their duties); R.C. 2923.122(D)(1) (same); R.C. 2923.123(C)(2) (same); R.C. 2923.16(F)(1)(same).

R.C. 2923.121 Prohibits an Off-Duty Law Enforcement Officer from Carrying a Concealed Handgun in Places in which Liquor is Served

The first statute we will look at is R.C. 2923.121, which regulates the carrying of handguns in places in which liquor is served. This statute provides, in pertinent part:

> (A) No person shall possess a firearm[15] in any room in which liquor is being dispensed in premises for which a D permit has been issued under [R.C. Chapter 4303] or in an open air arena for which a permit of that nature has been issued.
>
> (B)(1) This section does not apply to officers, agents, or employees of this or any other state or the United States, or to law enforcement officers, authorized to carry firearms, and acting within the scope of their duties.
>
> (2) This section does not apply to any room used for the accommodation of guests of a hotel, as defined in [R.C. 4301.01].
>
> (3) This section does not prohibit any person who is a member of a veteran's organization, as defined in [R.C. 2915.01], from possessing a rifle in any room in any premises owned, leased, or otherwise under the control of the veteran's organization, if the rifle is not loaded with live ammunition and if the person otherwise is not prohibited by law from having the rifle.
>
> (4) This section does not apply to any person possessing or displaying firearms in any room used to exhibit unloaded firearms for sale or trade in a soldiers' memorial established pursuant to [R.C. Chapter 345], in a convention center, or in any other public meeting place, if the person is an exhibitor, trader, purchaser, or seller of firearms and is not otherwise prohibited by law from possessing, trading, purchasing, or selling the firearms. (Footnote added.)

The plain language of R.C. 2923.121 thus expressly declares that, except as provided in R.C. 2923.121(B), no person may possess a handgun in any room in which liquor is being dispensed in premises for which a D permit has been issued under R.C. Chapter 4303 or in an open air arena for which a permit of that nature has been issued. This means that an off-duty law enforcement officer who has a right to carry a concealed handgun anywhere in this state pursuant

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[15] As used in R.C. 2923.121, the term "firearm" includes handguns. R.C. 2923.11(B)-(C).

to R.C. 2923.126(D) may not carry a concealed handgun in any room in which liquor is being dispensed in premises for which a D permit has been issued under R.C. Chapter 4303 or in an open air arena for which a permit of that nature has been issued, unless one of the exceptions set forth in R.C. 2923.121(B) applies. Whether one of these exceptions applies in a particular instance is a question of fact that must be answered on a case-by-case basis. *See* notes six and seven, *supra*. Therefore, R.C. 2923.121 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in any room in which liquor is being dispensed in premises for which a D permit has been issued under R.C. Chapter 4303 or in an open air arena for which a permit of that nature has been issued unless one of the exceptions set forth in R.C. 2923.121(B) applies.

R.C. 2923.122 Prohibits an Off-Duty Law Enforcement Officer from Carrying a Concealed Handgun in School Safety Zones

Another statute referenced in R.C. 2923.126(B) is R.C. 2923.122, which regulates the carrying of deadly weapons and dangerous ordnance in school safety zones:[16]

> (A) No person shall knowingly convey, or attempt to convey, a deadly weapon[17] or dangerous ordnance into a school safety zone.
>
> (B) No person shall knowingly possess a deadly weapon or dangerous ordnance in a school safety zone.
>
> ....
>
> (D)(1) This section does not apply to officers, agents, or employees of this or any other state or the United States, or to law enforcement officers, authorized to carry deadly weapons or dangerous ordnance and acting within the scope of their duties, to any security officer employed by a board of education or governing body of a school during the time that the security officer is on duty pursuant to that contract of employment, or to any other person who has written authorization from the board of education or governing body of a school to convey deadly weapons or dangerous ordnance into a school safety zone or to possess a deadly weapon or dangerous ordnance in a school safety zone and who conveys or possesses the deadly weapon or dangerous ordnance in accordance with that authorization.
>
> ....
>
> (3) This section does not apply to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone if, at the time of that conveyance, attempted conveyance, or possession of the handgun, all of the following apply:

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[16] As used in R.C. Title 29, a "'[s]chool safety zone' consists of a school, school building, school premises, school activity, and school bus." R.C. 2901.01(C)(1).

[17] For purposes of R.C. 2923.122, a handgun is a deadly weapon. R.C. 2923.11(A)-(C).

> (a) The person does not enter into a school building or onto school premises and is not at a school activity.
>
> (b) The person is carrying a valid license or temporary emergency license to carry a concealed handgun issued to the person under [R.C. 2923.125 or R.C. 2923.1213] or a license to carry a concealed handgun that was issued by another state with which the attorney general has entered into a reciprocity agreement under [R.C. 109.69].
>
> (c) The person is in the school safety zone in accordance with 18 U.S.C. 922(q)(2)(B).
>
> (d) The person is not knowingly in a place described in division (B)(1) or (B)(3) to (10) of [R.C. 2923.126]. (Footnote added.)

Hence, except as provided in R.C. 2923.122(D), no person may carry a concealed handgun in a school safety zone. An off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) thus may not carry a concealed handgun in a school safety zone, unless one of the exceptions set forth in R.C. 2923.122(D) applies. Whether one of the exceptions set forth in R.C. 2923.122(D) applies is a question of fact that must be answered on a case-by-case basis. *See* notes six and seven, *supra.* Accordingly, R.C. 2923.122 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a school safety zone unless one of the exceptions set forth in R.C. 2923.122(D) applies.[18]

R.C. 2923.123 Prohibits an Off-Duty Law Enforcement Officer from Carrying a Concealed Handgun in Courthouses and Courtrooms

The next statute referenced in R.C. 2923.126(B) that we will discuss is R.C. 2923.123. This statute, which regulates the carrying of concealed handguns in courthouses and courtrooms, reads, in part:

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[18] R.C. 2923.122(D)(3) permits a person licensed under R.C. 2923.125 to carry a concealed handgun in a school safety zone under certain circumstances. Because an off-duty law enforcement officer who is a peace officer, as defined in R.C. 2935.01(B), has the same right to carry a concealed handgun as a duly licensed person, R.C. 2923.126(D), such an officer may carry a concealed handgun in a school safety zone when R.C. 2923.122(D)(3)(a), (c), and (d) apply. In order for this exception to apply, the officer is not required to have a valid license or temporary emergency license to carry a concealed handgun as required by R.C. 2923.122(D)(3)(b) since the officer is not required under Ohio law to carry such a license when he is carrying a concealed handgun during his off-duty hours. Instead, the officer must be carrying the photo identification issued by his law enforcement agency.

> (A) No person shall knowingly convey or attempt to convey a deadly weapon[19] or dangerous ordnance into a courthouse or into another building or structure in which a courtroom is located.
>
> (B) No person shall knowingly possess or have under the person's control a deadly weapon or dangerous ordnance in a courthouse or in another building or structure in which a courtroom is located.
>
> (C) This section does not apply to any of the following:[20]
>
> ....
>
> (2) A peace officer, or an officer of a law enforcement agency of another state, a political subdivision of another state, or the United States, who is authorized to carry a deadly weapon or dangerous ordnance, who possesses or has under that individual's control a deadly weapon or dangerous ordnance as a requirement of that individual's duties, and who is acting within the scope of that individual's duties at the time of that possession or control, unless a rule of superintendence or another type of rule adopted by the supreme court pursuant to Article IV, Ohio Constitution, or an applicable local rule of court prohibits all persons from conveying or attempting to convey a deadly weapon or dangerous ordnance into a courthouse or into another building or structure in which a courtroom is located or from possessing or having under one's control a deadly weapon or dangerous ordnance in a courthouse or in another building or structure in which a courtroom is located;
>
> ....
>
> (6) A person who conveys or attempts to convey a handgun into a courthouse or into another building or structure in which a courtroom is located, who, at the time of the conveyance or attempt, is carrying a valid license or temporary emergency license to carry a concealed handgun issued to the person under [R.C. 2923.125 or R.C. 2923.1213] or a license to carry a concealed handgun that was issued by another state with which the attorney general has entered into a reciprocity agreement under [R.C. 109.69], and who transfers possession of the handgun to the officer or officer's designee who has charge of the courthouse or building. The officer shall secure the handgun until the licensee is prepared to leave the premises. The exemption described in this division

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[19] As used in R.C. 2923.123, a handgun is a deadly weapon. R.C. 2923.11(A)-(C).

[20] R.C. 2923.123(C) sets forth six exceptions to its provisions. Because four of these exceptions do not appear to readily apply to off-duty law enforcement officers, we have not quoted these exceptions in this opinion. *See generally* R.C. 2923.123(C)(1) (setting forth an exception for judges and magistrates); R.C. 2923.123(C)(3) (setting forth an exception for persons carrying a deadly weapon or dangerous ordnance that is to be used as evidence); R.C. 2923.123(C)(4) (setting forth an exception for bailiffs and deputy bailiffs); R.C. 2923.123(C)(5) (setting forth an exception for prosecutors and secret service officers).

> applies only if the officer who has charge of the courthouse or building provides services of the nature described in this division. An officer who has charge of the courthouse or building is not required to offer services of the nature described in this division. The exemption described in this division does not apply if a rule of superintendence or another type of rule adopted by the supreme court pursuant to Article IV, Ohio Constitution, or if an applicable local rule of court prohibits all persons from conveying or attempting to convey a deadly weapon or dangerous ordnance into a courthouse or into another building or structure in which a courtroom is located or from possessing or having under one's control a deadly weapon or dangerous ordnance in a courthouse or in another building or structure in which a courtroom is located. (Footnotes added.)

Under R.C. 2923.123 therefore, except as provided in R.C. 2923.123(C), no off-duty law enforcement officer may carry a concealed handgun in a courthouse or into another building or structure in which a courtroom is located. The question whether an exception applies in a particular instance is a question of fact that must be answered by local officials on a case-by-case basis. *See* notes six and seven, *supra.* R.C. 2923.123, therefore, prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a courthouse or into another building or structure in which a courtroom is located unless one of the exceptions set forth in R.C. 2923.123(C) applies.[21]

R.C. 2923.16 Restricts the Right of an Off-Duty Law Enforcement Officer to Carry a Concealed Handgun in a Motor Vehicle

The final statute referenced in R.C. 2923.126(B) that is applicable to off-duty law enforcement officers is R.C. 2923.16. This statutes regulates the transport of firearms in motor vehicles as follows:

> (B) No person shall knowingly transport or have a loaded firearm[22] in a motor vehicle in such a manner that the firearm is accessible to the operator or any passenger without leaving the vehicle.
>
> (C) No person shall knowingly transport or have a firearm in a motor vehicle, unless it is unloaded and is carried in one of the following ways:

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[21] In certain instances, R.C. 2923.123(C)(6) permits a person licensed under R.C. 2923.125 to carry a handgun into a courthouse or another building or structure in which a courtroom is located. We again note that insofar as an off-duty law enforcement officer who is a peace officer, as defined in R.C. 2935.01(B), has the same right to carry a concealed handgun as a duly licensed person, R.C. 2923.126(D), such an officer may carry a concealed handgun into a courthouse or another building or structure in which a courtroom is located in accordance with the terms of R.C. 2923.123(C)(6).

[22] As used in R.C. 2923.16, the term "firearm" includes handguns. R.C. 2923.11(B)-(C).

(1) In a closed package, box, or case;

(2) In a compartment that can be reached only by leaving the vehicle;

(3) In plain sight and secured in a rack or holder made for the purpose;

(4) In plain sight with the action open or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or which cannot easily be stripped, in plain sight.

....

(F)(1) This section does not apply to officers, agents, or employees of this or any other state or the United States, or to law enforcement officers, when authorized to carry or have loaded or accessible firearms in motor vehicles and acting within the scope of their duties.

....

(3) Divisions (B) and (C) of this section do not apply to a person if all of the following circumstances apply:

(a) At the time of the alleged violation of either of those divisions, the person is the operator of or a passenger in a motor vehicle.

(b) The motor vehicle is on real property that is located in an unincorporated area of a township and that either is zoned for agriculture or is used for agriculture.

(c) The person owns the real property described in division (D)(3)(b) of this section, is the spouse or a child of another person who owns that real property, is a tenant of another person who owns that real property, or is the spouse or a child of a tenant of another person who owns that real property.

(d) The person, prior to arriving at the real property described in division (D)(3)(b) of this section, did not transport or possess a firearm in the motor vehicle in a manner prohibited by division (B) or (C) of this section while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic or parking.

(4) Divisions (B) and (C) of this section do not apply to a person who transports or possesses a handgun in a motor vehicle if, at the time of that transportation or possession, all of the following apply:

(a) The person transporting or possessing the handgun is carrying a valid license or temporary emergency license to carry a concealed handgun issued to the person under [R.C. 2923.125 or R.C. 2923.1213] or a license to carry a concealed handgun that was issued by another state with which the attorney general has entered into a reciprocity agreement under [R.C. 109.69].

(b) The person transporting or possessing the handgun is not knowingly in a place described in [R.C. 2923.126(B)].

(c) Either the handgun is in a holster and in plain sight on the person's person or the handgun is securely encased by being stored in a closed, locked glove compartment or in a case that is in plain sight and that is locked. (Footnote added.)

In addition, R.C. 2923.16(G)(2) further provides the following affirmative defense to a person charged under R.C. 2923.16(B) or (C):

> It is an affirmative defense to a charge under division (B) or (C) of this section of improperly handling firearms in a motor vehicle that the actor transported or had the firearm in the motor vehicle for any lawful purpose and while the motor vehicle was on the actor's own property, provided that this affirmative defense is not available unless the person, prior to arriving at the actor's own property, did not transport or possess the firearm in a motor vehicle in a manner prohibited by division (B) or (C) of this section while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.

Thus, except as provided in R.C. 2923.16(C), (F), and (G)(2), no law enforcement officer may carry a concealed handgun in a motor vehicle. This means that an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) may not carry a concealed handgun in a motor vehicle unless (1) he carries it in the manner prescribed in R.C. 2923.16(C), or (2) one of the exceptions set forth in R.C. 2923.16(F) or R.C. 2923.16(G)(2) applies. Whether an off-duty law enforcement officer is subject to R.C. 2923.16's prohibitions in a given situation is a factual question that must be resolved on a case-by-case basis. *See* notes six and seven, *supra.* Therefore, R.C. 2923.16 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a motor vehicle unless (1) he carries it in the manner prescribed in R.C. 2923.16(C), or (2) one of the exceptions set forth in R.C. 2923.16(F) or (G)(2) applies.[23]

In summary, our review of the provisions of R.C. 2923.126, and the four statutes that restrict a duly licensed person's right to carry a concealed handgun anywhere in this state and are

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[23] R.C. 2923.16(F)(4) sets forth a specific exception for persons licensed to carry a concealed handgun under R.C. 2923.125. This exception applies to off-duty law enforcement officers who are peace officers, as defined in R.C. 2935.01(B), since these officers have the same right to carry a concealed handgun as a duly licensed person. *See* R.C. 2923.126(D). A law enforcement officer is not required, however, to have a valid license or temporary emergency license to carry a concealed handgun as required by R.C. 2923.16(F)(4)(a) since the officer is not required under Ohio law to carry such a license when he is carrying a concealed handgun during his off-duty hours. In lieu of this license, the officer must instead be carrying the photo identification issued by his law enforcement agency.

In addition, as we discussed earlier in this opinion, except as otherwise provided by statute, an off-duty law enforcement officer who has a right to carry a concealed handgun may knowingly carry a handgun in a place described in R.C. 2923.126(B). An off-duty law enforcement officer thus is permitted to transport or possess a handgun in a motor vehicle in a place described in R.C. 2923.126(B), unless another statute provides otherwise.

referenced therein, discloses that an off-duty law enforcement officer who is authorized to carry a concealed handgun pursuant to R.C. 2923.126(D) is not subject to the restrictions set forth in R.C. 2923.126. However, except as otherwise provided by statute, the officer must comply with the restrictions set forth in R.C. 2923.121, R.C. 2923.122, R.C. 2923.123, and R.C. 2923.16.

R.C. 1547.69 Restricts the Right of an Off-Duty Law Enforcement Officer to Carry a Concealed Handgun in a Vessel

In addition to the foregoing statutory restrictions on the carrying of concealed handguns, we must examine R.C. 1547.69, which regulates the transport of firearms in vessels. This statute, states, in part:

> (C) No person[24] shall knowingly transport or have a loaded firearm[25] in a vessel[26] in a manner that the firearm is accessible to the operator or any passenger.
>
> (D) No person shall knowingly transport or have a firearm in a vessel unless it is unloaded and is carried in one of the following ways:
>
> (1) In a closed package, box, or case;
>
> (2) In plain sight with the action opened or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or that cannot easily be stripped, in plain sight.
>
> (E)(1) … It is an affirmative defense to a charge under division (C) or (D) of this section of transporting or having a firearm of any type, including a handgun, in a vessel that the actor transported or had the firearm in the vessel for any lawful purpose and while the vessel was on the actor's own property, provided that this affirmative defense is not available unless the actor, prior to arriving at the vessel on the actor's own property, did not transport or possess the firearm in the vessel or in a motor vehicle in a manner prohibited by this section

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[24] For purposes of R.C. 1547.69, every individual, regardless of his occupation, is a "person." *See* R.C. 1.59(C) (as used in any statute, unless another definition is provided in such statute or a related statute, "[p]erson" includes "an individual"); R.C. 1547.01(B)(5) (as used in R.C. Chapter 1547, "[p]erson" includes "any legal entity defined as a person in [R.C. 1.59]"). Accordingly, an off-duty law enforcement is a "person" for purposes of R.C. 1547.69, and, as such, is required to comply with the provisions set forth therein.

[25] As used in R.C. 1547.69, the term "firearm" includes handguns. *See* R.C. 1547.69(A)(1) ("[f]irearm" has the same meaning as in R.C. 2923.11); R.C. 2923.11(B)-(C) (a handgun is a firearm).

[26] The term "vessel," as used in R.C. 1547.69, includes "every description of craft, including nondisplacement craft and seaplanes, designed to be used as a means of transportation on water." R.C. 1547.01(B)(1).

> or division (B) or (C) of [R.C. 2923.16] while the vessel was being operated on a waterway that was not on the actor's own property or while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.
>
> ....
>
> (H) This section does not apply to officers, agents, or employees of this or any other state or of the United States, or to law enforcement officers, when authorized to carry or have loaded or accessible firearms in a vessel and acting within the scope of their duties, and this section does not apply to persons legally engaged in hunting. Divisions (C) and (D) of this section do not apply to a person who transports or possesses a handgun in a vessel and who, at the time of that transportation or possession, is carrying a valid license or temporary emergency license to carry a concealed handgun issued to the person under [R.C. 2923.125 or R.C. 2923.1213] or a license to carry a concealed handgun that was issued by another state with which the attorney general has entered into a reciprocity agreement under [R.C. 109.69], unless the person knowingly is in a place on the vessel described in [R.C. 2923.126(B)]. (Footnotes added.)

Except as provided in R.C. 1547.69(D), (E)(1), and (H), no off-duty law enforcement officer may carry a concealed handgun in a vessel. Again, whether an exception applies when an off-duty law enforcement officer carries a concealed handgun in a vessel is a question of fact that cannot be answered by means of an opinion of the Attorney General, but rather must be answered on a case-by-case basis at the local level. *See* notes six and seven, *supra*. Therefore, R.C. 1547.69 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a vessel unless (1) he carries it in the manner prescribed in R.C. 1547.69(D), or (2) one of the exceptions set forth in R.C. 1547.69(E)(1) or (H) applies.[27]

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[27] R.C. 1547.69(H) states that a "person who transports or possesses a handgun in a vessel and who, at the time of that transportation or possession, is carrying a valid license or temporary emergency license to carry a concealed handgun issued to the person under [R.C. 2923.125 or R.C. 2923.1213]" is not subject to R.C. 1547.69(C) or (D), "unless the person knowingly is in a place on the vessel described in [R.C. 2923.126(B)]." Since a law enforcement officer who is a peace officer, as defined in R.C. 2935.01(B), has the same right to carry a concealed handgun as a duly licensed person, R.C. 2923.126(D), the exception set forth in R.C. 1547.69(H) applies to such an officer. The law enforcement officer is not required, however, to have a valid license or temporary emergency license to carry a concealed handgun as required by R.C. 1547.69(H) insofar as the officer is not required under Ohio law to carry such a license when carrying a concealed handgun during his off-duty hours. Instead, in lieu of a license issued under R.C. 2923.125 or R.C. 2923.1213, the officer must be carrying the photo identification issued by his law enforcement agency.

A Law Enforcement Officer Is Not Required to Obtain a License in Order to Carry a Concealed Handgun During His Off-Duty Hours

Based on the foregoing, it is our opinion that, except as otherwise provided by statute, a law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) may carry a concealed handgun anywhere in this state while off duty. The statutory right to carry a concealed handgun granted to such an officer thus is the same as the one a person is granted when he obtains a license to carry a concealed handgun under R.C. 2923.125. In fact, as demonstrated above, the off-duty officer's right is even greater. For example, the off-duty officer, unlike a person who is not a law enforcement officer, is not required to comply with the restrictions set forth in R.C. 2923.126(B).

Given that the General Assembly has, pursuant to R.C. 2923.126(D), expressly granted a law enforcement officer who is a peace officer, as defined in R.C. 2935.01(B), the right to carry a concealed handgun anywhere in this state while off duty, it reasonably follows that the officer is not required to obtain a license under R.C. 2923.125 in order to exercise his statutory right to carry a concealed handgun. Accordingly, a law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) is not required to obtain a license under R.C. 2923.125 in order to carry a concealed handgun during his off-duty hours.

Conclusions

In summary, it is my opinion, and you are hereby advised as follows:

1. A law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) is not required to obtain a license under R.C. 2923.125 in order to carry a concealed handgun during his off-duty hours.

2. Except as otherwise provided by statute, a law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) may carry a concealed handgun anywhere in this state while on duty or off duty.

3. R.C. 2923.121 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from

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Also, as we concluded earlier, except as otherwise provided by statute, an off-duty law enforcement officer who has a right to carry a concealed handgun may knowingly carry a handgun in a place described in R.C. 2923.126(B). An off-duty law enforcement officer thus is permitted to transport or possess a handgun in a vessel in a place described in R.C. 2923.126(B), unless another statute provides otherwise.

carrying a concealed handgun in any room in which liquor is being dispensed in premises for which a D permit has been issued under R.C. Chapter 4303 or in an open air arena for which a permit of that nature has been issued unless one of the exceptions set forth in R.C. 2923.121(B) applies.

4. R.C. 2923.122 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a school safety zone unless one of the exceptions set forth in R.C. 2923.122(D) applies.

