

# **Woodward Police Department**

## **Policy Manual**

### **LAW ENFORCEMENT CODE OF ETHICS**

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

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

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

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

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession . . . law enforcement.

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### **MISSION STATEMENT**

It is the mission of the Woodward Police Department to safeguard the lives and property of the people we serve, to reduce the incidence and fear of crime, and to enhance public safety while working with the diverse communities to improve their quality of life. Our mandate is to do so with honor and integrity, while always conducting ourselves with the highest ethical standards to maintain public confidence.

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### **Chapter 1 – Law Enforcement Role and Authority**

#### **POLICY 100**

##### **PURPOSE AND SCOPE**

100.1 POLICY It is the policy of the Woodward Police Department to limit its members to only exercise the authority granted to them by law.

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

##### **100.2 PEACE OFFICER POWERS**

Certified members of this department are authorized to exercise peace officer powers pursuant to applicable state law.

##### **100.2.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE WOODWARD POLICE DEPARTMENT.**

The arrest authority within the jurisdiction of the Woodward Police Department includes:

- (a) In compliance with an arrest warrant (Iowa Code § 804.7).
- (b) When the officer has probable cause to believe that a public offense was committed by the person to be arrested (Iowa Code § 804.7).
- (c) When the officer has probable cause to believe that the individual is a material witness to a felony who will likely be unavailable for service of a subpoena, provided that the officer (Iowa Code § 804.11):
  - 1. Identifies him/herself as an officer.
  - 2. Explains the reason for the arrest.
  - 3. Causes the witness to be taken to the nearest or most accessible magistrate to obtain a subpoena (Iowa Code § 804.23).
- (d) When the officer is in full uniform or displaying a badge or other insignia of authority and observes an individual violating or attempting to violate an order which affects the public generally during a state of emergency (Iowa Code § 29C.18).

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### 100.2.2 AUTHORITY OUTSIDE THE JURISDICTION OF THE WOODWARD POLICE DEPARTMENT

The arrest authority of officers outside the jurisdiction of the Woodward Police Department includes:

- (a) In compliance with an arrest warrant (Iowa Code § 804.4).
- (b) When a public offense has been committed or attempted to be committed in the officer's presence (Iowa Code § 804.9).
- (c) When the officer has probable cause to believe the person to be arrested has committed a felony (Iowa § 804.9).
- (d) When an officer who is in full uniform or displaying a badge or other insignia of authority observes an individual violating or attempting to violate an order which affects the public generally during a state of emergency (Iowa Code § 29C.18).

### 100.2.3 GRANTING AUTHORITY TO OTHERS

An officer making a legal arrest may orally summon as many persons as the officer reasonably finds necessary to aid the officer in making the arrest (Iowa Code § 804.17).

### 100.3 INTERSTATE PEACE OFFICER POWERS

The authority of officers may be extended to other states:

- a. As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state (Iowa Code § 804.7B; Iowa Code § 806.1).
- b. When an officer enters the states of Wisconsin, Nebraska, Minnesota, or Missouri in fresh pursuit of a person believed to have committed a felony (Wis. Stat. § 976.04 (Wisconsin); Neb. Rev. Stat. § 29-416 (Nebraska); Minn. Stat. § 626.65 (Minnesota); § 544.155, RSMo (Missouri)).
- c. When an officer enters South Dakota in fresh pursuit of a person believed to have committed a crime in the officer's presence (SDCL § 23A-3-9; SDCL § 23A-3-10 (South Dakota)).
- d. When an officer has entered Illinois in fresh pursuit of a person believed to have committed an offense (725 ILCS 5/107-4 (Illinois)). If an officer makes an arrest in Wisconsin, Nebraska, Minnesota, Missouri, South Dakota or Illinois, the arresting officer shall cause the person to be taken without delay to a judge, magistrate or court in the jurisdiction where

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- e. the arrest was made (Wis. Stat. § 976.04; Neb. Rev. Stat. § 29-417; Minn. Stat. § 626.66; § 544.155, RSMo; SDCL § 23A-3-12; 725 ILCS 5/107-4).

### CONSTITUTIONAL REQUIREMENTS

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

## **POLICY 101**

Chief Executive Officer

### 101.1 PURPOSE AND SCOPE

All law enforcement Chief Executive Officers employed within the State of Iowa are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Executive Officer of the Woodward Police Department, who is required to exercise the powers and duties of the office as prescribed by state law (Iowa Code § 804.7; Iowa Code § 820.9).

### 101.2 POLICY

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

### 101.3 CHIEF OF POLICE REQUIREMENTS

The Chief of Police of this department, as a condition of employment, shall:

- a. Be certified by the Iowa Law Enforcement Academy (ILEA) within one year of employment (Iowa Code § 80B.11).
- b. Meet all of the requirements as specified in Iowa Code § 400.13.

## **POLICY 102**

Oath of Office

### 102.1 PURPOSE AND SCOPE

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

### 102.2 POLICY

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

### 102.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions (Iowa Const. art. XI, § 5; Iowa Code § 63.10).

The form of the oath should be as follows. If a member is opposed to taking an oath, he/she shall be permitted to substitute the word "affirm" for the word "swear".

I, (employee name), do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability, discharge all the duties of the office of (naming it) in (name of township, city, county, district, or state), as now or hereafter required by law.

### 102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as required for any other public record and retained in accordance with the established records retention schedule.

## **POLICY 103**

### Policy Manual

#### 103.1 PURPOSE AND SCOPE

The manual of the Woodward Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules, and guidelines of this department. All members are to conform to the provisions of this manual. All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

#### 103.2 POLICY



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

### **103.2.1 DISCLAIMER**

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

### **103.3 AUTHORITY**

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

### **103.4 DEFINITIONS**

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

Adult - Any person 18 years of age or older (Iowa Code § 232.68).

City - The City of Woodward.

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

Department/WPD - The Woodward Police Department.

Employee - Any person employed by the Department.

Manual - The Woodward Police Department Policy Manual.

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May - Indicates a permissive, discretionary, or conditional action.