5. R.C. 2923.123 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a courthouse or into another building or structure in which a courtroom is located unless one of the exceptions set forth in R.C. 2923.123(C) applies.

6. R.C. 2923.16 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a motor vehicle unless (1) he carries it in the manner prescribed in R.C. 2923.16(C), or (2) one of the exceptions set forth in R.C. 2923.16(F) or (G)(2) applies.

7. R.C. 1547.69 prohibits an off-duty law enforcement officer who has a right to carry a concealed handgun pursuant to R.C. 2923.126(D) from carrying a concealed handgun in a vessel unless (1) he carries it in the manner prescribed in R.C. 1547.69(D), or (2) one of the exceptions set forth in R.C. 1547.69(E)(1) or (H) applies.

Respectfully,

JIM PETRO
Attorney General

TRAINING BULLETIN 2005-01

TO: ALL PERSONNEL

FROM: CHIEF STEPHEN P. MOODY

SUBJECT: NON-CONSENSUAL SEARCHES BASED ON ARREST WARRANTS

DATE: THURSDAY, SEPTEMBER 08, 2005

This training bulletin is to advise all personnel of the proper procedure for conducting a non-consensual search based on an ARREST WARRANT.

A. Ohio Revised Code Section 2935.12 (A) states that, "When making an arrest or executing an arrest warrant or summons in lieu of an arrest warrant, or when executing a search warrant, the peace officer, law enforcement officer, or other authorized individual making the arrest or executing the warrant or summons may break down an outer or inner door or window of a dwelling house or other building, if after notice of his intention to make the arrest or to execute the warrant or summons, he is refused admittance,…"

B. "A valid arrest warrant, whether for a felony or a misdemeanor, carries with it the authority to conduct a forcible entry so long as the police have a reasonable belief that the suspect resides at the place to be entered and is currently present there." (See United States v. Clayton, 210 F.3d 841, 843-45 (8th Cir. 2000))

C. In situations where a valid arrest warrant exists, a search of the address listed on the warrant, should be conducted as follows:

1. The officer(s) attempting the warrant must have a "reasonable belief" that the wanted person is then inside that address, prior to conducting any search.

    - A "reasonable belief" is some additional information (other than the existence of the warrant) that leads the officers (or any other reasonable person) to believe that the wanted person is then at the address listed on the warrant.

2. Absent exigent circumstances, the officer(s) attempting to serve the arrest warrant should make a good faith attempt to obtain consent to conduct the search.

3. Absent exigent circumstances, the officer(s) should request assistance from a supervisor, prior to conducting a non-consensual search of any address based only on probable cause and an arrest warrant.

    - Note- 'exigent' circumstances change the very nature of the search, and the rules for 'exigent searches' apply.

4. Any search of a premises, for a person based on an arrest warrant, is limited to areas where a person may reasonably hide. Desk drawers, small cabinets, personal effects, etc. are outside the scope of such a search, unless evidence of criminal activity is then in plain view.

TRAINING BULLETIN 2007-01

TO: ALL PERSONNEL

FROM: CHIEF STEPHEN P. MOODY

SUBJECT: PISTOL MARKSMANSHIP

DATE: TUESDAY, JANUARY 09, 2007

Pistol Marksmanship is one important aspect of our profession. The following S.P.D. Pistol Marksmanship award system has been created to encourage members of this division to not only maintain proficiency with their pistol, but to improve their skills. As always, members of this division are required to demonstrate proficiency with their duty sidearm, annually. Therefore, participation in the following is optional, but encouraged. The rules listed below will be followed when earning or wearing any Pistol Marksmanship Bar.

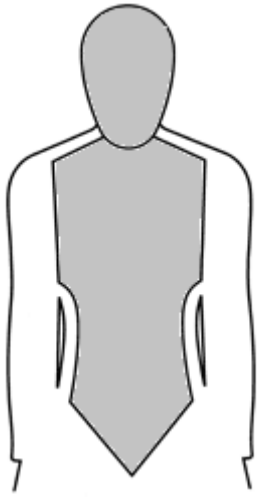
1. The Pistol Marksmanship Bar is an optional uniform item. Officers who choose to participate must purchase the bar at their own expense. The only bars authorized for purchase are-
   A. Pistol Expert- Blackinton Model #A4392A
   B. Pistol Sharpshooter- Blackinton Model #A4392B
   C. Pistol Marksman- Blackinton Model #A4392C
2. The range officers will provide a list of those officers who qualify to wear a Pistol Marksmanship Bar to the Chief of Police.
   A. The Chief of Police will then certify the list and post it for review.
   B. Only those officers whose names are posted on the current list may wear the specified Pistol Marksmanship Bar.
   C. Each list will expire annually. Officers will need to re-shoot the course annually, in order to continue to wear any given marksmanship bar.
   D. No officer shall wear any Pistol Marksmanship Bar, if his or her name is not then on the current list.
3. Qualification-
   A. Every year, during annual re-qualification, each officer who chooses to participate should tell the range officer(s) on-duty that they intend to do so.
   B. The officer must make their attempt for a Pistol Marksmanship Bar on their first try through the approved course, for that year.
   C. The officer making the attempt cannot miss the ‘silhouette’ with any round fired.
   D. The number of hits required in the ‘preferred area’ of the target, to earn the bars, is as follows (with no misses off the target itself)-
      - Pistol Expert- No more than one (1) miss out of the ‘preferred area’ of the target.
      - Pistol Sharpshooter- No more than two (2) misses out of the ‘preferred area’ of the target.

- Pistol Marksman- No more than three (3) misses out of the 'preferred area' of the target.

(Over)

E. The 'preferred area' of the qualification target is defined in S.P.D. Rules and Regulations, and the Ohio Peace Officers Training Commission's Firearms Requalification Manual dated 1-1-06 as-

- The central portion of the target with the maximum dimension being 11 inches wide by 36 inches high, to include the head of the target. Any round that breaks the black line of the 'preferred area' is scored as a Preferred Area hit.
- For practical purposes, the 'preferred area' of the target as used by the Springfield Police Division is the gray area, indicated in the O.P.O.T.A. target diagram, shown below. (Which is slightly smaller than the maximum dimensions described.)



F. Officers who do not meet these standards are only permitted to re-shoot the course that day to demonstrate weapon proficiency, as outlined in the S.P.D. Rules and Regulations Manual.

G. Any officer who would like to try to obtain the right to wear a Pistol Marksmanship Bar, or seek a higher level, may attend one of the scheduled open ranges, anytime during the year of the current list, and re-shoot the course.

- If any officer obtains one of the required scores, their name will be provided to the Chief of Police and added to the current list.

4. Range Alibi's

A. The range officer(s) on duty at the time of the qualification have the final say as to whether or not any individual officer met the standards as outlined above.

B. The range officers(s) on-duty may call a range alibi for officers who experience a miss-fire or weapon malfunction during any stage of fire.

- In this case, the officer who has the alibi will prepare their weapon for fire, and immediately shoot the stage in which the malfunction occurred.

C. Under no circumstances will any officer be permitted to re-shoot any stage, in order to better their score.

5. Wearing the Pistol Marksmanship Bar

A. Authorized Pistol Marksmanship Bars will be worn centered, at the top of the left breast pocket, just below the badge of office, on the designated uniform shirt.

B. No Pistol Marksmanship Bar that is damaged will be worn at any time.

TRAINING BULLETIN 2007-02

TO: ALL SUPERVISORS

FROM: LIEUTENANT MOOS

SUBJECT: REVIEWING, APPROVING, AND PRINTING REPORTS USING THE MOBILE COMPUTER SYSTEM

DATE: WEDNESDAY, JULY 25, 2007 (AMENDED 1-17-2008- AMENDMENTS ARE UNDERLINED.)

A. Any supervisor, who has access to the Mobile Computer System, can review COMPLETED reports from their cruiser or at a stationary terminal inside the building.

B. Reports can only be printed from a stationary computer, within police headquarters.

C. Five (5) computer terminals at SPD HQ, identified by the label- "MOBILE" will be available for Reviewing, Approving, and Printing Reports. They can be found in-

   1. The Information Office- 1
   2. Records- 1
   3. The Uniform Patrol work area- 3

D. To review reports that have been 'COMPLETED' by officers-

   1. With MOBILE open, click on the 'REPORTS' icon, on the top toolbar.
   2. On the line that says 'STATUS' select- 'COMPLETED,' which will re-sequence all the reports in the work file so you only see the ones that have been 'COMPLETED.'
   3. Select a report to review and download it to your location, by clicking on the 'DOWNLOAD' button.
      a) The program automatically runs an error check on the downloaded report.
      b) If there are errors, you will note that the screen splits, see #5, below.
      c) If there are no errors, see #6, below.
   4. Reviewing Reports with technical errors-
      a) At the top is the list of errors in the report. If you highlight the error, the bottom of the screen resequences to the correct page and highlights the error in red, for you.
      b) You can attach a digital 'sticky note' to the problem by highlighting it, and clicking on the 'ADD NOTE' button.
      c) Write in the 'NOTE' what you want the officer to do, to correct the error.
      d) When you have finished your review, close the report.
      e) If you need a copy of a report even with the errors, because the officer will be gone for several days, or any other reason, see 'E'; below.
         - Note- If you fail to print a report at this stage, and 'REJECT' it back to the officer- you will no longer be able to access it. Only the officer who wrote the report will be able to access it.

f) If you are finished with the report, and ready to send it back to the officer, with that report highlighted, select the 'REJECT' button, which will send the report back to the officer for revision.

5. Reviewing Reports with no technical errors-

a) Review the report, and read the narrative.

b) If the narrative is okay, there is a pull down below the narrative box where you will need to identify yourself as the supervisor approving the report.

c) Close the report.

d) At this point, you may print the report, see 'E,' below.

e) The final step is to select the 'APPROVE' button, which sends the report to the Merge.

- Note- 'APPROVED' reports will always be available for printing, in the 'REPORT VIEWER,' see 'F,' below.

E. Printing reports that are still visible in the Mobile system-

1. Make sure the report you wish to print is highlighted.
2. Click on the 'PRINT' button on the left toolbar.
3. When the print screen comes up, select the printer closest to you, and print the report.

a) For example, the closest printer to the Records Workstation is currently the HP4100.

F. Printing reports that have already been 'APPROVED', that are no longer visible in the Mobile system-

1. Once you have 'APPROVED' a report, it is no longer visible in Mobile.
2. The five (5) workstations have an icon on them labeled, 'REPORT VIEWER."
3. You log into the 'REPORT VIEWER' the same way you would mobile.
4. Once you are logged in you will see every report that currently exists on the system.
5. You simply highlight the report, select print, select the local printer, and print the report.

G. <u>What reports need to be printed-</u>

1. <u>SPD supervisors are responsible for printing the reports they APPROVE or REJECT.</u>
2. <u>By the end of each shift, SPD supervisors should print two copies of every report that was APPROVED or REJECTED, during that shift.</u>

a) <u>One copy should be placed in Uniform Patrol Roll Call</u>

b) <u>Once copy must be placed in the file for Investigations.</u>

c) <u>REJECTED reports must include a blue highlight on the case #, along with a brief explanation to INVESTIGATIONS indicating why the report was rejected.</u>

3. <u>Note- this procedure is subject to change, and will be updated by amendments to this training bulletin.</u>

TRAINING BULLETIN 2008-01

TO: ALL PERSONNEL
FROM: CAPT. DAVE CZYZAK
SUBJECT: WARRANTENTRIES
DATE: FRIDAY, JANUARY 11, 2008

A. All felony warrants will be entered into LEADS with the listed pick-up radius (PUR) as follows:

PUR 1 - Nationwide pick-up.
Only those warrants with a letter from the County Prosecutor or an Inter-Office Communication by a Detective Supervisor that clearly states the County Prosecutor will extradite from anywhere in the U.S. A PUR 1 is most always for such charges as Aggravated Murder, Murder, or other 1st Degree Felony charges.

PUR 2 - Statewide pick-up.
For warrants on charges that are either a 1st or 2nd Degree Felony.

PUR 3 - Within 100 Mile Radius
For warrants on charges that are a 3rd Degree Felony

PUR 4 - Within Adjacent County
For warrants on charges that are either a 4th or 5th Degree Felony.

B. An SPD Supervisor may request to any Sub-Division Commander in writing and with an explanation for a warrant s pick-up radius to be raised by one degree (4 to 3, 3 to 2).

Training Bulletin 2008-02

To: All Police Personnel
From: Capt. Dave Czyzak
Subject: Radio Interoperability Patch System
Date: March 10, 2008

A. Radio Interoperability Patch System is the ability for two or more non-compatible radio systems to communicate with each other.

B. The following procedures will be used for enabling a patch:

1. Officers will request the Communications Center to enable a patch with the desired agency.

2. The agency receiving the patch will enable it, not, the agency requesting the patch.

3. Police Dispatch Channel 1 will be used for emergency and short-term patches (ex: pursuit).

4. Police TAC 1 will be used when Channel 1 is not available or for situations that appear to be lasting long-term (ex: hostage situation).

5. Once a patch is enabled the Communications Center will state who the patch is with and for what reason if the patch was requested by another agency.

6. The patch will remain enabled until the incident is terminated or a supervisor orders the patch cancelled.

TRAINING BULLETIN 2009-01

TO: ALL PERSONNEL

FROM: LT. MOOS

SUBJECT: SUBMITTING FIREARMS AS EVIDENCE OR PROPERTY

DATE: FRIDAY MAY 29, 2009

A. Officers submitting firearms as evidence or property must follow the guidelines outlined below:

1. When submitting a firearm, either tag or identify the firearm by serial number.
2. Do not engrave the firearm or otherwise mark on it.

B. Ohio Revised Code Section: 2923.163 Surrender of firearm to law enforcement officer.

If a law enforcement officer stops a person for any law enforcement purpose and the person voluntarily or pursuant to a request or demand of the officer surrenders a firearm to the officer, if a law enforcement officer stops a motor vehicle for any purpose and a person in the motor vehicle voluntarily or pursuant to a request or demand of the officer surrenders a firearm to the officer, or if a law enforcement officer otherwise seizes a firearm from a person, all of the following apply:

(A) If the law enforcement officer does not return the firearm to the person at the termination of the stop or otherwise promptly return the firearm to the person after the seizure of the firearm, <u>the officer or other personnel at the officer's law enforcement agency shall maintain the integrity and identity of the firearm in such a manner so that if the firearm subsequently is to be returned to the person it can be identified and returned to the person in the same condition it was in when it was seized.</u>

(B) If the law enforcement officer does not return the firearm to the person at the termination of the stop or otherwise promptly return the firearm to the person after the seizure of the firearm, if a court finds that a law enforcement officer failed to return the firearm to the person after the person has demanded the return of the firearm from the officer, and if the court orders a law enforcement officer to return the firearm to the person, in addition to any other relief ordered, the court also shall award reasonable costs and attorney's fees to the person who sought the order to return the firearm.

Effective Date: 2008 SB184 09-09-2008

TRAINING BULLETIN 2009-02

TO: ALL PERSONNEL

FROM: LT MOOS

SUBJECT: REDACTION OF PERSONAL IDENTIFIERS

ISSUED: WEDNESDAY AUGUST 5, 2009

AMENDED: THURSDAY SEPTEMBER 17TH, 2009

A. Per Ohio's Public Access Rules and Public Records Act, as of July 1, 2009 the redaction of certain personal identifiers contained on documents submitted to the court is required.

   "*Personal identifiers*" *means Social Security Numbers, except for the last four digits; financial account numbers, including but not limited to debit card, charge card, and credit card numbers; employer and employee identification numbers; and a juvenile's name in an abuse, neglect, or dependency case, except for the juvenile's initials or a generic abbreviation such as "CV" for "child victim."*

B. Documents maintained at the police division, submitted to the jail, etc. <u>must not be redacted</u>.

C. Attached is a digital copy of the confidential information disclosure form, required by the new State Supreme Court Rules.

   1. Officers who redact information from any document sent to court must include a completed copy of this form with the document.
   2. The completed form must identify what personal identifiers were redacted and list them.

D. For your convenience all reports created using MOBILE automatically redact SSN's from the printed copy. All printed tickets will automatically redact SSN's from the printed copy. The data must still entered by the officers and will be merged into the RMS.

   1. In other words, the printed reports will show a blank or redacted SSN; however the SSN will show up when you look for it in NWS.

E. Frequently asked questions-

   1. Do LEADS printouts need to be redacted? *LEADS printouts are exempt from public release and therefore do not need to be redacted. Officers must stamp each page of the LEADS printout indicating that it was released to the court. Officers should write the date/time of release next to the stamp.*

2. Do OH-1's/Traffic Tickets submitted to the court fall under these rules? *Yes.*

   a) The SSN field on OH-1 's should be left blank. (9-17-09)

   b) If the SSN field is left blank on a traffic ticket, and you submit the ticket in lieu of an arrest report, the SSN must be handwritten on the copy submitted to the jail. (9-17-09)

3. **Does form BMV-2255 fall under these rules? Yes. The SSN field on BMV form 2255 should be left blank. (9-17-09).**

4. Do personal identifiers in Grand Jury packets need to be redacted? *Yes.*
5. Do personal identifiers have to be redacted from handwritten arrest reports submitted to the court? *Yes.*
6. Do we send the confidential arrest report to records or the redacted one? *All documents submitted to the records section must be complete. They must not be redacted in any way.*
7. How is the confidentiality form supposed to be submitted to court? *Include it with the affidavit.*

8. How should court statements involving child victims of abuse, neglect, or dependency be completed? *Officers should refer to the victim as Child Victim 1, (CV1) Child Victim 2, (CV2), etc., and include the disclosure form that properly identifies them. Note- this applies to victim's only- not defendants. (9-17-09)*

9. Is Date of Birth a personal identifier? *No.*
10. Is the driver's license number considered a personal identifier? *No.*
11. Warrants issued by the court will be sent to SPD with the offenders SSN on them. When you return a warrant issued by the court, it is not necessary to redact the SSN, as this document is not released to the public.
12. What would be the preferred method to redact that information from documents that are not produced by affidavit maker? *Strike out the information with a black permanent marker.*
13. When filing for warrants is the warrant paperwork handled just like an arrest affidavit with the separate confidentiality form. *Yes.*
14. When you complete a traffic citation, and include a copy of a LEADS printout, that lists the SSN on the print out, is it necessary for you to include a copy of the confidential personal identifiers form with the ticket? *No. The court will obtain this information from the LEADS printout.*
15. Whose responsibility is it to redact these reports? *The officer submitting the document to the court.*

F. Completing reports on child victims of crime.

1. **Reports involving child victims of crime must be submitted to records with the child's name (s) listed in the appropriate victim field.**
2. **Child victims must be referred to as CV1, CV2, etc. in the narrative of these reports.**
3. **When redacting the report for court, strikeout the victim's name with a black marker, and write in t he CV1 (etc.) in the same field.**

TRAINING BULLETIN 2010-01

TO: ALLPERSONNEL

SUBJECT: TRAFFIC CITATIONS FOR DRIVING UNDER SUSPENSION AND DRIVERS LICENSELAW

DATE: THURSDAY, MARCH 04,2010

A. There has been a recent update in the way the penalties and sentencing for Driving Under Suspension (DUS) and Drivers License Law (DLL) offenses are administered by thecourts.

B. Due to this update, the language used by officers, when citing anyone for traffic violations involving these offenses must match the attachedchart.

C. Officers must specify all prior related offenses on the citation, when it isissued.

D. At this time the digital ticket printers do not include this language. Officers should complete traffic citations involving these charges by hand. This language is being added to the digital ticketing software now. Officers will be notified when this iscomplete.

E. The Municipal Court Prosecutor's office provided a copy of the new sentencing guidelines that are being followed; it is attached forreference.

OhioRevisedCode	Description
4507.02	DLL- Permitting Unlicensed Driver toDrive
4510.18	DUS- LifetimeSuspension
4506.04(A)(2)	DUS- CDL Operating CommercialVehicle
4506.04(A)(3)	DLL- Drive MV under out-of-state CDL but resident of OH for>30days
4506.05(A)	DUS- CDL Operating CommercialVehicle
4510.037(J)	DUS- 12pt.
4510.11(A)	DUS- ChildSupport
4510.11(A)	DUS- LicenseForfeiture
4510.11(A)	DUS-Court
4510.11(A)	DUS-Drug
4510.11(A)	DUS- Out of State Driver-Compact
4510.11(A)	DUS- OH Driver-Compact
4510.11(A)	DUS- JuvenileProbationary
4510.11(A)	DUS- SchoolAbsence
4510.11(A)	DUS- Other suspensions notlisted
4510.11(B)	DUS- License Restriction- any OL/permit/or MCrestriction
4510.12(A)(1)	DLL- ExpiredLicense
4510.12(A)(1)	DLL- Never had aLicense
4510.12(A)(2)	DLL- No MCEndorsement
4510.14(A)	DUS- OVI-ALS
4510.14(A)	DUS-OVI
4510.14(A)	DUS- OVI- HabitualAlcoholic
4510.16(A)	DUS- FRA- NCNon-Compliance
4510.16(A)	DUS-Security
4510.16(A)	DUS- Failure to file accidentreport
4510.16(A)	DUS-Judgment
4510.21(A)	DUS- Failure toRe-instate

CodifiedOrdinance	Description
335.01(a)(1)	ExpiredLicense
335.01(a)(1)	DLL- Never had alicense
335.01(a)(2)	DLL- No MCEndorsement

Abbreviation	Description
D.L.L.	Drivers LicenseLaw
DUS	Driving UnderSuspension

T R A I N I N G B U L L E T I N 2 0 1 1 - 0 1

TO: ALLPERSONNEL

SUBJECT: RULE 6.77- COLLECTION OF DNA ANDTRAINING

DATE: WEDNESDAY JUNE 22ND,2011

A. Purpose

1. Effective July 1, 2011 all law enforcement agencies in the State of Ohio must begin collecting, and submitting DNA following a qualifying felony arrest. After reading this training bulleting, Rule 6.77, and viewing the videos identified below all SPD officers will be prepared to comply with the newlaw.

B. All SPD officers are required to complete thefollowing:

1. Review this trainingbulletin.
2. Read Rule 6.77- Collection ofDNA.
3. Log onto eOPOTA through the OHLEG gateway, watch the listed videos and takethe test at the end ofeach.
4. Print the related certificates and forward them to yourLieutenant.
   a) When the individual lieutenants have received all of the certificates, they should be forwarded to the Training Lieutenant (currently Lt.Turner.)
5. Officers who do not have an OHLEG login, or have trouble completing this assignment should contact their supervisor forassistance.

C. Videos

1. Biological Evidence Collection and Retention (Criminal InvestigationsCurriculum)
2. CODIS Arrestee and Convicted Offender DNA Collections (Criminal Investigations Curriculum)

D. Procedure for viewingvideos.

1. Log onto OHLEG. (For officers who do not have access to the Internet, contact a supervisor forassistance.)
2. In the list of items on the right side of the screen, selecteOPOTA.
3. On the tabs at the top of the new screen select COURSECATALOG.
4. In the list of items on the new screen click on the +Plus sign next to CRIMINAL INVESTIGATIONS.
5. Select the videos as identifiedabove.
6. View each video and take the test at the end. A passing score isrequired.
7. Print your certificate. (Instructions for printing the certificate areattached.)

T R A I N I N G B U L L E T I N 2 0 1 1 - 0 2

TO: ALLPERSONNEL

SUBJECT: DNA COLLECTIONPROCEDURE

DATE: TUESDAY, AUGUST 02,2011

A. Purpose

1. Identification of cross contamination issues officers may encounter in their daily duties with regard to DNA evidencecollection.
2. Identification of how these issues may be raised atcourt.
3. Identification of procedures to prevent problems with DNA evidence attrial.

B. Cross-contamination of DNAevidence.

1. One of the most serious issues is cross contamination of DNAEvidence.
2. Officers who collect DNA evidence are being questioned at trial as to how each piece of DNA evidence wascollected.
   a) Officers may be asked if they were wearing gloves when collecting DNA evidence and, if so, did the officers change gloves when they collected each piece of DNAevidence?
   b) Officers should be aware that during the evidence collection process the news media, and others, might videotape theiractions.
   c) An additional point of concern is how the evidence was bagged, stored, and documented- along with the chain ofcustody.

C. Precautionsyoucan take to avoid cross contamination and insure a proper chain of custody:

1. Keep a supply of gloves in a sealed container or plastic baggie when not inuse.
2. Double glove beforeyoustart to collect DNAevidence.
3. When collecting multiple items for DNA evidence, change the outer pair of gloves between eachitem.
   a) Remove the used outer gloves before touching the new pair oryourisk cross-contamination of the new set of gloves by touching the old and newpair.
   b) Avoid using cell phones or radios while collecting DNA evidence. If it must be done, be sure to change gloves prior to collecting any additional DNAevidence.
   c) Do not eat/drink around, cough on, or breath directly on theevidence.
   d) Ifyouhave items to be tested for DNA, package them in separate paper bags. Make sure the item(s) are dry, if possible, beforebagging.

e) Ifyouknowyouwant an item checked for fingerprints, and tested for DNA,do notdust the item for prints,yourself.

- Submit the item(s), with a lab request, to be processed by the Crime Scene Unit. Be sure to list all required tests on the labrequest.

f) When submitting evidence from a rape, the rape kit is considered one item and any other evidence that is collected for DNA related to the rape case must be submitted as a separateitem.

g) Do not place one bagged item inside of another larger bagged item; keep items separate.

h) When submitting an item for DNA testing make sureyouexplain where the item(s) were located and whyyoubelieve they pertain to thecase.

- Make sure this information is on the lab request and in the narrative of the report orinter-office.
- Photograph the item(s) before collecting them asevidence.
- When documenting the description on your evidence bag make sure the location where the evidence was collected is in the report orinter-office communication.

i) Make sureyouuse the clear tape provided in the sally port to seal your paper bags when submitting DNAevidence.

- Fold the top of the bag from front to back and place the tape half on the folded portion and the other half on the back of thebag.
- Use enough tape to wrap around the edges of the bag. It is not necessary to wrap around the whole bag. Use a permanent marker and place your initials and date half on and half off thetape.

j) When placing a drop of distilled water on a cotton swab for DNA collection make absolutely certainyoudo not touch the dropper part of the bottle to the swab otherwise everything collected in the future with that bottle will be contaminated. If this should happen you can use a 10 to 1 water/bleach ratio to clean the bottle and any other equipment thatyouroutinelyuse.

4. Consistent best practice collection methods will minimize any doubt of cross contamination, ensure proper chain of custody and provide accurate testimony in Court.

a) Note: Gloves for collecting DNA samples from arrestees will be left in the workroom area. If gloves are depleted please advise your shiftcommander.

b) Processing of DNA evidence is getting better all the time and requires that the collecting officer be ever mindful of the possibility he/she could easily contaminate thesample.

TRAINING BULLETIN 2011-04

TO: ALL PERSONNEL

SUBJECT: SUBMITTING ITEMS TO THE PROPERTY ROOM

DATE: THURSDAY, NOVEMBER 10, 2011

The following information is intended to guide you with regard to submitting items to the Property Room.

A. The Springfield Police Division disposes of property submitted to the property room based on state law, local ordinance, and divisional procedure. Items submitted as EVIDENCE fall under a different category for disposal than items submitted as CUSTODY. It is imperative that officers properly identify whether an item has evidentiary value, or not (and is Custodial) so the items can be properly disposed of.

B. Definitions-

1. EVIDENCE- an item that PROVES or DISPROVES a point at the time it is received.
2. CUSTODY- all other items.
3. BUY- items received from a drug buy, or other kind of buy, are evidence.
4. CONTRABAND- contraband items such as drugs may be evidence if they can be used at trial, on a specific case. Otherwise they should be identified on the property receipt as custody.
5. DISPOSE/RELEASE- anything that can be disposed of, or returned to the owner, immediately. These items ARE NOT EVIDENCE.
6. FOUND- anything found, whether the owner is known or unknown, that has no evidentiary value. These items ARE NOT EVIDENCE.
7. HOLD/SAFEKEEPING- anything received by the Division, that has no evidentiary value, which can be released. Officers must indicate in the “Additional Comments” box when, and how, these items should be released. Supervisors signing off on the Property Receipt are responsible for insuring that these comments are added.
8. RECOVERED/STOLEN- these items are evidence.
9. MISCELLANEOUS- any other item. Officers must indicate in the “Additional Comments” box why the item is EVIDENCE. Supervisors signing off on the Property Receipt are responsible for insuring that these comments are added.

C. Filling out the Property Receipt:

1. Property receipts are to be filled out legibly, accurately, and include all necessary information.
2. Example: Incident number, date, description of property, serial number or owner applied numbers, owner/suspect information, officer name, etc.
3. In the “Additional Comments” box, Officers should put a brief explanation about why the item(s) are being submitted. Example: used in a Robbery, recovered stolen property, etc.

D. Situations where officers have drugs/paraphernalia to be tested, and other property, to submit under the same property receipt number:

1. Make a photocopy of the property receipt and place the photocopy in the lockers with the property.
2. Submit the drugs and/or paraphernalia that you want lab tested in the lab drop box outside of the OIC's office, with the hard copy of the receipt. Mr. Shepherd must get the hard copy.

E. Bikes

1. Fill out the property receipt with some detail to include make, model, serial number, color, tire size, etc. A description such as "1 bike" or "blue bike" is not acceptable.
2. The serial number can be found in several places:
   a) Pedal/Crank bracket.
   b) Below the handlebars, along the downtube.
   c) On the bracket where the rear axle is bolted.

F. Drugs

1. Pills are to be counted with a total listed on the property receipt.
2. Loose drugs are to be placed in the SMALLEST possible container.
3. Drugs in a wrapper or other container can be submitted as they are. Place the container in a zip-lock bag, seal the bag with clear packing tape, initial/date the tape and attach a property tag to the top of the bag with staples or wire.

G. Drug Paraphernalia

1. All drug paraphernalia MUST be submitted in an envelope separate from the drugs.
2. Syringes MUST be submitted with the needles protected.

H. Firearms

1. Unless this is a homicide case guns should be submitted empty, with the action open.
2. Check the serial number for stolen through NCIC. Officers must indicate in the "Additional Comments" box that the check was completed as well as the results of the NCIC check. Supervisors signing off on the Property Receipt are responsible for insuring that these comments are added.
3. Describe the weapon complete with make, model, serial number, caliber, type, finish, barrel length, etc.
4. Officers should not scribe on, or otherwise deface, weapons with serial numbers intact.

I. Open Containers-

1. The Property Room only accepts open containers of alcoholic beverages on felony cases. With regard to submitting alcohol evidence on misdemeanors, especially OMVI, the following procedure should be followed:
   a) Photograph the open container where it is found- on the front seat of a car, for instance.
   b) Collect the open container at the scene, and bring it to headquarters.
   c) Obtain a 4 oz specimen cup from the OIC's office.
   d) Pour the contents of the open container into the 4 oz specimen cup, and seal it.
   e) Label the cup with the case number, date, time, and your initials.

f) Submit the cup along with a property receipt and lab request to the property room.

g) Pour the rest of the open container contents down the drain.

h) Throw the open container in the trash bins located on the back wall of the parking garage at police HQ. (This is especially important as the open containers can create a significant smell if left inside the building.

J. Acceptance of Property

1. The Property Room Supervisor, or his/her designee, may refuse to accept property that has been improperly submitted.

   a) In such cases the submitting officer will be required to make all necessary corrections, as directed by a Property Room Supervisor, on their next working day.

2. This includes items that should have been submitted to the crime lab but were submitted to the Property Room in error.

T R A I N I N G B U L L E T I N 2 0 1 2 - 0 1

TO: ALL PERSONNEL

FROM: CHIEF STEPHEN P. MOODY

SUBJECT: FIELD INTERVIEW REPORTS

DATE: THURSDAY, MAY 10, 2012

This Training Bulletin will replace the Training Bulletin marked 2001-01.

Field Interview reports are a police report, however, the data collected will not be disseminated to any person without the prior approval of the Chief or his designee.

A. Purpose:

1. Previously the 3" by 5", two-sided FI cards fit in standard uniform pockets; therefore, all Officers and Sergeants were instructed to carry at least three cards while on-duty. Beginning April 1st. 2012, all sworn S.P.D. personnel shall begin submitting the Electronic (Mobile) Field Interview (EFI) Report. The 3" x 5" cards should then only be completed when Mobile is down or under extenuating circumstances. Officers may choose to continue carrying the 3" x 5" FI card to record the FI information, which they will later transfer to the Mobile Field Interview Report. It in fact it may be prudent for officers to do so until they become accustomed to the new Mobile Field Interview Report. (See also training bulletin 2012 – 02).

2. The information in the reports will be used to update the electronic jackets of a suspect; the career criminal file; the global (suspect) vehicle file, the field investigations file; and, in some cases, "house watch data." This allows us to maintain current data on-line, in the appropriate files, for all suspected criminals listed on FI reports.

3. Unless the investigating officer is convinced the person/activities are not criminal, an FI report should be submitted for all persons interviewed as suspicious. **If the person is listed in the SPD Career Criminal File submission of an FI report is mandatory. This too shall be the requirement (mandatory report submission) for those subjects believed to be Mentally Unstable and a danger to others or Mentally unstable with a Mental Health case worker. *!OFFICERS SHALL CLEARLY RELATE THE "MENTALLY UNSTABLE" CAUTION IN THE NARRATIVE OF THE REPORT!***

B. Procedure:

1. All FI reports require a case number. If you are conducting the interview of a specific SPD case (number) investigation, use that case number. If you are not conducting the interview for a specific case, use the number already assigned to the interview incident.

   a. If the field interview is an officer (self) initiated stop (no dispatch involved) a new case number must be generated.

   b. If you interview more than one person as suspicious at the same time and place, all of the FI reports must have the same case number.

2. The name is completed in the standard computer format (Last Name, First Name, Middle Name, "Jr., III, etc.")

3. The date and time must be numeric (Example 02/01/2012; 14:00, etc.)

4. The DOB must be numeric (Example: 10/24/1967)

5. The contact type lists the choices in no particular order. You must choose only one. If the person is listed as a **Career Criminal**, <u>CC Listing is always selected</u>.

   a. If they are not listed in CC and it is an active case investigation, **CaseInvest** is marked.

   b. If the person is not CC, it is not a CaseInvest, but the FI is conducted because the person is believed to be involved in a criminal or traffic offense which is known to generate a lot of complaints in a specific Neighborhood or business area, mark **AreaProb.**

   c. If the person is believed to be a juvenile out past curfew hours, mark **CurfewInvest.**

   d. If the other choices do not apply, mark **SuspPers.**

6. The CONTACT REASON choices allow a more specific breakdown of contact type. You must select only one. If the more specific categories do not indicate your suspicions, you select **"GenSusp."**

7. The field "# of Assoc. Cards" is used only when two or more FI reports/cards are filed at the same time and place; therefore, we know how many to look for with the same case number. Example: 2, 3, etc.

8. INTERVIEW LOCATION requires a street address or an intersection. If you believe a more specific description of the exact place of an interview is needed use the narrative space of the FI report.

9. The (vehicle) type is (choose one) BI (bike) PC, TK, MC, AT (all-terrain), etc. (**Pick-Up** trucks are **TK** not **PC** or **PU**).

10. Please use the correct abbreviations for the vehicle licensing State. (OH, IN, KY, NY, NJ, WV, IL, MI, WI, ETC.)

If the License Plate is not registered to the vehicle it is displayed on, THEN THE VIN. # IS REQUIRED IN THE FI REPORT OR TO BE TO BE LEGIBLY WRITTEN ON THE FI CARD. (For the card, write the VIN # in either in the narrative or any other space available on the card.)

11. Vehicle make requires the manufacturing corporation name. Example: a Cavalier is not a make, CHEVY is a make, a Civic is not a make, Honda is the make; an Escort is not a make, Ford is; etc.

12. If you list more than one vehicle color, always list the top color first. Example: a blue car with a white top must be listed white/blue.

13. On the FI Card, Vehicle "Addtl" is for model (Civic), style (2dr.) or any other descriptors (such as primer-spotted, very rusty, large dent in trunk, etc.) you think will help others identify the motor vehicle at a distance. **Color, Model and door style are required.**

14. The reverse of the FI card is for the suspect clothing description and anything else you believe should be clarified or recorded. It is best to record clothing from head to foot.
Example: Blue Ball Hat, Tan Jacket over White t-shirt, Blue Pants, Red Shoes.

All Field Interview Reports must be properly completed and approved by a supervisor. Two hard copies will then be printed out and forwarded for review to both the Uniform Patrol and Investigation sub-division "Roll Call" files. In the event Mobile is down F.I. Cards must be properly completed and promptly submitted to Investigations with a copy to Uniform Patrol Roll Call. (In the event Mobile is down Investigations personnel must input the FI card data for Field Investigations and all related fields, if any, no later than is practical. (Preferably within four City business days after the card(s) are delivered to Investigations).

15. Information received on FI reports completed in Reference to a Mentally Unstable Person (with a Mental Health Case worker), shall cause designated Investigations Bureau personnel to notify the appropriate Mental Health caseworker. (Preferably within the first Business day after the report is received by Investigations.)

Approved:
Chief Stephen P. Moody

TRAININGBULLETIN2014-01

TO: ALL PERSONNEL

SUBJECT: POLICE RESPONSE TO STRUCTURE FIRES

DATE: THURSDAY, JUNE 26,2014

A. Purpose

The purpose of this training bulletin is to outline the hazards to be considered for police officers when they are the first to arrive at the scene of a reported structure fire. This information should counter the desire to rush in for rescue purposes and outline potential hazards that cannot be overcome without necessary safety equipment and training. Additionally, to outline useful activities that will aid in a successful outcome.

B. History

This training bulletin was developed due to the recent loss of life of NYPD Police Officer Dennis Guerra, who died following exposure to carbon monoxide and the lethal products of combustion after entering a building to rescue occupants from a residential complex where a small fire occurred. Officer Guerra and his partner succumbed to dangerous smoke and gases after exiting the elevator on the 13th floor of the building. Both were overcome and collapsed; Officer Guerra died as a result of the incident. It's understandable that officers have an extraordinary desire to rush in and save lives.
However, there are many dangerous consequences associated with this desire, which can lead to serious injury or death.

C. Life-saving Information

As first responders, the nature of policing and firefighting is spontaneous. Understandably, officers will instinctively take action to save lives. The first response to structure fires has with it many overlapping considerations and hazards. Often it would seem the right thing to do for the first responding police officer(s) to become involved in the rescue efforts by attempting to go door to door in search of occupants in order to evacuate the building. Many hazards are associated with this practice. Firefighters are instructed early in their careers about basic fire behavior. This training reveals the extremelytoxicnatureofastructureanditscontentswhentheycatchfire.Manyofthese combustible products can be far from the original sources of the fire, are invisible, odorless, and undetectable to first responders. Firefighters are equipped with a fully contained ensemble (SCBA) and turn out gear. This allows them to enter the hazardous environment for a short period of time to deal with the undetectable toxins. Firefighters are also aware of the possibility of buildingcollapses.

It is standard best practice to never enter a building fire without personal protective equipment, not even for the purpose of rescue. Keep in mind that not only is the structure filling with deadly gases, but also its structure is being attacked by the fire and may collapse.

Do not break windows or ventilate in any other way. Fire needs oxygen to burn. Often a fire will slow to a smolder based on not having enough oxygen to burn freely. When a door is left open or a window broken, it allows for a new volume of oxygen, creating a rapid increase in the fire. This potentially endangers occupants attempting to exit to safety.

D. What Can Be Done to Help?

Due to the way police districts are geographically positioned throughout the city, it is possible officers will arrive before responding fire units. Police officers are wired to assist occupants to safety, often without regard to their own personal safety. This was the situation in the recent death of NYPD Officer Guerra. He and his partner rushed in to save lives, but became the only casualties of the fire. The officers became part of the fire rescue mission instead of the established first responders. The first and foremost mission of the Springfield Fire Division is to rescue and save lives. There are certain tasks we as first responding officers can do to help fire personnel and contribute to an organized response and speedy rescue.

Information is the key. For responding fire personnel certain pieces of information are critical to a quick response and rescue effort:

1) Confirm the correct incident address and whether there are obvious indicators the structure is on fire, such as the presence of *smoke and/or flames.*
2) Additional information indicating the volume and color of the smoke informs responding firefighters what they are facing.
3) Try to determine exactly where the structure fire is located (without entering the structure) - does the fire appear to be on an elevated floor, in a basement, or in the rear of the structure?
4) Are there people trapped in the building and if so, where? Accurate assessment of where the fire is located can simplify the response and aid in a speedy response and rescue effort.

Assume your first responder role. Ensure the fire department has adequate access to the scene or building - a marked police vehicle at the scene with oscillating lights on and an officer pointing in the direction of the building can be extremely helpful. In addition, make sure illegally parked vehicles do not block the closest fire hydrant. Finally, controlling traffic flow to/from the scene and protecting firefighting equipment is critical to successful fire suppression activities.

Of course, first responding units should alert building occupants a fire is active in the building and instruct them to immediately and safely exit the building. Look for signs

that the building's alarm is working, such as the alarm is audible or you can visually see a flashingstrobelight.Confirmationthealarmshavebeensignalingisgoodinformatio nto pass along to the firedepartment.

E. First Responder Responsibilities:

1) Notify communications of the correctaddress.
2) Notify communications there is a confirmed structurefire.
3) Makesurethereisadequateaccessforfireequipmentandturnonyouroverh ead lights to alert the firedepartment.
4) Make sure fire hydrants are notblocked.
5) AlertbuildingoccupantsthatthebuildingisonfireviaPAsystemorturnon yoursiren.
6) Check for signs that the building alarm is working (audible orvisible).
7) If possible, advise color of smoke and/orflames.
8) Where is the location of the fire in the building?*Do not enter building to determinelocation*.
9) Do not break windows or opendoors.
10) Are there people in the building?*Do not enter the building to start rescue operations-*
this can be fatal!

Police officers intuitively will take action to save lives, but entering a burning or smoking structure can bedangerous or even fatal without the proper training and equipment.
Outside the building, consider your options of conducting an amplified verbal alert over the patrol car's public announcement system, or use a siren to notify building occupants. Resist the urge to enter the structure. Determining if the building is empty or verifying victims are inside can be a game changer for the Fire Department's rescue efforts.
The safety hazards associated with a structure fire can be as lethal to the first responding police officer(s) as they are to the building occupants. The officer's primary first responder role should focus on*information gathering*and*perimeter security*for responding firefighting personnel. Attempting rescue efforts inside a structure fire without the proper safety gear can be deadly.

TRAINING BULLETIN 2015-01

TO: ALL PERSONNEL

SUBJECT: SUBMISSION OF EVIDENCE FOR ANALYSIS

DATE: FRIDAY JUNE 19TH, 2015

CHANGE IN EVIDENCE ANALYSIS PROCEDURE

1. Effective June 15, 2015 all evidence requiring forensic analysis (other than prints and photos) will be sent to BCI.

2. Attached is a copy of the BCI EVIDENCE SUBMISSION SHEET. The existing Springfield Regional Crime Lab form will only be used to submit prints and photos for local analysis by the SPD Crime Scene Unit.

3. Evidence can no longer be dropped in the crime lab drop chute located near the OIC's office. Evidence must be submitted to an appropriate location in the Sally Port.

4. As we will now be dealing with an outside agency (BCI) -- it will no longer be a simple process to correct errors or sloppy handwriting. Please double check your work. Names must be spelled correctly and include middle initials. The suspects BCI # must be included if it exists. This will require officers to complete LEADS inquiries in many instances. Please do not rely on NWS data. Look it up!

5. In the past, felony drug evidence was held to determine if the case was going to proceed to trial. We will be on BCI's time table, now, and some of the checks and balances are gone. All felony drug evidence should be submitted for forensic analysis at the time of arrest. This will help to ensure that lab results are returned in sufficient time for trial.

6. Misdemeanor arrests such as OVI or drug paraphernalia where marijuana, marijuana pipes, etc. are seized should also be submitted for analysis at the time of arrest.

7. With regard to Minor Misdemeanor marijuana arrests and/or Minor Misdemeanor-2925.141 Illegal use or possession of marihuana drug paraphernalia arrests (where no other charges are filed) the officer **should not** submit the evidence for analysis. Complete a property receipt and submit the evidence to the property room as usual. If analysis is needed, later, a request will be made by the prosecutor.

DIRECTIONS FOR COMPLETION OF THE BCI EVIDENCE SUBMISSION SHEET

The following directions explain how to complete the BCI EVIDENCE SUBMISSION SHEET.

1. NEW- The first box is marked "NEW." If this is the first time that any evidence in this case is being submitted for testing, then check "NEW."

2. ADDL- If the evidence is being submitted after the initial submission – additional evidence is later discovered, then check the "ADD'L" box and provide the BCI Case Number.

3. AGENCY CASE NUMBER is the SPD case number for the event.

4. TRIAL DATE- this box can only accept numeric dates mm/dd/yyyy. If you do not have a trial date then leave it blank. At the bottom of the form is a narrative section. State that the trail date is TBA- To Be Announced.

5. OFFENSE- list the name of the offense, not the ORC section number.

6. DATE OF OFFENSE/DISCOVERY- list the appropriate date.

7. LOCATION- list the location of occurrence.

8. SYNOPSIS ATTACHED- The synopsis attached box is a yes or no checkbox. Normally, the answer is no, and officers should simply provide a short description of the crime and evidence submitted in the portion of the form labeled, “Please list individual items.” If the description of items, and narrative, is too long then one would check yes and attach a more detailed narrative.

9. SUBJECTS and VICTIM- there is space provided for three suspects and one victim on the form. Any additional subjects should be included in the narrative section. This information must be accurate! Please double check this to reduce delays in processing of evidence.

10. SUBMITTING AGENCY- remember there are several Springfield Police Departments in Ohio. A simple way to prevent confusion is to list the ORI and Agency, as follows: OH0120200- SPRINGFIELD POLICE DIVISON

11. SUBMITTING OFFICER- leave this blank. This is the name of the officer who takes the items to BCI. (Usually a Crime Scene Unit officer.)

12. CASE INVESTIGATOR- this is the name of the officer completing the form.

13. MAILING ADDRES:

    Your Name
    c/o: City of Springfield, Ohio Police Division
    130 N. Fountain Av.
    Springfield, OH 45502

14. TELEPHONE NUMBER- use the OIC phone number if you do not have an assigned office phone number. (937-324-7716)

15. EMAIL ADDRESS: use your city provided email address.

16. There are 10 check boxes below the email box, used to identify the type of analysis being requested.

    A. LATENT PRINTS- latent prints will normally be submitted using the existing Springfield Regional Crime Lab form to the SPD Crime Scene Unit for analysis.
    B. CHEMISTRY- this would include drug analysis.
    C. DNA- as it states. Includes sexual assault and rape kits.
    D. BIOLOGY- blood group analysis.
    E. TRACE- fibers, hairs, etc.
    F. FIREARMS- check this box if you are submitting any firearm for testing.
    G. NIBN- check this box anytime you are submitting a semi-auto pistol for analysis.
    H. DOCUMENTS- check this box for document analysis, such as handwriting comparisons. Officers should consult a supervisor before submitting documents for analysis as this is normally handled by Investigations.
    I. GSR- Gun Shot Residue
    J. CODN (SAK)- Officers will not use this box. It is for older sexual assault cases that are just now being submitted to BCI.

17. Narrative section. Describe what was submitted, briefly describe what happened, what you need tested, and why.

18. Only three (3) "like items" can be submitted. For example, if you have 20 crack pipes for one suspect, you can only submit three (3) crack pipes for testing. The rest should be submitted to Property, as usual. If there is a special circumstance where the officer feels that all items require testing they should consult a Crime Scene Unit supervisor for guidance.

19. Photos will continue to be submitted to the Springfield Police Division's Crime Scene Unit for analysis, using the existing form.

20. Notification that a BCI lab analysis is complete will be received by the Crime Scene Unit. Upon receipt the Crime Scene Unit will be responsible for scanning, and emailing, a copy of the notification to the appropriate prosecutor's office.

TRAINING BULLETIN 2017-01

To: All Personnel

Subject: Employee Opioid Exposure and the Administration of Naloxone (NARCAN) for Opioid Overdose

Date: Friday, September 18, 2020

1. **Purpose**- this training bulletin details the procedure SPD personnel will follow in the event an employee is exposed to an opioid and is experiencing an overdose. Citizens experiencing an opioid overdose will continue to be treated with Narcan by EMS personnel, only.

2. **Description of the Problem**- Officer's regular job duties may put them at risk for opioid exposure through inhalation, punctures, and/or skin absorption. Naloxone is a prescription medication that has been shown to reverse the effects of an opioid overdose including respiratory depression, sedation and hypotension. Therefore, Naloxone kits are being made available to at risk employees.

3. **Risk Assessment-** In order to protect themselves from exposure officers should conduct a risk assessment for any scene where illicit opioids/Fentanyl may be present:

    a. Man down situations where the cause is unknown.
    b. Suspected drugs located on a person who uses/traffics drugs.
    c. What is the background/ history of the location where the drugs were found? (User, trafficker, etc.)

4. **Handling Guidelines-**
    a. **Carry properly fitting personal protective equipment, (e.g. nitrile gloves, respiratory protection, etc.) and be trained how to use it, including how to take it off, as per your agency's policy.**

5. **Signs of an opioid overdose**- include, but are not limited to: pinpoint pupils, vomiting, shallow breathing, slow or absent pulse, loss of consciousness or awake but unable to talk, choking/gurgling noises, and body is limp, clammy and bluish in color.

6. **Procedure**- If it is suspected that an employee is experiencing an opioid overdose the following steps should be taken:

    a. Immediately seek emergency medical attention for the employee by calling for EMS.
    b. If the employee is not breathing rescue breaths may be given.

c. Retrieve the Naloxone kit and follow the included directions for the administration of Naloxone.
d. If no effect is seen, within 2-3 minutes, a 2nd dose of Naloxone can be administered.
e. Place the employee in the rescue position to prevent aspiration and maintain an open air way.
f. Report the exposure incident to a supervisor, immediately. In addition, a detailed inter-office explaining how the exposure occurred, along with the employee injury/exposure report form(s) must be submitted to the Chief's office, through the chain of command.

7. Precautions-

a. Do not use NARCAN® Nasal Spray if you are allergic to naloxone hydrochloride or any of the ingredients in NARCAN®Nasal Spray.

Active ingredient: naloxone hydrochloride
Inactive ingredients: benzalkonium chloride (preservative), disodium ethylenediaminetetraacetate (stabilizer), sodium chloride, hydrochloric acid to adjust pH and sterile water
NARCAN Nasal Spray is not made with natural rubber latex.

NARCAN® Nasal Spray is used to temporarily reverse the effects of opioid medicines. The medicine in NARCAN® Nasal Spray has no effect in people who are not taking opioid medicines.

8. Storage and Handling-

a. Store NARCAN Nasal Spray at room temperature between 59°F to 77°F (15°C to 25°C).
b. NARCAN Nasal Spray may be stored for short periods up to 104°F (40°C).
c. Do not freeze NARCAN Nasal Spray.
d. Keep NARCAN Nasal Spray in the box until ready to use. Protect from light.

9. Replacement-

a. In the event an officer uses their issued Narcan they should seek a replacement from their supervisor.

TRAINING BULLETIN 2019-01

To: All Personnel

Subject: Response to Overdoses

Date: Friday, September 18, 2020

1. SPD officers respond to all drug overdose events that are reported within the City of Springfield.

2. SPD officers administer basic life saving assistance to victims until SFD medics arrive.

3. SPD officers investigate each overdose (both at the scene of the event and with a follow up interview of the victim, at the hospital) and shall detail the results of their investigation in an Inter-Office memo that is forwarded to the Narcotics unit.

   A. The following items shall be included in every memo-

      1) Date, time, and location of occurrence

      2) Type of drug suspected to have been taken

      3) Full name, current address, age, date of birth, height, weight, hair color, eye color, SSN, phone number of the victim

      4) Full name, current address, age, date of birth, height, weight, hair color, eye color, SSN, phone number of all witnesses

      5) A description of the response provided by SFD (such as- 10 doses of Narcan were administered.)

      6) A description of any evidence located at the scene, including the property receipt number for any evidence submission.

      7) A detailed description of when, where, and from whom the narcotics were purchased, as determined by the investigation. (Note- this information shall be redacted by records section personnel before releasing these documents following a public records request. The revised code section cited for redaction is- R.C. 149.43(A)(1)(h) CLEIRS.)

   B. Officers must include as part of this memo a detailed description of the work they completed under the Good Samaritan Law, as outlined in the attached procedure.

4. SPD officers shall provide the victim, or the victim's family, with a door hanger card that provides a list of treatment options and resources. A digital example is attached as page 8, of this memo.

Assistant Prosecuting Attorneys

Criminal Division

Daniel P. Driscoll, Chief
Gregory M. Morris
Brian C. Driscoll
Andrew R. Picek
Daniel D. Carey
Lisa M. Hoying
William N. Merrell
Elizabeth L. McCormick
Megan M. Farley
Ryan A. Saunders

Civil Division

Andrew P. Pickering, Chief
William D. Hoffman
Thaddius A. Townsend
Jason T. Irick

D. ANDREW WILSON
CLARK COUNTY PROSECUTING ATTORNEY

50 East Columbia Street, Suite 449 Springfield, Ohio 45502
Phone (937) 521-1770 Fax (937) 328-2657

Victim-Witness Staff

Robyn Smith, Director
Debi Segrest-Adams
Tiffany Wright

Diversion Coordinator

Sandee L. Selner

Support Staff

Patricia Ferguson
Jackie Sheppeard
Gwendalyn Marcum

Criminal Investigator

Steven D. Southward
Russell Garman

To the law enforcement agencies within Clark County:

New legislation went into effect on September 13, 2016. The new law, which is known as the "911 Good Samaritan Law" and is contained in House Bill 110 grants immunity from arrest and prosecution to certain individuals who seek medical assistance for a drug overdose. **This law is not an absolute bar on our ability to prosecute people who overdose and are found to be in possession of drugs.** Often, prosecution / court intervention is the only way to ensure that addicts get treatment for their substance abuse issues. Law enforcement officers should be aware of this law and how it affects decisions at the scene and in charging drug possession cases.

What is the effect of the law?

It provides certain "qualified individuals" with immunity from arrest, filing of charges prosecution, conviction, and imposition of penalties for **minor** drug possession offenses when the evidence of the offense was obtained as a result of: (1) the "qualified individual" seeking or obtaining medical assistance for a drug overdose experienced by another person: (2) the "qualified individual" seeking medical assistance for a drug overdose experienced by himself/herself; or (3) another person seeking or obtaining medical assistance for an overdose experienced by the "qualified individual." "Seeking or obtaining medical assistance" includes, but is not limited to, making 911 call, contacting in person or by telephone call on on-duty peace officer, or transporting or presenting a person to a health care facility.

What offenses does it apply to?

The immunity provided under this law applies to **minor** drug possession offenses ONLY.

A minor drug possession offense is a violation of R.C. 2925.11(drug possession) that is a misdemeanor or a felony of the fifth degree. The evidence upon which the minor drug possession charge would be based must have been obtained as a result of the "qualified individual's" seeking medical assistance for his/her own or another person's drug overdose or as a result of another person's seeking medical assistance for the "qualified individual's" drug overdose.

Who qualifies for immunity this law?

A person qualifies for immunity if he/she meets ALL of the following criteria:

- is one of the following:

- a person acting in good faith who seeks or obtains medical assistance for another person who is experiencing a drug overdose;
- a person who is experiencing a drug overdose and seeks medical assistance for himself/herself for that overdose;
- a person who is experiencing a drug overdose and is the subject of another person seeking or obtaining medical assistance for that overdose; and

- is not on community control or post-release control; and

- has not received immunity under this law twice previously.

Are there any additional steps that the "qualified individual" must take to receive immunity?

Yes. Even if the individual qualifies for immunity under the law, the individual will not receive immunity UNLESS he/she does BOTH of the following:

- within 30 days after seeking or obtaining medical assistance for a drug overdose, the "qualified individual" must seek and obtain a screening and receive a referral for treatment from a community addiction services provider or a properly credentialed addiction treatment professional; AND

- upon the request of any prosecuting attorney, the "qualified individual" must submit documentation to the prosecuting attorney that verifies the he/she, within 30 days, sought and obtained a screening and received a referral from treatment from a community addiction services provider or a properly credentialed addiction treatment professional. The documentation shall be limited to the date and time of the screening obtained and the referral received.

What should law enforcement officers do at the scene of an overdose?

In light of this new law, if a law enforcement officer responds to the scene of an overdose pursuant to a request for medical assistance from the "qualified individual" or another person requesting medical assistance for the "qualified individual" and finds evidence of the "qualified individual's possession of drug or other drug offense, the officer should:

- Seize the evidence if the officer legally would be permitted to seize the evidence under the Fourth Amendment. Nothing in the H.B. 110 limits the seizure of evidence or contraband that is otherwise permitted by law.

- Process the evidence as the officer normally would in any other case, which includes packaging, marking, tagging and storing the evidence as in any other case and sending it to the crime lab as in any other case. Nothing in H.B. 110 limits the admissibility of evidence in connection with the investigation or prosecution of a crime with regards to an individual who does not qualify for immunity under the law or with regards to any crime other than a minor drug possession offense committed by an individual who does qualify for immunity. If it is later determined that the individual does not qualify for immunity or has not taken the steps required to receive immunity, or if subsequent testing reveals that the evidence supports an offense that is more serious than a minor drug possession offense, we want to preserve our ability to prosecute that individual.

- Give the suspect a copy of the "911 Good Samaritan Law information card" provided by the Clark County Prosecutor's Office. This card is the official written demand by the Prosecutor's Office that triggers the suspect's responsibility to obtain an assessment and a referral. Tell the suspect that failure to comply with the requirements set forth on the card will result in their prosecution. Document in the law enforcement report tha the suspect was given a the "911 Good Samaritan Law information card".

- If the evidence provides probable cause for a **minor** drug possession offense only, DO NOT arrest the individual for possession of drugs. Do an incident report complete with the property receipt number for any drugs collected. Send any drugs collected to the lab for testing. Forward the report to the Clark County Prosecutor's Office Attn: Greg Morris. The Clark County Prosecutor's Office will make a determination of whether or not the person has taken the steps necessary to receive the qualified immunity. If the person does not qualify for immunity, the case will be set before the Grand Jury for a direct indictment.

- If the evidence obtained provides probable cause for an offense that is an F1,F2,F3, or F4 drug possession offense or any other misdemeanor or felony drug offense that is not possession, the officer may arrest the individual for that offense. H.B. 110 does not apply.

- If the evidence provides probable cause for BOTH a minor drug possession offense and an offense that is an F1,F2,F3, or F4 drug possession offense or any other misdemeanor or felony drug offense that is not possession, DO NOT arrest for the minor drug possession, but the officer may arrest for the other offense(s). Make a note in the report that the person was not charged with minor drug possession and the Clark County Prosecutor's Office will determine whether or not the person has taken the steps necessary to receive the qualified immunity.

If you have any questions about this legislation or our procedure for handling these cases within Clark County, please do not hesitate to contact me at (937) 521-1773 or dwilson@clarkcountyohio.gov.

Sincerely,

D. Andrew Wilson
Clark County Prosecutor

911 Good Samaritan Law

D. ANDREW WILSON
CLARK COUNTY PROSECUTOR

New legislation went into effect on September 13, 2016. The new law, which is known as the "911 Good Samaritan Law," grants immunity from arrest and prosecution to certain individuals who seek medical assistance for a drug overdose. A request for medical assistance includes, but is not limited to, making a 911 call, contacting an on-duty peace officer in person or by telephone, or transporting or presenting a person who has overdosed on drugs or is experiencing a drug overdose to a health care facility.

If you committed a **minor** drug possession offense and evidence of that offense was discovered when police responded to a request for medical assistance for a drug overdose, you **MAY** be entitled to receive immunity from arrest and prosecution for that offense.

Who can qualify for immunity?

You **MAY** qualify for immunity if ALL of the following applies to you:

- You are one of the following:
  - a person acting in good faith who sought or obtained medical assistance for another person who was experiencing a drug overdose;
  - a person who was experiencing a drug overdose and sought medical assistance for yourself for that overdose;
  - a person who was experiencing a drug overdose and was the subject of another person seeking or obtaining medical assistance for that overdose; AND
- When police responded to a request for medical assistance for a drug overdose, the police discovered evidence that you committed a **minor** drug possession offense (a drug possession that is a misdemeanor or a felony of the fifth degree); AND
- You are not currently on community control or post-release control; AND
- You have not received immunity under this law twice previously.

(OVER)

IMPORTANT: You need to be aware that **immunity is not automatic.** To receive immunity from arrest and prosecution for your minor drug possession offense, you **MUST** take certain steps that are required by law. **You will not receive immunity from arrest and prosecution for your minor drug possession offense UNLESS you do BOTH of the following:**

- You **MUST** seek and obtain a screening **AND** receive a referral for treatment from a community addiction services provider or a properly credentialed addiction treatment professional. **This MUST be done within 30 days of the request for medical assistance for the drug overdose.**
- This document serves as a formal request by the Clark County Prosecutor's Office that you provide verification that you sought and obtained a screening and received a referral from a community addiction services provider. Upon this request of the prosecuting attorney, you MUST provide written verification to the prosecuting attorney that you sought and obtained a screening and received a referral for treatment from a community addiction services provider or a properly credentialed addiction treatment professional within 30 days of the request for medical assistance for the drug overdose. The documentation that you provide to the prosecuting attorney need only show the date and time of the screening obtained and the referral received. The documentation shall be delivered to the Clark County Prosecutor's Office at 50 E. Columbia Street, Suite 449, Springfield, Ohio 45502.

If you are unsure of how to contact a community addiction services provider or a properly credentialed addiction treatment professional, who to contact, or where to go, you can call any of the numbers listed below:

McKinley Hall: (937) 328-5300
Mercy Reach: (937) 390-5338

www.clarkcountyohio.gov
(937) 521-1770

SPRINGFIELD POLICE DIVISION
INTER-OFFICE COMMUNICATION

From: The Office of Captain Lee E. Graf, Uniform Patrol Commander

To: All Sworn SPD Officers

Date: 17 March, 2017

Subj: NOTES/CLARIFICATION REFERENCE GOOD SAMARITAN LAW PROCEDURE MEMO FROM CLARK COUNTY PROSECUTOR'S OFFICE.

Fellow Officers,

I just wanted to take a few moments to expound upon some of the procedures laid out in the aforementioned memo, particularly as regards the following:

- **If the evidence provides probable cause for a minor drug possession offense only, DO NOT arrest the individual for possession of drugs. Do an incident report complete with the property receipt number for any drugs collected. Send any drugs collected to the lab for testing. Forward the report to the Clark County Prosecutor's Office Attn: Greg Morris. The Clark County Prosecutor's Office will make a determination of whether or not the person has taken the steps necessary to receive the qualified immunity. If the person does not qualify for immunity, the case will be set before the Grand Jury for a direct indictment.**

"Incident report" would be what we would normally refer to as an Arrest Report in Affadavit Maker. You should prepare this report as you normally would, but at the end of the narrative you would simply put that "This report is being forwarded to the Clark County Prosecutor's Office for consideration of possible criminal charges". You will not need to print out affadavits with your report. Everything else stays the same (grand jury checklist, evidence submission, etc.). Take the report to your supervisor for review, swearing, and notorization.

I have prepared a coversheet directing that the packet it is attached to is forwarded to Mr. Morris. Make sure that that this coversheet is attached to the top of your court packet. Copies of this coversheet will be available in the OIC's Office (a PDF was also emailed to you).

Respectfully submitted,

Captain Lee E. Graf

cc: File

Attn:

Please forward the attached documents to the Clark County Prosecutor's Office c/o Prosecutor Greg Morris

CLARK COUNTY

www.clarkcountysac.com

"For families to have hope and relief from suffering caused by drug and alcohol addiction."

TREATMENT HELP

MAT Treatments Available

McKinley Hall - (937) 328 - 5300
2624 Lexington Ave

Mercy Reach - (937) 390 - 5338
30 W McCreight Ave #204

Rocking Horse - (937) 324 - 1111
651 S Limestone St

NO INSURANCE? NO PROBLEM!

If you do not have resources for treatment services, case workers and peer support specialists will help you attain them.

The Mental Health Recovery Board has money set aside to help all Clark County Residents recovery from addiction.

PEER SUPPORT SERVICES

Need a ride? Need support going to meetings? Need emotional support that only people with addiction will understand?

Peer Support Services is what you need. McKinley Hall and Rocking Horse have the right people to help you with your recovery.

Text "GO" to 741-741

CRISIS HOTLINE
FREE, 24/7, CONFIDENTIAL

One-2-One Needle Exchange and Narcan Training

Every Wednesday from 1p to 3p
Springfield Soup Kitchen - 830 W Main St

- Syringes Exchanged
- HIV Testing
- Hepatitus C Testing
- Pregnancy Testing
- Drug Treatment Referrals
- Narcan Training

Families of Addicts
Tuesday Evenings from 6:30 to 8:00 pm
FOA Bridge of Support - 50 W High Street
Call 937-624-2304 for more info
FOAclarkcountyspringfield@gmail.com

FOA
a path to peacefulness

GROW

GET RECOVERY OPTIONS WORKING

SPRINGFIELD POLICE OHIO

McKinley Hall
A New Day. A Better Way.

MERCY HEALTH

MHRB

CardinalHealth

TRAINING BULLETIN 2019-02

To: All Personnel

Subject: Designated Outdoor Refreshment Areas

Date: April 10th, 2019

1. A Designated Outdoor Refreshment Area (DORA) was established in the City of Springfield on January 14th, 2019, pursuant to Ohio Revised Code Section 4301.82. A copy the Ordinance, numbered 19-52, is attached to this Training Bulletin.

2. DORA location, times of operation, DORA cup

   A. The DORA area is defined in the attached map, along with a complete list of businesses and locations. Additionally, signage will be in place indicating where the DORA begins, and ends.

   B. The DORA's hours of operation are 11 am to 12 am, year round.

   C. Citizens who choose to drink alcoholic beverages in the DORA must have the beverage in the approved DORA cup. (See page xx, for an example of the cup.) No other open containers are permitted within the DORA.

   D. Citizen's must purchase alcoholic beverages to be consumed in the DORA from one of the permit holders listed on page xx, or from a special permit holder as approved by the Chief of Police and the Department of Liquor Control.

3. Enforcement-

   A. When determining whether or not to take enforcement action SPD officers should consider the following-

      1) The DORA has been established to encourage patronage of Springfield businesses, by citizens. Therefore, officers should seek first to obtain compliance with the regulations surrounding the DORA as opposed to taking enforcement action.

      2) Citizens, who step across the borders of the DORA, while carrying a designated DORA cup filled with an intoxicating beverage, should be instructed to re-enter the DORA or they will receive Open Container citation. Those who refuse can be cited. Repeat offenders should be cited.

      3) Citizens observed with an open container containing an intoxicating beverage that is not in the approved DORA cup can be cited, within officer discretion.

4) Citizens observed reusing a DORA cup and having it filled with an intoxicating beverage by a non-permit holder should be cited with an Open Container violation.

B. Officers should enforce all other laws within the DORA based on SPD Rules, Regulations, and Procedures, city ordinances, and Ohio law. A supervisor can always be consulted.

4. Patrol of the DORA

A. Per Section VI, of the Application for the Establishment of a Downtown Springfield Designated Outdoor Refreshment Area, (see page xx, of the attached document) the OIC shall instruct shift officers to patrol the DORA, when events are planned.

B. Generally, this means the shift officers assigned to this area will treat the DORA as a bulletin check, which they will patrol during the designated hours.

C. Officers patrolling the DORA shall document the date/times of their DORA patrol as a Bulletin Check. Officer should be specific in their description of which areas

5. Special Events-

A. As outlined in the attached documents, Special Events scheduled for the DORA will involve the event planners consulting with the city, and the police division, to determine the number of officers needed on overtime, or extra-duty, to provide safety and security at the event.

AN ORDINANCE NO. 19-52

Creating a Designated Outdoor Refreshment Area and establishing requirements to ensure public health and safety within such area.

...oooOOOooo...

WHEREAS, R.C. § 4301.82 permits the City of Springfield to create and approve an application for a "Designated Outdoor Refreshment Area" within its corporate limits; and

WHEREAS, City Manager James A. Bodenmiller submitted and filed an application with Springfield City Commission in compliance with R.C. § 4301.82(B) to have certain property designated as an outdoor refreshment area on January 14, 2019; and

WHEREAS, a public hearing concerning this application was held in the Springfield City Forum on January 29, 2019, a notice of which was published not less than 30 days prior to the date of said hearing in the Springfield News-Sun, a newspaper of general circulation in the City of Springfield, once a week for two separate weeks in compliance with R.C. § 4301.82(C) and (F)(2); and

WHEREAS, Springfield City Commission finds that the application is in compliance with R.C. § 4301.82(B) and that the "Designated Outdoor Refreshment Area" to be created would be in compliance with R.C. § 4301.82(D); and

WHEREAS, municipalities have the power granted by the Ohio Constitution to exercise all powers of local self-government and to enact laws that preserve the health, safety, and welfare, comfort and peace of the municipality; NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio:

Section 1. Pursuant to R.C. § 4301.82 there is hereby established and designated the Downtown Springfield Designated Outdoor Refreshment Area with the boundaries of the area, including the street addresses, as described in the application being attached hereto as Exhibit A and incorporated herein.

Section 2. It is hereby found and determined by Springfield City Commission for the purpose of insuring the public health and safety within the area that (1) the number, spacing, and type of signage designating the area, (2) the hours of operation for the area, (3) the number of personnel needed to ensure public safety in the area, (4) the sanitation plan that will help maintain the appearance and public health of the area and (5) the number of personnel needed to execute the sanitation plan are identified in Exhibit A and incorporated herein.

Section 3. It is hereby further found and determined by Springfield City Commission that all beer, wine, and intoxicating liquor served and consumed in the area shall be solely in plastic bottles or other plastic containers.

Section 4. It is hereby further found and determined by Springfield City Commission that the business, artistic, cultural and entertainment establishments located within the area will be enhanced hereby; that the area will encompass no fewer than four (4) qualified liquor permit holders; that the uses of land within the proposed area are in accord with the Official Zoning Map of the City of Springfield; and that the hours and rules of the area set forth in Exhibit A and incorporated herein, will ensure public health and safety.

Section 5. It is hereby further found and determined by Springfield City Commission that each rule, requirement, and standard set forth in Exhibit A and incorporated herein is necessary to insure the public health and safety, and the same is hereby adopted in its entirety.

Section 6. It is hereby further found and determined by Springfield City Commission that, five years from the date of the adoption of this Ordinance, this City Commission shall review the operation of the Downtown Springfield Designated Outdoor Refreshment Area hereby created and shall either approve its continued operation or dissolve it, and such review shall be repeated five years after any subsequent approval of the Downtown Springfield Designated Outdoor Refreshment Area in the same manner.

Section 7. The Clerk of Commission is hereby instructed forthwith to provide notice as required by R.C. § 4301.82 of the establishment of this Downtown Springfield Designated Outdoor Refreshment Area to the Superintendent of the Ohio Department of Commerce Division of Liquor Control.

Section 8. All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed. If any provision of this Ordinance is judged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder.

Section 9. This Ordinance shall take effect and be in force from and after the fourteen (14) days after its passage.

PASSED this 26th day of February, A.D., 2019.

Warren R. Copeland
PRESIDENT OF THE CITY COMMISSION

Regina E. Jeffries
CLERK OF THE CITY COMMISSION *Acting*

APPLICATION TO THE SPRINGFIELD CITY COMMISSION

– for the establishment of a –

DOWNTOWN SPRINGFIELD DESIGNATED OUTDOOR REFRESHMENT AREA

O.R.C. § 4301.82

The City of Springfield Ohio

The Office of the City Manager of the City of Springfield, Ohio, respectfully submits the following application to the City Commission to approve and enact the Downtown Springfield Designated Outdoor Refreshment Area, in accordance with O.R.C. § 4302.81.

Submitted January 14, 2019

By_____

Jim Bodenmiller, City Manager

76 East High Street • Springfield, Ohio 45502 • (937) 324-7300 • fax (937) 328-3497 • www.springfieldohio.gov

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X. PROPOSED ENACTING ORDINANCE

I. INTRODUCTION AND SUBMITTAL OF APPLICATION

The Office of the City Manager of the City of Springfield, Ohio respectfully submits the following application for the creation of a Downtown Springfield Designated Outdoor Refreshment Area ("DORA") to the City Commission, in accordance with O.R.C. § 4301.82.

A Downtown Springfield DORA would encourage residents and visitors alike to support our businesses downtown and would create new opportunities for community events, all guided by a new comprehensive vision for the greater Springfield area. In 2018, the City Commission endorsed the CONNECT Clark County comprehensive plan, which highlights Downtown Springfield as an area of opportunity for strengthening. Objective 3.1 notes the need to "provide more and a greater variety of cultural and entertainment opportunities for residents." Enactment of the DORA would fulfill part of Action 3.1.1, which states that an entertainment district in Downtown Springfield "may include an open container area."

As outlined in this application, the Office of the City Manager, the City Commission, the Springfield Police and Fire Divisions, the City Service Department, and other City departments will work together to ensure the safe, professional implementation and execution of the DORA. The City of Springfield will review the DORA after five years have passed, in accordance with O.R.C. § 4301.82.

The application includes the following:

Section II. A map and list of addresses for the proposed DORA district.

Section III. A general statement on the types of establishments located in the proposed DORA district.

Section IV. A list of qualified liquor permit holders in the proposed DORA district. O.R.C. § 4301.82 requires a minimum of four; the City has identified eight.

Section V. A statement on land use and a zoning map of the proposed DORA district.

Section VI. A public health and safety plan that will be implemented in the proposed DORA district.

Section VII. A sanitation plan that will be implemented in the proposed DORA district.

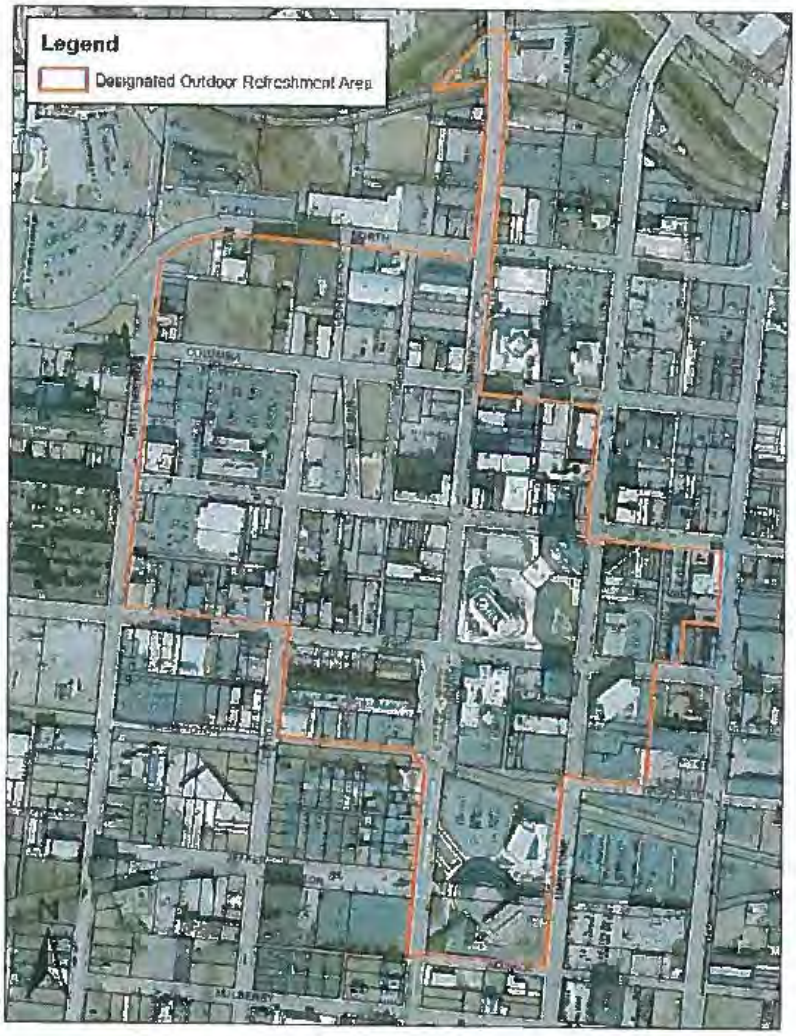
Section VIII. A preliminary design for signs to be placed at the boundaries of the proposed DORA district, with a list of proposed locations.

Section IX. A description of the hours and additional rights and requirements for the proposed DORA district.

Section X. The text of the proposed enacting ordinance for the DORA.

II. MAP AND DESCRIPTION OF BOUNDARIES

In accordance with O.R.C. § 4301.82(B)(1)(a) and (F)(1)(a), the boundaries of the proposed DORA district are depicted and listed below:



The legal description of the DORA is expressed as follows:

Situated in the City of Springfield, County of Clark, and State of Ohio and being more fully described as follows:

Commencing at the North West corner of the intersection of Monroe St and S Fountain Ave; traveling north to the North West corner of the intersection of the Simon Kenton Trail and S Fountain Ave; moving westward along the Simon Kenton Trail to the North West corner of W Washington St and S Center St; traveling north to the North West corner of W High St and S Center St; moving westward to the North East corner of W High St and S Wittenberg Ave; traveling north along S Wittenberg Ave to N Wittenberg Ave to where it intersects with the south line of Route 40; traveling east along the southerly line of Route 40 to the North East corner of Route 40 and N Fisher St; moving northward along the alley within parcel 3400700035312016 through parcel number 3400700035500008 until reaching the south western corner of parcel number 3400700035310001; traveling north eastern along 3400700035310001's parcel line until reaching the northern point of parcel number 3400700035310001; traveling southward along N Fountain Ave until reaching the south east corner of Columbia St and North Fountain Ave; moving eastwardly along Columbia St to the South East corner of E Columbia St and N Limestone St; traveling southward to the to the South East Corner of S Limestone St and E Main St; moving easterly to the South West corner of E Main St and S Spring St; continuing southerly along S Spring St to the southern parcel line of tax parcel 3400700034200026; moving along the southern parcel line of parcel 3400700034200026 to the west and continuing west onto tax parcel 3400700034200025 two thirds (2/3) of the length of the southern parcel line, approximately two hundred and fifty five (255) feet (ft.); moving south from aforementioned point on the southern line of tax parcel 3400700034200025 and continuing south on the most eastern line of tax parcel 3400700034200033 until reaching the southeast corner of tax parcel 3400700034200033; moving west along the southern line of tax parcel for approximately fifty one (51) feet; moving south across E High St and continuing south onto the eastern line of tax parcel 34007000342041016 and the western line of tax parcel 34007000342041017 approximately one hundred sixty (160) feet (ft.); continuing south along the eastern line of tax parcels 34007000342041006, 34007000342041013, 34007000342041015, and western line of tax parcels 3400700034600006 until reaching E Washington St approximately two hundred (200) feet (ft.); moving westerly along E Washington St until the North West corner of the intersection of E Washington St and S Limestone St; moving southerly along S Limestone St until the North West corner of the intersection of Monroe St and S Limestone St; traveling westerly along Monroe St and concluding at the corner of the intersection of Monroe St and S Fountain Ave.

In accordance with O.R.C. § 4301.82(F)(1)(a), the street addresses of the parcels located within the proposed DORA district are listed below:

1 Main St	119 E Main St	17 S Center St
10 E Main St	120 N Wittenberg Ave	17 S Spring St
10 N Fountain Ave	120 S Limestone St	17 W Main St
42-44 W High St	120 W High St	1-7 W Main St
10 W High St	121 E Main St	18-20 W High St
100 S Fountain Ave	12-14 E Main St	19 S Fountain Ave
100 W Main St	12-14 N Fountain Ave	19 W Main St
100-106 S Limestone St	122 W High St	19-21 N Limestone St
33-35 W High St	123-125 E Main St	2 E Main St
101 S Fountain Ave	123-125 S Limestone St	20 S Limestone St
102-104 W Columbia St	124 N Wittenberg Ave	9-17 S Fountain Ave
103 W Main St	125 W Main St	21 S Spring St
104 N Wittenberg Ave	42 N Fountain Ave	21 S Spring St Rear
104 N Wittenberg Ave	126 W High St	21-23 W High St
105 E Main St	126 W High St Rear	21-23 W Main St
105 N Center St	127 E Main St	21-29 E High St
105 W Main St	127-129 W North St	22 - 26 N Fountain Ave
107 W Main St	128-130 S Center St	22 E Main St
107-109 N Center St	13 W Main St	22 W High St
109 W Main St	9 W Main St	22-24 S Limestone St
109 W North St	33 N Fountain Ave	22-24 W Washington St
11 W Main St	134 W High St	23 S Center St
110 W Columbia St	135 S Fountain Ave	23-25 E Columbia St
75 W Main St	41-43 W High St	24 E Main St
111 W Main St	137 E Main St	24 Fisher St
111-113 E Main St	138 W High St	24 W High St
113 S Limestone St	140 W Main St	24-26 E Washington St
115 E Main St	99 W North St	25 N Fountain Ave Rear
41 S Market Pl	142 W Columbia St	25 N Limestone St Rear
115 S Limestone St	144 W Columbia St	25 W High St
116 S Limestone St	145-147 W Main St	25-27 S Fountain Ave
116-118 N Wittenberg Ave	149-151 W Main St	26 S Center St
117 E Main St	16-18 N Fountain Ave	26 S Market Pl
117 S Fountain Ave	16-18 S Limestone St	27 S Market Pl
117-119 S Limestone St	44 E Main St	82 W Columbia St
28 E Main St	36-40 N Fountain Ave	45-55 W High St
28 E Washington St	37 W High St	5 E Columbia St
28 S Limestone St	37-39 S Fountain Ave	36 N Center St

28 E Main St	36-40 N Fountain Ave	45-55 W High St
28 E Washington Ave	37 W High St	5 E Columbia St
28 S Limestone St	37-39 S Fountain Ave	36 N Center St
28 S Market Pl	38 S Market Pl	50 W High St
28 W High St	38-2A W High St	50 W High St Rear
28-30 N Fountain Ave	38-2B W High St	51-57 W Main St
29-31 E Columbia St	38-3A W High St	6 E Main St
30 S Wittenberg Ave	38-3B W High St	61 W Main St
300 S Fountain Ave	38-46 S Limestone St	63 W Main St
30-32 N Wittenberg Ave	39 N Fountain Ave	6-45 W High St
31 W High St	4 W Main St	67 W Main St
31-37 E High St	40 E Main St	68 W Columbia St
32 N Fountain Ave	40 N Wittenberg Ave	69 W Main St
32-34 S Market Pl	40 W High St	32-36 W High St
325 N Fountain Ave		

III. NATURE AND TYPES OF ESTABLISHMENTS

In accordance with O.R.C. § 4301.82(B)(2), the nature and types of establishments located within the proposed DORA district are listed below. These are primarily dining and services, and include:

Establishment	Address	Type
Le Torte Dolci	36 N Fountain Ave	Dining
Mela Urban Bistro	100 S Fountain Ave	Dining
Mobile Dogs	10 W Main St	Dining
Mother Stewart's Brewing	109 W North St	Dining
Season's Bistro & Grille	28 S Limestone St	Dining
Sip & Dipity Paint Bar	10 N Fountain Ave	Dining
Snow Cove Shaved Ice Shop	117 S Fountain Ave	Dining
The Buckeye Sports Lodge	126 W High St	Dining
The Fountain on Main	14 E Main St	Dining
The Machinist Club	104 N Wittenberg Ave	Dining
Un Mundo Café	117 S Fountain Ave	Dining
Voodoo Moon	39 N Fountain Ave	Dining
Winan's Chocolates & Coffee	32 N Fountain Ave	Dining
Champion City Vineyard Church	137 E Main St	Other
Clark County Historical Society and Heritage Center	117 S Fountain Ave	Other
Clark County Veteran's Services	120 S Center St	Other
Clark State Community College	100 S Limestone St	Other
Clark State Performing Arts Center	300 S Fountain Ave	Other
Faith United Methodist Church	102 W High St	Other
First Lutheran Church	30 S Wittenberg Ave	Other
Hollenbeck Bayley Conference Center	275 S Limestone St	Other
Kuss Auditorium	300 S Fountain Ave	Other
Springfield Arts Council	117 S Fountain Ave	Other
Springfield City Hall	76 E High St	Other
State Theatre	19 S Fountain Ave	Other
United Senior Services	135 W Main St	Other
American Antiquities	126 E High St	Retail
Champion City Guide & Supply	137 E Main St	Retail
Hatch Artist Studios	105 N Center St	Retail
Myers Market	101 S Fountain Ave	Retail
WR Hackett Fruit & Vegetables	99 W North St	Retail

AA Craven Bail Bonds	109 N Fountain Ave	Services
Baker's Locksmithing Services	148 W Columbia St	Services
Bombshell Beauty Parlor	20 W Columbia St	Services
Comfort Keepers Home Care	101 N Fountain Ave	Services
Courtyard by Marriot	100 S Fountain Ave	Services
Dayton Discount Furniture	42 W High St	Services
Edward Jones	20 W Main St	Services
EF Hutton	1 E Main St	Services
Fitness Cellar	14 E Main St	Services
Greater Springfield Chamber of Commerce	20 S Limestone St	Services
Home City Federal Savings Bank	63 W Main St	Services
Huntington Bank	5 W North St	Services
Key Bank	1 S Fountain Ave	Services
Ohio Valley Surgical Hospital	100 W Main St	Services
Security National Bank	40 S Limestone St	Services
Spectrum	75 W Main St	Services
WDC Group	23 S Center St	Services
WesBanco	28 E Main St	Services
Realty Income Corporation	14 W North St	Services
Wittenberg Physical Plant	225 N Fountain Ave	Services
Springfield BNK Investors	5 W North St	Services
Murph & Sara Entertainment LLC	325 N Fountain Ave	Dining

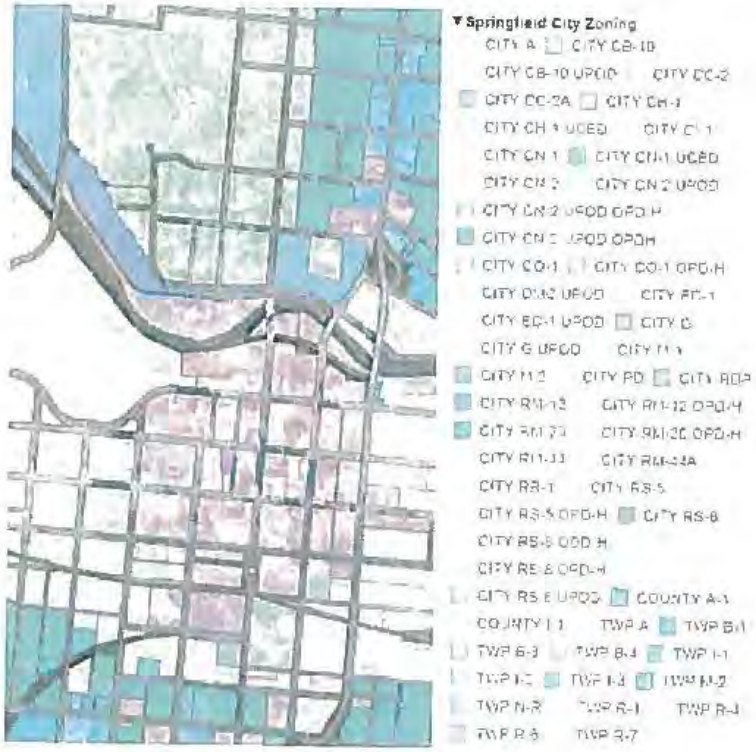
IV. QUALIFYING PERMIT HOLDERS

In accordance with O.R.C. § 4301.82(B)(3), the DORA will encompass not fewer than four qualified permit holders as defined by O.R.C. § 4301.82(A). The Office of the City Manager has identified eight qualified permit holders, each of whom are listed below:

Permit Holder	Business Address	Permit Classes	Permit Number
Buckeye Sports Lodge LLC	126 W High St	D1, D2, D3, D6	1072969
Clark State Community College	300 S Fountain Rd	D5	15287480005
Interstate MC LLC dba Courtyard by Marriot	100 S Fountain Ave	D5A, D6	41488190095
Machinists Realty Corp	104 N Wittenberg Ave	D4, D6	5393449
Mother Stewart's Brewing Company LLC	109 W North St	A1A, A1C	6195005
Seasons Bistro & Grille LLC	28 S Limestone Ave	D1, D2, D3, D3A, D6	7941028
Un Mundo Café LLC	117 S Fountain Ave	D1, D2	6232455
Murph & Sara Entertainment LLC	325 N Fountain Ave	D5, D6	6240347

V. LAND USE AND ZONING

In accordance with O.R.C. § 4301.82(B)(4), the uses of land within the proposed DORA district are in accord with the City of Springfield's master zoning plan, the Unified Plan for Downtown Springfield. Land within the proposed district is primarily zoned CB-10 (Central Business), CN-2 (Neighborhood Commercial District), and G (Green Space, Park and School District). A majority of the proposed district is also zoned UPOD (Unified Plan Overlay District). A detailed zoning map is presented below:



VI. PUBLIC HEALTH AND SAFETY

In accordance with O.R.C. § 4301.82(B)(5) and (F)(1)(c), the proposed requirements for the purpose of ensuring public health and safety within the proposed DORA district and the number of personnel needed to ensure public safety in the area are as follows:

At the commencement of the DORA, the Springfield Police Division will have shift patrol officers that will regularly patrol the DORA during its hours of operatio. These assignments may be tailored as needed, as dictated by attendance and nature of events.

Special event organizers within the district are required to develop and submit a public health and safety plan with their special event application. This plan will be reviewed by the Police Division and City Staff, and will guide police staffing decisions. Special event organizers are required to pay for special duty officers or overtime for public service or safety workers, if necessary to ensure adequate health and safety requirements.

Holiday events will require special planning and may include an increase of safety officers present in the DORA. The Police Department will work with the City Staff to guide decisions of police staff.

Each month after the commencement of the DORA, continuing for six months, and once every three months thereafter, the Chief of Police and the Office of the City Manager will meet to review these requirements.

VII. SANITATION

In accordance with O.R.C. § 4301.82(F)(1)(e) and (F)(1)(f), the sanitation plan that will help maintain the appearance and public health of the area and the number of personnel needed to execute the sanitation plan are as follows:

There are currently sixty (60) trash receptacles located throughout the DORA that are serviced weekly by the Service Department; this will continue after the commencement of the DORA. In addition, the Service Department will add four (4) trash receptacles at: SE corner of W Columbia St and N Wittenberg Ave; SE corner of W Main St and Wittenberg Ave; NE Corner of High St and S Wittenberg Ave; NE Corner or W North St and Center St. With approval, any qualified permit holder may add additional receptacles and assume responsibility of their servicing.

If needed the City will commission a street cleaner to clean the streets within the DORA's boundaries. This decision will be left up to the discretion of the City Manager and the Service Director to maintain the appearance and health of the DORA.

The Service Department currently employs a seasonal worker that maintains the area within the DORA's boundaries. At the commencement of DORA, the litter control will continue and be monitored by the Service Department. The Service Department will monitor the area designated in the DORA to maintain the appearance and health of the DORA and city as a whole.

VIII. SIGNAGE

In accordance with O.R.C. § 4301.82(F)(b), the number, spacing, and type of signage designating the proposed DORA district are as follows:

The signage shall be placed in the following areas where it is generally visible:

- One (1) sign on the NW corner of S Fountain Ave and Monroe St facing S/N
- One (1) sign on the NW corner of W Jefferson St and S Fountain Ave facing W/E
- One (1) sign on the NW corner of the Simon Keaton Trail and S Fountain Ave facing W/E
- One (1) on the NW corner of S Center St and W Washington St facing S/N
- One (1) sign on the NW corner of W High St and S Center St facing W/E
- One (1) sign on the NE corner of W High St and S Wittenberg Ave facing W/E
- One (1) sign on the SE corner of W Main St and Wittenberg Ave facing W/E
- One (1) sign on the NE corner of W Columbia St and N Wittenberg Ave facing W/E
- One (1) sign on the SE corner of N Wittenberg Ave and Route 40 facing W/E
- One (1) sign on the SW corner of N Center St and Route 40 facing N/S
- One (1) sign on the SE corner of N Fisher St and Route 40 facing N/S
- One (1) sign on the NE corner of N Fisher St and E Colombia St facing E/W
- One (1) sign on the SE corner of N Fountain Ave and Columbia St facing N/S
- One (1) sign on the SE corner of N Limestone St and Columbia St facing N/W
- One (1) sign on the SE corner of N Limestone St and E Columbia St facing N/S
- One (1) sign on the E Corner of W Main St and Limestone St facing E/W
- One (1) sign on the SW corner of E Main St and Spring St facing E/W
- One (1) sign on the parcel line running N/S between parcels 34007000342041016 and 34007000342041017 as described in section II at the meeting with E High St facing E/W
- One (1) sign on the parcel line running N/S between parcels 34007000342041006, 34007000342041013, 34007000342041015 and 3400700034600006 as described in section II at the meeting with E Washington St facing E/W
- One (1) sign on the NW Corner of S Limestone St and W Washington St facing S/N
- One (1) sign on the NW corner of Monroe St and S Limestone St facing S/N

DORA
SPRINGFIELD, OHIO
WELCOME
Designated Outdoor
Refreshment Area
"The Champion City"

TRAINING BULLETIN 201 9-03

To: All Personnel

Subject: C.A.T. Tourniquets

Date: May 8th, 2019

1. The purpose of this training bulletin is to familiarize personnel with the proper use and care for the CAT tourniquet. Officers that intend on carrying a tourniquet must have some basic training on the proper use of it.

2. The primary purpose for the CAT tourniquet is to give officers the ability to treat themselves or others, if necessary, in the event of an arterial bleed. Tourniquets may be used on citizens as well as officers as long as the guidelines in this training bulletin are followed.

3. Tourniquets are to be used for arterial bleeds only. Superficial wounds and wounds that are not spurting blood will not benefit from the application of a tourniquet. Tourniquets can only be used to attempt to stop the blood flow in extremities (arms and legs). They should not be used in a way that will obstruct the airflow to a person (around the neck).

4. Tourniquets used/ carried by SPD officers must be of similar design and quality to the CAT tourniquet provided by the department. Officers are not required to carry the tourniquet on their person. However, the tourniquet should be readily accessible while on duty (gear bag, equipment bag, cruiser…..). Officers may choose not to carry or have a tourniquet issued.

5. Officers wanting to carry a CAT tourniquet must view the videos located in the "Shares" file under the file name "CAT tourniquet videos 5-7-19". Supervisors must check off officers for the training and issuance. Officers already carrying a tourniquet must complete the training and be signed off on the training by a supervisor.

6. If a tourniquet is used while on duty, the date, time, location and details of use must be recorded on an Inter-office to the officer's shift commander or unit commander, sub-division commander and chief's office.

7. Links to training videos:

   A. Application tips for LEO's: https://www.youtube.com/watch?v=h6LdYlgLRxc

   B. Two handed application: https://www.youtube.com/watch?v=x-admML71vg

   C. One handed application: https://www.youtube.com/watch?v=2u7Ent_L5Uc

TRAINING BULLETIN 2019-04

To: **All Personnel**
Subject: **Senate Bill 57; Hemp & Hemp products**
Date: **August 2nd, 2019**

On July 17, 2019, Ohio lawmakers passed Senate Bill 57, which decriminalizes hemp/hemp products and creates licensure programs for those wanting to cultivate or process hemp/hemp products.

1. SB 57 specified that marijuana does not include hemp/hemp products. Officers must therefore rule out that something is hemp, or a hemp product, before it can be established that it is marijuana.

    A. Both are cannabis. For purposes of SB 57, the difference is legally created. Hemp has a D9THC content of 0.3% or less. Marijuana has a D9THC content of 0.3% or more. A cannabis plant in a field could be hemp on a Monday and marijuana on a Tuesday.

    B. <u>Hemp and marijuana cannot be distinguished by sight or smell (not even by a police K9.) Only chemical testing in a lab can make this determination.</u>

    C. At this time there is no lab in Ohio capable of this testing.

2. CBD oil has previously been considered illegal under Ohio law.

    A. SB 57 legalizes hemp and hemp products. “Hemp products” include “any other product containing one or more cannabinoids derived from hemp, including “cannabidiol.”

    B. CBD oil derived from hemp would be a “hemp product” that is legal under SB 57, unless the product contains more than the allowable concentration of delta-9 THC. Again, only a lab can make this determination.

3. There are no restrictions on hemp/hemp product possession or use. i.e.: No quantity limitations, it can be smoked, consumed, etc.

4. There are potential criminal violations in SB 57, <u>but they fall under the purview of Ohio Department of Agriculture.</u>

5. Plain smell, or visual sight, of marijuana/hemp is no longer sufficient, in and of itself, to justify a search under the automobile exception.

    A. Officers must develop additional articulable factors under the totality of the circumstances prior to conducting any search.

    B. It is recommended that officers ask lawfully stopped individuals about the source of the smell and determine what their response (or lack of response) is, and develop, or dispel, probable cause to conduct a search from there.

(Partially excerpted from OSHP bulletin on SB 57, dated 07312019.)

TRAINING BULLETIN 2019-05

To: **All Personnel**
Subject: **Training and Policy Management Module**
Date: **September 10th, 2019**

The Springfield Police Division has recently purchased a Training and Policy Management software program that is cloud based. This program will allow officers, and other members of the agency, to track the training they complete and enable easy policy review.

Examples of how this system can be used are as follows-

1- An officer in field training completes, signs, and uploads his/her DOR into the system, where it can be reviewed by the training supervisor.

2- An officer, or other member of the agency, receives notification via email from the system that they are due for LEADS certification. They then complete the required test and upload the scanned certificate into the system.

3- An officer, or other member of the agency, receives notification via email from the system that they need to read a LEADS newsletter. They can log in, read the newsletter, and digitally sign that they have done so.

4- Annual review of a specific policy, rule, and/or regulation is required. The employee receives an email from the system letting them know the policy is ready for review. They review the policy in the system and acknowledge completion.

Attached to this document are instructions from the software company regarding how to log in, and use the software. The software has instructional videos available, once you log in.

Access- Officers can access the software from headquarters, or their cruiser, to upload required training. If an officer chooses, they may also download the iPhone or Android apps to study on such a device. However, that is an option and is not required.

Officers will begin receiving log-in information soon. Once received, follow the instructions attached. Please direct any questions regarding this training bulletin to your immediate supervisor.

To All Employees,

You are receiving this email in advance of our transitioning to a new automated system that will create assignments for policy review and acknowledgement, training assignments, and potentially tests associated.

This system requires Internet Explorer 11 or above or Google Chrome. If you try using other types of browsers, full functionality will be compromised.

Be on the lookout for an automated email from admin@pmam.com or pmamadministrators@pmam.com that will include your "User Name" and "Password". Do not delete this information as **it is not** spam or junk mail.

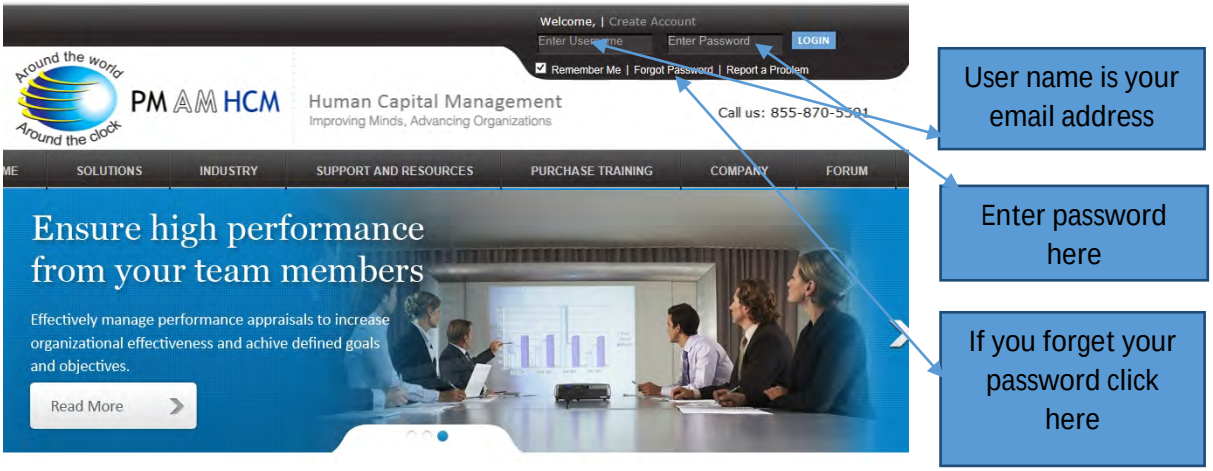
Your "User Name" will be very simple to remember. It's your complete email address. An initial password will be provided in the email and you will change this to a secure password of your choice upon logging in.

Passwords must be 8 characters long and they must include at least 1 letter, 1 number, and 1 special character.

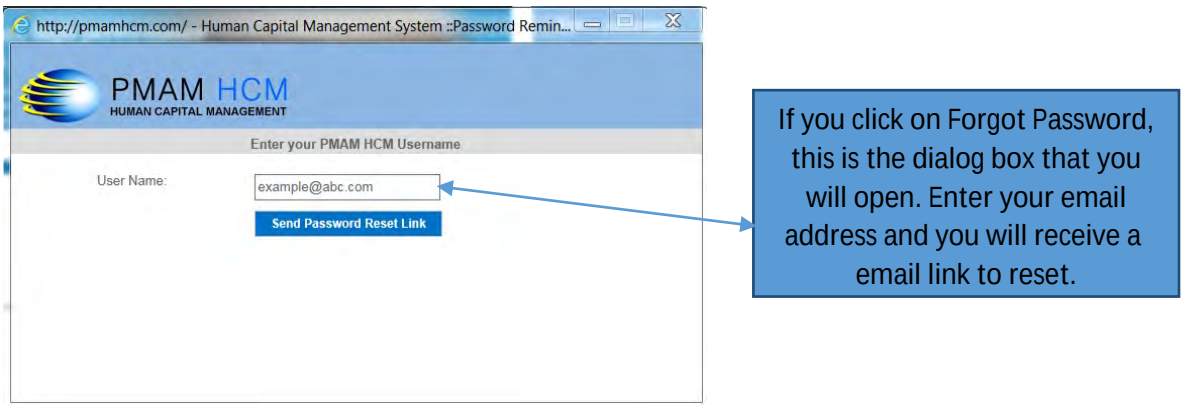
WHAT HAPPENS IF I LOSE MY PASSWORD?

If you lose your password, navigate to the following URL. www.pmamhcm.com

In the top right hand part of the screen below the dialog box for your user name click on "FORGOT PASSWORD". An automated email will be sent to you providing a link to reset your password. SEE BELOW



We will be providing you will your own "Users Guide" to assure an easy transition.



Standard Department User Guidelines
PMAM HCM

This write up will provide you with the basics you will want to know as we transition to our new system.

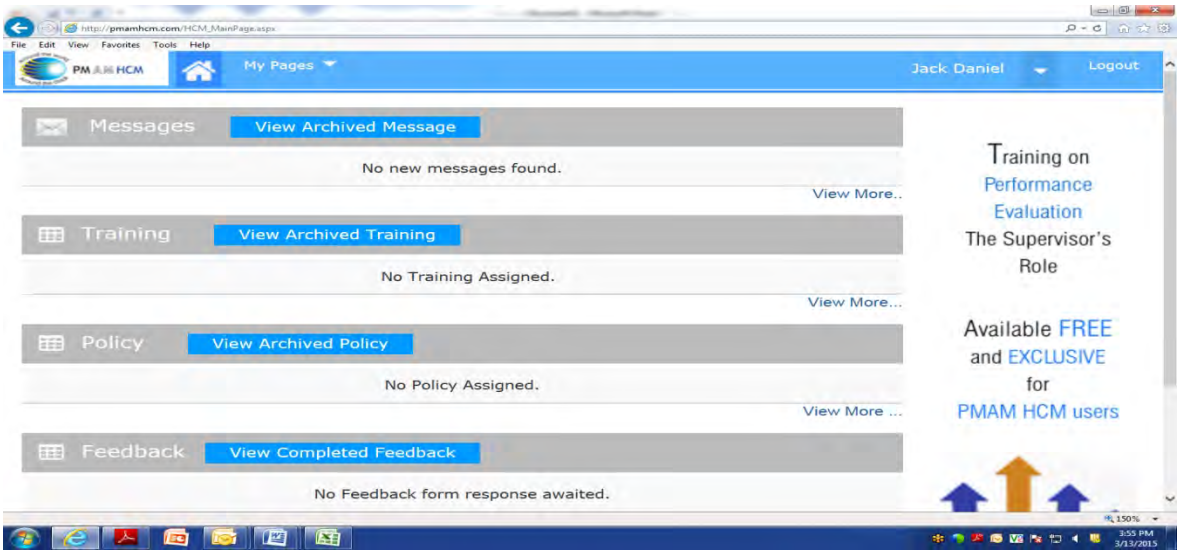
The PM AM HCM is a cloud-based system that will automate and create a historic retrievable record of various tasks assigned, across the department. Tasks include Policies and Procedures review, Tests if required, and potentially some training components. You must use either Internet Explorer 11 or above or Google Chrome.

The object of this write up will provide you with the basics on what to expect and how to navigate through the system.

1) Initially you will receive an automated email from PMAM Administrators. This email will welcome you to the platform and provide you with a login, (your department email address), and a link to click in order to a set up your personal password. Passwords are case sensitive and must adhere to the following rules. Each password must be 8 characters long with at least 1 letter, 1 number and 1 special character.

2) If you lose your password, navigate to www.pmamhcm.com where you can select the "FORGOT PASSWORD" option where a dialog box will open and allow you to enter your email address. An automated email will be sent providing with the link to login.

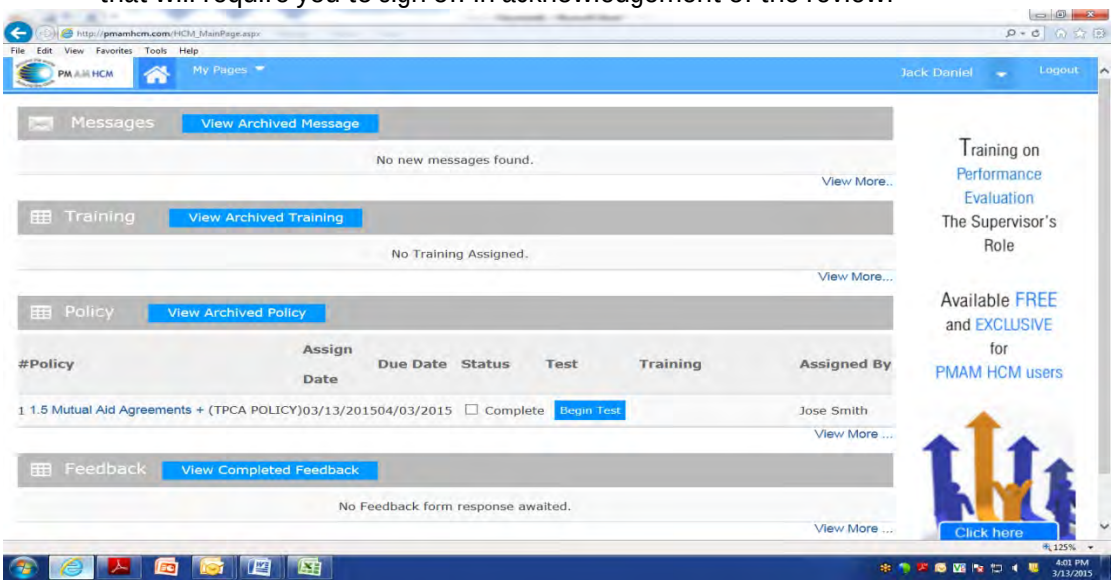
3) When you login you will be directed to your home page as shown below. If you have been assigned a task to complete, you will clearly see the task assigned, whether there is a test assigned with it and the ability to mark as "Completed'. Once completed, you will no longer see the task as open on your home page. If the home page is clear, you have completed all assigned tasks.



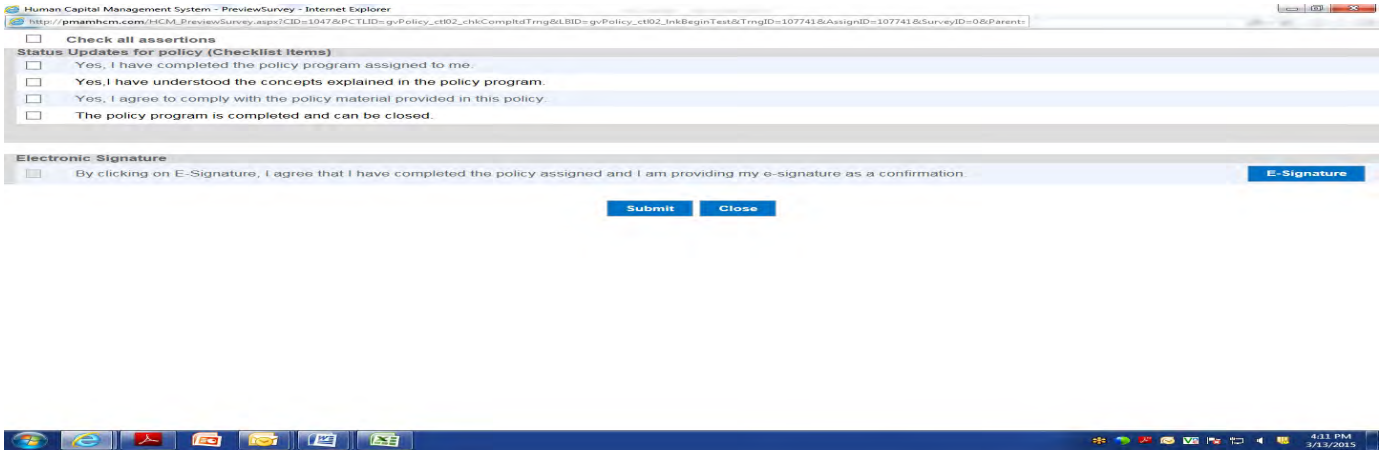
Below you will see what an assignment might look like. In this case, I have been assigned to review 1.5-Mutual Aid Agreement policy. I have also been assigned a test to assure that I understand the policy.
Here are the steps to complete this assignment

1) Review the policy as required. When the policy is opened the administrators have access to reports that detail how much time was spent with the document in an open state.
2) I have been assigned a test as well. I cannot complete the event, until the test is taken and passed. If not passed, I will be asked to retake the test again before I can complete.

3) The last step is clicking on the “COMPLETE” check box and marking the event as complete. A dialog box will open that will require you to sign off in acknowledgement of the review.

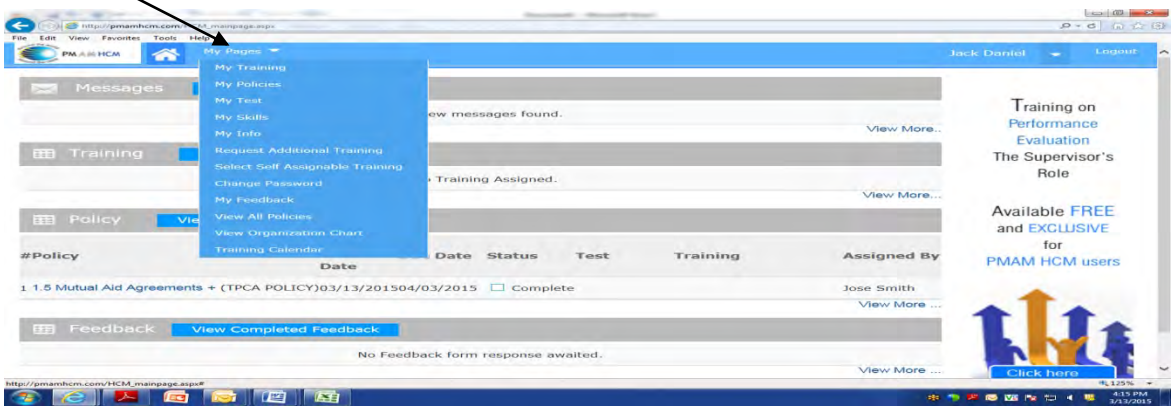


Once you do click on “COMPLETE”, the dialog box below will open. You must check All Assertions, Check off the “Electronic Signature” box and then “Submit”. Until this is completed, the task will remain open and eventually you will be sent a late notice informing you that you have missed the deadline and you need to immediately complete. Supervisors and Administrators will also be alerted as to who has not completed an assigned task so make sure it gets done on time.



The same processes apply to any other assignment as well. When you have nothing left on your home page, you are up to date on all assigned tasks.

In addition to your Home Page, you will also have access to a drop down option noted as “MY PAGES”. Below is a view of what you’re MY PAGES options include



There are options in this dropdown will allow you to see all of your personal and completed past tasks. Basically these are archived tasks previously assigned and completed and allow you the ability to review them if you choose to do so.

Towards the bottom of your “My Pages” dropdown Option, you will see a “View All Policies” option. If the Agency Administrators for this system have provided the ability for you to see all the agency policy folders, you will be able to open the folder and review policies at any time provided you have a device and internet connection. As a reminder, this system requires you to use Internet Explorer 11 or above OR Google Chrome.

Logging in outside the department is the same as logging in internally. You will login by navigating to www.pmamhcm.com and enter your User Name, (email address), and your personal password. Passwords will expire every 90 days and will need to be reset.

How am I Notified When Assigned a Task to Complete?

An automated email will be sent to each to you when you are assigned a task. A task is defined as a Policy Review, a Training Event, a Survey, or participation in a Performance Evaluation. This automated email will provide you with what has been assigned along with a due date of completion. Once completed you will mark as completed and the task is completed.

What do I Forgot my password?

Resetting your password is easy!
Go to www.pmamhcm.com
Near the top of this page you will see where you would normally login with your user name and password.
Just below the User Name and Password fields you will see a “FORGOT PASSWORD” option.
When you click on FORGOT PASSWORD, a dialog box opens and asks for your email address.
The system automates an email with a link to reset your password and you are set to go.

TRAINING BULLETIN2020-01

To: All Personnel

Subject: Tobacco 21 **Date:** Monday, March 2, 2020

1. As of October 17, 2019 it is illegal to give, sell, or otherwise distribute cigarettes, other tobacco products, or alternative nicotine products like e-cigarette/vaping products to any person under the age of 21. See Ohio Revised Code 2927.02 (http://codes.ohio.gov/orc/2927.02v2)for the law's exact language.

2. Types of Products Covered by Tobacco 21 Law: Cigarettes, Electronic smoking devices (vapes, e-cigs, tanks), Cigars, Pipe tobacco, Chewing tobacco, Snuff, Snus, Dissolvable nicotine products, Filters, rolling papers, pipes, blunts, or hemp wraps, Liquids used in electronic smoking devices (whether or not they contain nicotine), Vapor products (any component, part or additive that is intended for use in an electronic smoking device, a mechanical heating element, battery, or electronic circuit and is used to deliver the product, see ORC 2927.02 for full list)

3. Types of Products Excluded from Tobacco 21 Law: Tobacco and vapor products do not include any product that is a drug, device, or combination product as those terms are defined or described in 21 U.S.C. 321 and 353(g) – products such as nicotine replacement therapy for use when quitting tobacco.

4. How is the law enforced?

As of October 17th, 2019 there are several organizations that conduct compliance checks for the law. The United States Food and Drug Administration does a sample of checks in Ohio through a third-party contracted agency. The Ohio Department of Public Safety/Ohio Investigative Unit is contracted to complete compliance checks throughout Ohio by the Ohio Department of Health and the Ohio Department of Mental Health and Addiction Services. Additionally, many local health departments are also conducting compliance checks as part of grant funded activities or as part of stricter local Tobacco 21 ordinances that have been passed in their jurisdictions.

5. All compliance checks are unannounced and use trained youth or young adults to conduct the compliance checks.

See attached.

DO YOU SELL TOBACCO PRODUCTS?

It’s illegal to sell tobacco products to people under the age of 21.

About

of current smokers ages 15 to 17 reported obtaining cigarettes from friends

of adult smokers begin smoking before they t

References for statistics can be found online: www.odh.ohio.gov/know-our-programs/tobacco-use-prevention-and-cessation

Know the Law

Beginning October 17, 2019, it is illegal to sell any tobacco or vaping product to any person under the age of 21 (there is no grandfathering clause).

Retailers must post a sign indicating it is illegal to sell tobacco and vaping products to anyone under the age of 21. The sign must be clearly visible and have lettering at least ½ inch high. A sign has been included for your use and more may be ordered or downloaded at the Ohio Department of Mental Health and Addiction Services or the Ohio Department of Health websites.

When selling tobacco to anyone under the age of 21 both the person selling and the owner of the retail establishment may face criminal penalties that increase after the first violation.

accoandvapingproductsinclu utarenotlimitedto:

Liquids used in electronic smoking devices *(whether or not they contain nicotine).*

Vapor products- *Any component, part, or additive that is intended for use in an electronic smoking device, a mechanical heating element, battery, or electronic circuit and is used to deliver the product. (See ORC 2927*

Cigarettes
Electronic smoking devices
Cigars
Pipe tobacco
Chewing tobacco
Snuff
Snus
Dissolvable nicotine products
Filters, rolling papers, pipes, blunt, or hemp wraps

NOTE: Tobacco and vapor products do not include any product that is a drug, device, or combination product such as those terms are defined or described in 21 U.S.C. 321 and 353(g)- products such as nicotine replacement therapy for use when quitting tobacco.

Department of Health
Department of Mental Health and Addiction Services

Ohio Tobacco Free Ohio
Ohio Department of Health

Quit Line:
1-800-QUIT-NOW

RC 2927.02. Illegal distribution of tobacco products.[Effective October 17, 2019]

(A)

As used in this section and sections 2927.021 and 2927.022 of the Revised Code:

(1)

"Age verification" means a service provided by an independent third party (other than a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes) that compares information available from a commercially available database, or aggregate of databases, that regularly are used by government and businesses for the purpose of age and identity verification to personal information provided during an internet sale or other remote method of sale to establish that the purchaser is twenty-one years of age or older.

(2)

(a)

"Alternative nicotine product" means, subject to division (A)(2)(b) of this section, an electronic smoking device, vapor product, or any other product or device that consists of or contains nicotine that can be ingested into the body by any means, including, but not limited to, chewing, smoking, absorbing, dissolving, or inhaling.

(b)

"Alternative nicotine product" does not include any of the

(i) Any cigarette or other tobacco product;

(ii) Any product that is a "drug" as that term is defined in21 U.S.C.321(g)(1);

(iii) Any product that is a "device" as that term is defined in21 U.S.C.321(h);

(iv) Any product that is a "combination product" as described in 21 U.S.C. 353(g).

(3)

"Cigarette" includes clove cigarettes and hand-rolled cigarettes.

(4)

"Distribute" means to furnish, give, or provide cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to the ultimate consumer of the cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes.

(5)

"Electronic smoking device" means any device that can be used to deliver aerosolized or vaporized nicotine or any other substance to the person inhaling from the device including an electronic cigarette, electronic cigar, electronic hookah, vaping pen, or electronic pipe. "Electronic smoking device" includes any component, part, or accessory of such a device, whether or not sold separately, and includes any substance intended to be aerosolized or vaporized during the use

of the device. “Electronic smoking device” does not include any product that is a drug, device, or combination product, as those terms are defined or described in21 U.S.C. 321and353(g).

(6)

“Proof of age” means a driver’s license, a commercial driver’s license, a military identification card, a passport, or an identification card issued under sections 4507.50 to 4507.52 of the Revised Code that shows that a person is eighteen years of age or older.

(7)

“Tobacco product” means any product that is made or derived from tobacco or that contains any form of nicotine, if it is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, a cigarette, an electronic smoking device, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. “Tobacco product” also means any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, blunt or hemp wraps, and liquids used in electronic smoking devices, whether or not they contain nicotine. “Tobacco product” does not include any product that is a drug, device, or combination product, as those terms are defined or described in21 U.S.C. 321and353(g).

(8)

“Vapor product” means a product, other than a cigarette or other tobacco product as defined in Chapter 5743. of the Revised Code, that contains or is made or derived from nicotine and that is intended and marketed for human consumption, including by smoking, inhaling, snorting, or sniffing. “Vapor product” includes any component, part, or additive that is intended for use in an electronic smoking device, a mechanical heating element, battery, or electronic circuit and is used to deliver the product. “Vapor product” does not include any product that is a drug, device, or combination product, as those terms are defined or described in21 U.S.C. 321and353(g).“Vapor product” includes any product containing nicotine regardless of concentration.

(9)

“Vending machine” has the same meaning as “coin machine” in section 2913.01 of the Revised Code.

(B)

No manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes, no agent, employee, or representative of a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes, and no other person shall do any of the following:

(1)

Give, sell, or otherwise distribute cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to any person under twenty-one years of age;

(2) Give away, sell, or distribute cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes in any place that does not have posted in a conspicuous place a legibly printed sign in letters at least one-half inch high stating that giving, selling, or otherwise distributing cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to a person under twenty-one years of age is prohibited by law; (3) Knowingly furnish any false information regarding the name, age, or other identification of any person under twenty-one years of age with purpose to obtain cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes for that person; (4) Manufacture, sell, or distribute in this state any pack or other container of cigarettes containing fewer than twenty cigarettes or any package of roll-your-own tobacco containing less than six-tenths of one ounce of tobacco; (5) Sell cigarettes or alternative nicotine products in a smaller quantity than that placed in the pack or other container by the manufacturer; (6) Give, sell, or otherwise distribute alternative nicotine products, papers used to roll cigarettes, or tobacco products other than cigarettes over the internet or through another remote method without age verification. (C) No person shall sell or offer to sell cigarettes, other tobacco products, or alternative nicotine products by or from a vending machine, except in the following locations: (1) An area within a factory, business, office, or other place not open to the general public; (2) An area to which persons under twenty-one years of age are not generally permitted access; (3) Any other place not identified in division (C)(1) or (2) of this section, upon all of the following conditions: (a) The vending machine is located within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of that person, so that all cigarettes, other tobacco product, and alternative nicotine product purchases from the vending machine will be readily observed by the person who owns or operates the place or an employee of that person. For the purpose of this section, a vending machine located in any unmonitored area, including an unmonitored coatroom, restroom, hallway, or outer waiting area, shall not be considered located within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of that person.

(b) The vending machine is inaccessible to the public when the place is closed.
(c) A clearly visible notice is posted in the area where the vending machine is located that states the following in letters that are legibly printed and at least one-half inch high:

(D) "It is illegal for any person under the age of 21 to purchase tobacco or alternative nicotine products."

(1) The following are affirmative defenses to a charge under division (B)(1) of this

(2) The person under twenty-one years of age was accompanied by a parent, spouse who is twenty-one years of age or older, or legal guardian of the person under twenty-one years of age.

(E) The person who gave, sold, or distributed cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to a person under twenty-one years of age under division (B)(1) of this section is a parent, spouse who is twenty-one years of age or older, or legal guardian of the person under twenty-one years of age.

(1) It is not a violation of division (B)(1) or (2) of this section for a person to give or otherwise distribute to a person under twenty-one years of age cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes while the person under twenty-one years of age is participating in a research protocol if all of the following apply:

(2) The parent, guardian, or legal custodian of the person under twenty-one years of age has consented in writing to the person under twenty-one years of age participating in the research protocol.

(3) An institutional human subjects protection review board, or an equivalent entity, has approved the research protocol.

(F)(1) The person under twenty-one years of age is participating in the research protocol at the facility or location specified in the research protocol.

Whoever violates division (B)(1), (2), (4), (5), or (6) or (C) of this section is guilty of illegal distribution of cigarettes, other tobacco products, or alternative nicotine products. Except as otherwise provided in this division, illegal distribution of cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the fourth degree. If the offender previously has been convicted of a violation of division (B)(1), (2), (4), (5), or (6) or (C) of this section, illegal distribution of cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the third degree.

(2) Whoever violates division (B)(3) of this section is guilty of permitting a person under twenty-one years of age to use cigarettes, other tobacco products, or alternative nicotine products. Except as otherwise provided in this division, permitting a person under twenty-one years of age to use cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the fourth degree. If the offender previously has been convicted of a violation of division (B)(3) of this section, permitting a person under twenty-one years of age to use cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the third degree.

(G) Any cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes that are given, sold, or otherwise distributed to a person under twenty-one years of age in violation of this section and that are used, possessed, purchased, or received by a person under twenty-one years of age in violation of section 2151.87 of the Revised Code are subject to seizure and forfeiture as contraband under Chapter 2981. of the Revised Code.

HISTORY:140 v H 152 (Eff 9-26-84);144 v S 40(Eff 10-23-91);148 v S 218(Eff 3-15-2001); 149 v H 393(Eff 7-5-2002);149 v S 242. Eff 9-19-2002;151 v H 241, § 1, eff. 7-1-07;2014 HB 144,§ 1, eff. Aug. 2, 2014;2019 hb166, § 101.01, effective October17, 2019.

RC 2927.024. Penalty for furnishing false information.(Effective October 17, 2019)

(A) No person who is eighteen years of age or older but younger than twenty-one years of age shall knowingly furnish false information concerning that person's name, age, or other identification for the purpose of obtaining tobacco products.

(B) Whoever violates division (A) of this section is guilty of furnishing false information to obtain tobacco products. Except as otherwise provided in this division, furnishing false information to obtain tobacco products is a misdemeanor of the fourth degree. If the offender previously has been convicted of or pleaded guilty to a violation of division (A) of this section, furnishing false information to obtain tobacco products is a misdemeanor of the third degree.

HISTORY:2019 hb166, § 101.01, effective October 17, 2019.

RC 2151.87. Prohibition against a child possessing, using, purchasing or receiving tobacco products, or knowingly furnishing false information; exemptions; penalty.(Effective October 17, 2019)

(A)

As used in this section: "Tobacco product" has the same meaning as in section 2927.02 of the Revised Code. (B)

No child shall do any of the following unless accompanied by a parent, spouse, or legal guardian of the child, each of whom shall be twenty-one years of age or older: (1)

Use, consume, or possess tobacco products; (2) Purchase or attempt to purchase tobacco products; (3)

Order, pay for, or share the cost of tobacco products; (4)

Except as provided in division (E) of this section, accept or receive tobacco (C)

No child shall knowingly furnish false information concerning that child's name, age, or other identification for the purpose of obtaining tobacco products. (D)

A juvenile court shall not adjudicate a child a delinquent or unruly child for a violation of this section. (E) (1)

It is not a violation of division (B)(4) of this section for a child to accept or receive tobacco products if the child is required to do so in the performance of the child's duties as an employee of that child's employer and the child's acceptance or receipt of tobacco products occurs exclusively within the scope of the child's employment. (2)

It is not a violation of division (B)(1), (2), (3), or (4) of this section if the child possesses, purchases or attempts to purchase, orders, pays for, shares the cost of, or accepts or receives tobacco products while participating in an inspection or compliance check conducted by a federal, state, local, or corporate entity at a location at which tobacco products are sold or distributed. (F)

If a juvenile court finds that a child violated division (C) of this section, the court may require the child to perform not more than twenty hours of community service.

HISTORY:148 v S 218(Eff 3-15-2001);149 v H 393.Eff 7-5-2002;152 v H 544,§ 1, eff. 5-6-08; 2014 HB 144,§ 1, eff. Aug. 2, 2014;2019 hb166,§ 101.01.

RC 2927.022. Affirmative defense to a cigarette or tobacco product charge.(Effective October 17, 2019)

(A)

A seller or an agent or employee of a seller may not be found guilty of a charge of a violation of section 2927.02 of the Revised Code in which the age of the purchaser or other recipient of cigarettes, other tobacco products, or alternative nicotine products is an element of the alleged violation, if the seller, agent, or employee raises and proves as an affirmative defense that all of the following occurred:

(1)

A card holder attempting to purchase or receive cigarettes, other tobacco products, or alternative nicotine products presented a driver's or commercial driver's license or an identification card.

(2)

A transaction scan of the driver's or commercial driver's license or identification card that the card holder presented indicated that the license or card was valid.

(3)

The cigarettes, other tobacco products, or alternative nicotine products were sold, given away, or otherwise distributed to the card holder in reasonable reliance upon the identification presented and the completed transaction scan.

(B)

In determining whether a seller or an agent or employee of a seller has proven the affirmative defense provided by division (A) of this section, the trier of fact in the action for the alleged violation of section 2927.02 of the Revised Code shall consider any written policy that the seller has adopted and implemented and that is intended to prevent violations of section 2927.02 of the Revised Code. For purposes of division (A)(3) of this section, the trier of fact shall consider that reasonable reliance upon the identification presented and the completed transaction scan may require a seller or an agent or employee of a seller to exercise reasonable diligence to determine, and that the use of a transaction scan device does not excuse a seller or an agent or employee of a seller from exercising reasonable diligence to determine, the following:

(1)

Whether a person to whom the seller or agent or employee of a seller sells, gives away, or otherwise distributes cigarettes, other tobacco products, or alternative nicotine products is twenty-one years of age or older;

(2)

Whether the description and picture appearing on the driver's or commercial driver's license or identification card presented by a card holder is that of the card holder.

(C)

In any criminal action in which the affirmative defense provided by division (A) of this section is raised, the registrar of motor vehicles or a deputy registrar who issued an identification card under sections 4507.50 to 4507.52 of the Revised Code shall be permitted to submit certified copies of the records of that issuance in lieu of the testimony of the personnel of or contractors with the bureau of motor vehicles in the action.

HISTORY:148 v S 200.Eff 9-21-2000;2014 HB 144,§ 1, eff. Aug. 2, 2014;2019 hb166, § 101.01, effective October 17, 2019.

TRAINING BULLETIN 2020-02

To: All Personnel

Subject: Health Department Order Violations and Summons In-Lieu of Arrest

Date: Wednesday April 8, 2020

On March 20, 2020 the Director of the Ohio Department of Health issued an order for the citizens of Ohio to stay at home and not congregate; to prevent the spread of the COVID-19 virus. This order was amended on April 2, 2020 by the Director of the Ohio Department of Health extended the stay at home order until May 1, 2020 and adding new restrictions. (See Appendix B).

1. Springfield Police Officers may respond to events, or situations, in which citizens are in violation of the above orders. <u>The initial response to these events or situations shall be to encourage people to return to their homes voluntarily.</u> *Patience and persuasion toward this end are very important.*

2. Springfield Police Officers will not conduct traffic, or pedestrian, stops solely to determine if a person is engaging in permitted activity, as defined under the Stay-At-Home order.

3. It is recognized that some individuals may choose disobey the Director of the Ohio Department of Health's orders and a Springfield Police Division officer's orders to comply.

4. In the event that a person, or persons, choose to violate these orders, despite the officers best efforts to seek compliance, they may be issued a **"Summons In-Lieu of Arrest"** under the following section:

   3701.352 Violations Prohibited: No person shall violate any rule the director of health or department of health issued under this chapter to prevent a threat to the public caused by a pandemic, epidemic, or bio-terrorism event.
   A violation of this section of the Ohio Revised Code is a misdemeanor of the 2nd Degree and is punishable by up to 90 days in jail and/or a $750 fine.

5. This charge shall be placed on a **"SUMMONS IN LIEU OF ARREST WITHOUT WARRANT AND AFFIDAVIT UPON SUCH SUMMONS**" form, and issued to the defendant in the field. (See Appendix A, for an example.)

   A. The summons affidavit should mirror that shown in Appendix A, including the items struck (or lined) out, as appropriate.

      1) If the summons affidavit is for a juvenile offender the officer must strike out the Clark County Municipal Court instead, and leave the Clark County Juvenile Court as the court of record.

      2) If the summons affidavit is for a juvenile offender the officer will identify two charges on the affidavit: 2151.021 Juvenile Delinquent/3751.0352 Violations Prohibited. These same items must also be identified on outside of the blue summons "jacket."

   B. The summons affidavit shall be printed neatly, so that anyone who reads them can understand what was written <u>(Note: you must press firmly when filling out the summons affidavit, so that all five copies are legible).</u>

   C. The officer will sign the summons affidavit in the field and **issue the goldenrod (dark yellow) "file" copy of the summons affidavit** to the adult defendant with instructions that they must appear twelve (12) weeks after the normal date and time they would have been required to appear (See Appendix C: Municipal Court Temporary Emergency Order 20-COVID19-002), or a warrant will be issued for the offender's arrest.

      1) In the case of a juvenile defendant, the **"goldenrod" file copy of the summons affidavit** will be given to the <u>juvenile defendant's parent or guardian</u> with instructions that they will receive notice from the Clark County Juvenile Court when they are to appear (the officer will write "**TBD**" (to be determined) in the appearance date field).

D. The officer should photograph **adult** offenders in the field.

1) A copy of this photograph should be included with the affidavit submitted to the court.

2) Be sure to properly label the photograph with the date and time it was taken, the name and date of birth of the offender, and the name of the arresting officer.

3) The officer will take steps to ensure the photos are uploaded to the server as a permanent record.

E. Juvenile offenders cannot be photographed for misdemeanor offenses; and should not be photographed.

F. Upon completion of the work in the field the officer will then complete an arrest report page 1 and page 2.

A sample arrest narrative may read as follows:
On (date) at (time) Officers (officer's names) arrested (defendant's name) at (location) for violation of the orders of the Ohio Director of Health and refusal to comply after repeated warnings to do so by the officers.
Specifically, the defendant was engaged in the following activity (describe in detail the activity and the number of people involved). This activity was in direct violation of section (list the section and page number) of the Ohio Director of Health's order dated xx/xx/xxxx.
Officers directed the defendant(s) to (describe what you told them to do, in detail) and the defendant(s) refused to comply.
At the time of the offense the order issued by the Ohio Director of Health had been in place since (issue date of current order, in this case April 2, 2020) and was effective through (end date of current order, in this case, May 1, 2020.)

1) A copy of both pages will be presented to a supervisor for review.

2) Once approved, the supervisor will ask the officer to swear to the truths and facts of the affidavit and the supervisor will notarize the affidavit.

3) Upon completion of these steps the officer will send a copy of page one, and page two to the jail clerk to be entered as an order-in arrest.

G. The officer will insert both signed and notarized court copies, the arrest report pages 1 and 2, and the photograph of the defendant into the arrest jacket and place it in the Court Drawer.

H. The officer will attach a copy of the arrest report, along with a properly labeled copy of the photo of the defendant to the "file copies," and place them in the Records Drawer.

I. <u>Officers who have questions, or concerns with regard to this training bulletin should direct them to their immediate supervisor.</u>

6. Staff Services personnel will enter the arrests into NWS and will keep the copies of these arrest reports in an alphabetical file for reference.

A. This reference file may be used for future court purposes or for documentation with regard to expenses related to the CV-19 outbreak.

B. Once the emergency is over, and the separate file is no longer needed, the arrest reports will be filed in the arrest jackets.

Case No. .....

CLARK COUNTY MUNICIPAL COURT OF SPRINGFIELD, OHIO

THE STATE OF OHIO

~~THE CITY OF SPRINGFIELD~~

vs.

.....DEFENDANT'S NAME.....
.....DEFENDANT'S ADDRESS....
.....
D. O. B. .....XX/XX/XXXX.....
S. S. NO.....XXX-XX-XXXX.....

Charge: VIOLATIONS PROHIBITED
Violation: 3701.352 ORC
Max. Pen.: 2ND DEGREE MISDEMEANOR
90 DAYS JAIL
AND/OR $750 FINE

Date of Arrest: XX/XX/XXXX
Date of Arraignment: XX/XX/XXXX
Bond Posted — Cash — Surety
Amount: _____

ORDERED TO APPEAR

~~XXXX

Ohio | Department of Health

Mike DeWine, Governor
Jon Husted, Lt. Governor

Amy Acton, M.D., MPH, Director

AMENDED DIRECTOR'S STAY AT HOME ORDER

Re: Amended Director's Order that All Persons Stay at Home Unless Engaged in Essential Work or Activity

I, Amy Acton, MD, MPH, Director of the Ohio Department of Health (ODH), pursuant to the authority granted to me in R.C. 3701.13 to "make special orders...for preventing the spread of contagious or infectious diseases" **Order** the following to prevent the spread of COVID-19 into the State of Ohio:

1. **Stay at home or place of residence**. With exceptions as outlined below, all individuals currently living within the State of Ohio are ordered to stay at home or at their place of residence except as allowed in this Order. To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible, maintain social distancing of at least six feet from any other person, with the exception of family or household members, consistent with the Social Distancing Requirements set forth in this Order. All persons may leave their homes or place of residence only for Essential Activities, Essential Governmental Functions, or to participate in Essential Businesses and Operations, all as defined below.

   Individuals experiencing homelessness are exempt from this Order, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to use in their operation COVID-19 risk mitigation practices recommended by the U.S. Centers for Disease Control and Prevention (CDC) and the Ohio Department of Health (ODH)). This order does not apply to incarcerated individuals, they are to follow the guidance of the facility in which they are confined. Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of this Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities.

2. **Non-essential business and operations must cease**. All businesses and operations in the State, except Essential Businesses and Operations as defined below, are required to cease all activities within the State except Minimum Basic Operations, as defined below. For clarity, businesses, including home-based businesses, may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home) or where the business consists of a single person, so long as all safe workplace safety standards are met.

   All Essential Businesses and Operations are encouraged to remain open. Essential Businesses and Operations shall comply with Social Distancing Requirements as defined in this Order, including by maintaining six-foot social distancing for both employees and members of the public at all times, including, but not limited to, when any customers are standing in line.

3. **Prohibited activities.** All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes permitted by this Order. Any gathering of more than ten people is prohibited unless exempted by this Order. This is in accordance with President Trump's coronavirus guidelines issued March 16, 2020. Nothing in this Order prohibits the gathering of members of a household or residence.

   All places of public amusement, whether indoors or outdoors, including, but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs shall be closed. Recreational sports tournaments, organized recreational sports leagues, residential and day camps shall be prohibited. Swimming pools, whether public or private, shall be closed, unless it is a swimming pool for a single household. Campgrounds shall be closed, except that persons residing in recreational vehicles ("RVs") at campgrounds who genuinely have no other viable place of residence may remain in the campground. This campground closure also excludes cabins, mobile homes, or other fixed structure, meant for a single family in situations where no other viable place of residence exists. Such persons should comply with all applicable guidance from the U.S. Centers for Disease Control and Prevention and the Ohio Department of Health regarding social distancing.

4. **Prohibited and permitted travel.** Only Essential Travel and Essential Activities as defined herein, are permitted. People riding on public transit must comply with Social Distancing Requirements to the greatest extent feasible. This Order allows travel into or out of the State to maintain Essential Businesses and Operations and Minimum Basic Operations. However, persons entering the State with the intent to stay are asked to self-quarantine for fourteen days. For purposes of clarity this does not apply to persons who as part of their normal life live in one state and work or gain essential services in another state. Persons who have tested positive for COVID-19, are presumptively diagnosed with COVID-19 or are exhibiting the symptoms identified in the screening guidance available from the U.S. Centers for Disease Control and Prevention and the Ohio Department of Health shall not enter the State, unless they are doing so under medical orders for the purposes of medical care, are being transported by Emergency Medical Services (EMS), are driving or being driven directly to a medical provider for purposes of initial care, or are a permanent resident of the State.

5. **Leaving the home for Essential Activities is permitted.** For purposes of this Order, individuals may leave their residence only to perform any of the following Essential Activities:

   a. **For health and safety**. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members or persons who are unable or should not leave their home (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.

   b. **For necessary supplies and services.** To obtain necessary services or supplies for themselves and their family or household members or persons who are unable or should not leave their home, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need to work from home, automobile and boat supplies (including showrooms, dealers, parts, supplies,

repair, delivery of boats and vehicles, shipping, and maintenance), accessing self-storage facilities, and products necessary to maintain the safety, sanitation, and essential operation of residences.

c. **For outdoor activity.** To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, as defined below, such as, by way of example and without limitation, walking, hiking, running, or biking. Individuals may go to public parks and open outdoor recreation areas. However, public access playgrounds may increase spread of COVID-19, and therefore shall be closed.

d. **For certain types of work** To perform work providing essential products and services at Essential Businesses or Operations (which, as defined below, includes Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure) or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.

e. **To take care of others.** To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Order. This includes attending weddings and funerals.

6. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19, including elderly people and those who are sick, are urged to stay in their residence to the extent possible except as necessary to seek medical care. Nothing in this Order prevents the Department Health or local health departments from issuing and enforcing isolation and quarantine orders.

7. **Healthcare and Public Health Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services through Healthcare and Public Health Operations.

   Healthcare and Public Health Operations includes, but is not limited to: hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; licensed medical marijuana dispensaries and licensed medical marijuana cultivation centers; obstetricians and gynecologists; eye care centers, including those that sell glasses and contact lenses; home healthcare services providers; mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; and entities that transport and dispose of medical materials and remains.

   Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

   Healthcare and Public Health Operations also includes veterinary care and all healthcare services provided to animals.

Healthcare and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare and Public Health Operations does not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.

8. **Human Services Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services at any Human Services Operations, including any provider funded by the Ohio Department of Aging, Department of Developmental Disabilities, Department of Health, Department of Job and Family Services, Department of Medicaid, Department of Mental Health and Addiction Services, Opportunities for Ohioans with Disabilities, Department of Veterans Services, and Department of Youth Services that is providing services to the public and including state-operated, institutional, or community-based settings providing human services to the public.

   Human Services Operations includes, but is not limited to: long-term care facilities; day care centers, day care homes, group day care homes; residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

   Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

9. **Essential Infrastructure.** For purposes of this, individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure.

   Essential Infrastructure includes, but is not limited to: food production, distribution, fulfillment centers, storage facilities, marinas, and sale; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, school construction, essential business construction, and housing construction); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

   Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

10. **Essential Governmental Functions**. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, legislators, judges, court personnel, jurors and grand jurors, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support Essential Businesses and Operations are categorically exempt from this Order.

    Essential Government Functions means all services provided by the State or any municipality, township, county, political subdivision, board, commission or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Government Functions. Each government body shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions.

    This Order does not apply to the United States government. Nothing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions.

11. **Businesses covered by this Order.** For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure.

12. **Essential Businesses and Operations.** For the purposes of this Order, Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure, and the following:

    a. **CISA List**. On March 28, 2020, the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA), issued an updated *Advisory Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response.* The definition of Essential Businesses and Operations in this Order includes all the workers identified in that Memorandum or any updated versions of the Memorandum issued by CISA;

    b. **Stores that sell groceries and medicine.** Grocery stores, pharmacies, farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, prepared food, alcoholic and non-alcoholic beverages, any other household consumer products (such as cleaning and personal care products), and specifically includes their supply chain and administrative support operations. This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations. Stores shall determine and enforce the maximum capacity of persons permitted in any store such that at all persons in a store at any one time may safely and comfortably maintain a six-foot distance from each other. Every store shall prominently display at every entrance the maximum capacity number. Every store shall ensure that baskets, shopping carts and the like are properly cleaned between customers. If a line is present either

inside or outside the store, a six-foot distance shall be maintained between those not residing in the same household;

c. **Food, beverage, and licensed marijuana production and agriculture**. Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; licensed medical marijuana use, medical marijuana dispensaries and licensed medical marijuana cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;

d. **Organizations that provide charitable and social services.** Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;

e. **Religious entities.** Religious facilities, entities and groups and religious gatherings, including weddings and funerals. Wedding receptions are subject to the ten-person limitation in Section 3 of this Order. Weddings and funerals are not subject to the ten-person limitation in Section 3 of this Order;

f. **Media.** Newspapers, television, radio, and other media services;

g. **First amendment protected speech;**

h. **Gas stations and businesses needed for transportation.** Gas stations and auto supply, auto-repair, farm equipment, construction equipment, boat repair, and related facilities and bicycle shops and related facilities;

i. **Financial and insurance institutions.** Bank, currency exchanges, consumer lenders, including but not limited, to pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, payday lenders, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products. Also insurance companies, underwriters, agents, brokers, and related insurance claims and agency services;

j. **Hardware and supply stores.** Hardware stores, garden centers, nurseries, and businesses that sell electrical, plumbing, and heating material;

k. **Critical trades.** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;

l. **Mail, post, shipping, logistics, delivery, and pick-up services.** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods, vehicles or services to end users or through commercial channels;

m. **Educational institutions.** Educational institutions-including public and private pre-K-12 schools, colleges, and universities-for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible. This Order is consistent with and does not amend or supersede prior Orders regarding the closure of schools;

n. **Laundry services.** Laundromats, dry cleaners, industrial laundry services, and laundry service providers;

o. **Restaurants for consumption off-premises.** Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property. This Order is consistent with and does not amend or supersede prior Orders regarding the closure of restaurants;

p. **Supplies to work from home.** Businesses that sell, manufacture, or supply products needed for people to work from home;

q. **Supplies for Essential Businesses and Operations.** Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, printing services, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;

r. **Transportation.** Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, marinas, docks, boat storage, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Order;

s. **Home-based care and services.** Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery;

t. **Residential facilities and shelters.** Residential facilities and shelters for adults, seniors, children, pets, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;

u. **Professional services.** Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services);

v. **Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations;

w. **Critical labor union functions.** Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses and Operations - provided that these checks should be done by telephone or remotely where possible;

x. **Hotels and motels.** Hotels and motels, to the extent used for lodging and delivery or carry-out food services;

y. **Funeral services.** Funeral, mortuary, cremation, burial, cemetery, and related services.

13. **Minimum Basic Operations.** For the purposes of this Order, Minimum Basic Operations include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:

    a. The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.

    b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

14. **Essential Travel.** For the purposes of this Order, Essential Travel includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.

    a. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses and Operations, or Minimum Basic Operations.

    b. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.

    c. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.

    d. Travel to return to a place of residence from outside the jurisdiction.

    e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.

    f. Travel required for non-residents to return to their place of residence outside the State. Individuals are strongly encouraged to verify that their transportation out of the State remains available and functional prior to commencing such travel.

15. **Social Distancing Requirements.** For purposes of this Order, Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

    a. **Required measures.** Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:

        i. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;

        ii. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;

        iii. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers; and

        iv. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

16. **Intent of this Order.** The intent of this Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the greatest extent possible. When people need to leave their places of residence, whether to perform Essential Activities, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times and as much as reasonably possible comply with Social Distancing Requirements. All provisions of this Order should be interpreted to effectuate this intent.

17. **Enforcement.** This Order may be enforced by State and local law enforcement to the extent set forth in Ohio law. Specifically, pursuant to R.C 3701.352 "[n]o person shall violate any rule the director of health or department of health adopts or any order the director or department of health issues under this chapter to prevent a threat to the public caused by a pandemic, epidemic, or bioterrorism event." R.C. 3701.56 provides that "[b]oards of health of a general or city health district, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and other officers and employees of the state or any county, city, or township, shall enforce quarantine and isolation orders, and the rules the department of health adopts." To the extent any public official enforcing this Order has questions regarding what services are prohibited under this Order, the Director of Health hereby delegates to local health departments the authority to answer questions in writing and consistent with this Order, but does not require local health departments to provide advisory opinions to nongovernmental entities.

18. **Penalty.** A violation of R.C. 3701.352 is guilty of a misdemeanor of the second degree, which can include a fine of not more than $750 or not more than 90 days in jail, or both.

19. **COVID-19 Information and Checklist for Businesses/Employers.** Business and employers are to take the following actions:

    a. Allow as many employees as possible to work from home by implementing policies in areas such as teleworking and video conferencing.

b. Actively encourage sick employees to stay home until they are free of fever (without the use of medication) for at least 72 hours (three full days) AND symptoms have improved for at least 72 hours AND at least seven days have passed since symptoms first began. Do not require a healthcare provider's note to validate the illness or return to work of employees sick with acute respiratory illness; healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way.

c. Ensure that your sick leave policies are up to date, flexible, and non-punitive to allow sick employees to stay home to care for themselves, children, or other family members. Consider encouraging employees to do a self-assessment each day to check if they have any COVID-19 symptoms (fever, cough, or shortness of breath).

d. Separate employees who appear to have acute respiratory illness symptoms from other employees and send them home immediately. Restrict their access to the business until they have recovered.

e. Reinforce key messages — stay home when sick, use cough and sneeze etiquette, and practice hand hygiene — to all employees, and place posters in areas where they are most likely to be seen. Provide protection supplies such as soap and water, hand sanitizer, tissues, and no-touch disposal receptacles for use by employees.

f. Frequently perform enhanced environmental cleaning of commonly touched surfaces, such as workstations, countertops, railings, door handles, and doorknobs. Use the cleaning agents that are usually used in these areas and follow the directions on the label. Provide disposable wipes so that commonly used surfaces can be wiped down by employees before each use.

g. Be prepared to change business practices if needed to maintain critical operations (e.g., identify alternative suppliers, prioritize customers, or temporarily suspend some of your operations).

20. **No limitation on authority.** Nothing in this Order shall, in any way, alter or modify any existing legal authority allowing the State or any local health department from ordering (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency, or (2) any closure of a specific location for a limited period of time, including the duration of this public health emergency.

21. **Savings clause.** If any provision of this Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Order are declared to be severable.

22. **Previous Orders superseded.** This Order supersedes, only to the extent that it conflicts, and amends any previous Order which conflicts with the provisions of this Order.

23. **Dispute Resolution.** If any local health department issues a determination under Section 17 of this Order that is in conflict with a determination issued by a different local health department, then the conflict may be submitted to the ODH by either of the local health departments or an entity or person subject to the determination. A Dispute Resolution Commission appointed by the Director of Health shall review the conflict and make a determination as to the application of this Order to the conflict. The decision of the Dispute Resolution Commission shall be final.

24. Duration. This Order shall be effective at 11:59 p.m. on April 6, 2020 and remains in full force and effect until 11:59 p.m. on May 1, 2020, unless the Director of the Ohio Department of Health rescinds or modifies this Order at a sooner time and date.

COVID-19 is a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person. The virus is spread between individuals who are in close contact with each other (within about six feet) through respiratory droplets produced when an infected person coughs or sneezes. It may be possible that individuals can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose or eyes.

On January 23, 2020, the Ohio Department of Health issued a Director's Journal Entry making COVID-19 a Class A reportable disease in Ohio.

On January 28, 2020, the Ohio Department of Health hosted the first statewide call with local health departments and healthcare providers regarding COVID-19.

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern.

On January 31, 2020, Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19.

On February 1, 2020, the Ohio Department of Health issued a statewide Health Alert Network to provide local health departments and healthcare providers with updated guidance for COVID-19 and revised Person Under Investigation (PUI) criteria.

On February 3, 2020, the Ohio Department of Health trained over 140 personnel to staff a call center for COVID-19, in the event it was needed.

On February 5, 2020, the Ohio Department of Health began updating and notifying the media of the number of PUIs in Ohio every Tuesday and Thursday.

On February 6, 2020, the Ohio Department of Health updated all agency assistant directors and chiefs of staff on COVID-19 preparedness and status during the Governor's cabinet meeting.

On February 7, 2020, the Ohio Department of Health and the Ohio Emergency Management Agency met to conduct advance planning for COVID-19.

On February 13, 2020, the Ohio Department of Health conducted a Pandemic Tabletop Exercise with State agencies to review responsive actions should there be a pandemic in Ohio.

On February 14, 2020, the Ohio Department of Health held a conference call with health professionals across the state. The purpose of the call was to inform and engage the healthcare community in Ohio. Presentations were provided by the Department of Health, Hamilton County Public Health, and the Ohio State University.

On February 27, 2020, the Ohio Department of Health and the Ohio Emergency Management Agency briefed the directors of State agencies during the Governor's cabinet meeting regarding preparedness and the potential activation of the Emergency Operations Center.

On February 28, 2020, the "Governor DeWine, Health Director Update COVID-19 Prevention and Preparedness Plan" was sent to a broad range of associations representing healthcare, dental, long-term care, K-12 schools, colleges and universities, business, public transit, faith-based organizations, non-profit organizations, and local governments.

On March 2, 2020, the Ohio Department of Health activated a Joint Information Center to coordinate COVID-19 communications.

On March 5, 2020, the Ohio Department of Health hosted the Governor's Summit on COVID-19 Preparedness, a meeting with the Governor, cabinet agency directors, local health department commissioners, and their staff.

On March 6, 2020, the Ohio Department of Health opened a call center to answer questions from the public regarding COVID-19.

On March 9, 2020, testing by the Department of Health confirmed that three (3) patients were positive for COVID-19 in the State of Ohio. This confirms the presence of a potentially dangerous condition which may affect the health, safety and welfare of citizens of Ohio.

On March 9, 2020, the Ohio Emergency Management Agency activated the Emergency Operations Center.

On March 9, 2020, the Governor Declared a State of Emergency in Executive Order 2020-01D.

On March 11, 2020, the head of the World Health Organization declared COVID-19 a pandemic.

On March 11, 2020, testing by the Ohio Department of Health confirmed that one (1) more patient was positive for COVID-19 in the State of Ohio.

On March 11, 2020, the Ohio Departments of Health and Veterans Services issued a Joint Directors' Order to limit access to Ohio nursing homes and similar facilities.

On March 15, 2020, the Ohio Department of Health issued a Director's Order to limit access to Ohio's jails and detention facilities.

On March 15, 2020, the Ohio Department of Health issued a Director's Order to limit the sale of food and beverages, liquor, beer and wine to carry-out and delivery only.

On March 15, 2020, the CDC issued Interim Guidance for mass gatherings or large community events, stating that such events that consist of 50 or more people should be cancelled or postponed.

On March 16, 2020 the Ohio Department of Health issued a Director's Order closing polling locations for the March 17, 2020 primary election.

On March 17, 2020 the Ohio Department of Health issued a Director's Order for the management of non-essential surgeries and procedures throughout Ohio.

On March 17, 2020 the Ohio Department of Health issued an Amended Director's Order to limit and/or prohibit mass gatherings and the closure of venues in the State of Ohio.

On March 19, 2020, the Ohio Department of Health issued a Director's Order closing hair salons, nail salons, barber shops, tattoo parlors, body piercing locations, and massage therapy locations.

Multiple areas of the United States are experiencing "community spread" of the virus that causes COVID-19. Community spread, defined as the transmission of an illness for which the source is unknown, means that isolation of known areas of infection is no longer enough to control spread.

The CDC reports that people are most contagious when they are most symptomatic (the sickest) however some spread might be possible before people show symptoms although that is not the main way the virus spreads.

Mass gatherings (10 or more persons) increase the risk of community transmission of the virus COVID-19.

Accordingly, to avoid an imminent threat with a high probability of widespread exposure to COVID-19 with a significant risk of substantial harm to a large number of people in the general population, including the elderly and people with weakened immune systems and chronic medical conditions, I hereby **ORDER** all persons are to continue to stay at home or their place of residence unless they are engaged in Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations as set forth in this Order. This Order shall remain in full force and effect until 11:59 p.m. on May 1, 2020, unless the Director of the Ohio Department of Health rescinds or modifies this Order at a sooner time and date. To the extent any public official enforcing this Order has questions regarding what services are prohibited under this Order, the Director of Health hereby delegates to local health departments the authority to answer questions in writing and consistent with this Order.

Amy Acton MD MPH

April 2, 2020

Amy Acton, MD, MPH
Director of Health

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GUY A. FERGUSON, CLERK
MUNICIPAL COURT

BY _____, DEPUTY

IN THE MUNICIPAL COURT OF CLARK COUNTY, OHIO

IN RE:	*	
TEMPORARY EMERGENCY ORDER	*	20-COVID19-002
IN RESPONSE TO THE COVID-19	*	
PUBLIC HEALTH CRISIS	*	ADMINISTRATIVE ENTRY
	*	
	*	

* * * *

defendant's presence excused. The Court will schedule subsequent proceedings as the Court deems necessary.

Non-Attorney Pretrial Conferences shall be continued until after May 18, 2020, unless specifically ordered otherwise by the Court.

All trials and motion hearings shall be continued until after May 18, 2020, unless specifically ordered otherwise by the Court.

Motions for Temporary Protection Orders and other emergency matters will be heard at the order of the Court.

All NFT's/Sentencing/Dispositions/Reviews shall be continued until after May 18, 2020.

Probation Violation Hearings shall be held or continued until after May 18, 2020, at the Court's discretion.

Preliminary Hearings will be scheduled in the usual manner, but the presence of Defense Counsel and out of custody defendants shall be excused.

CIVIL CASES

All civil trials are hereby continued, and will be rescheduled by the Court after May 18, 2020.

Civil pretrial matters shall be continued or conducted by telephone conference, as the Court deems necessary.

SMALL CLAIMS, EVICTIONS, GARNISHMENTS, CIVIL CONTEMPT, SHOW CAUSE, DEBTOR'S EXAMS

All proceedings in Small Claims, Forcible Entry and Detainer (Evictions), Garnishments, Civil Contempt, Show Cause, and Debtor's Exams are hereby stayed and shall be continued until after May 18, 2020. The Court will issue scheduling notices as the Court deems necessary.

FAX FILINGS

It is ordered that the Court will temporarily accept filings by facsimile transmission to any of the following numbers.

(937)328-3992 (Judge Trempe)
(937)328-3965 (Judge Moody)
(937)328-3998 (Judge Schumaker)
(937)328-3993 (Magistrate Dressel)
(937)328-3755 (Probation Department)
(937)328-3779 (Clerk of Court)

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GUY A. FERGUSON, CLERK
MUNICIPAL COURT
BY _____ DEPUTY

Thomas E. Trempe,
Presiding/Administrative Judge

Denise L. Moody, Judge

Stephen A. Schumaker, Judge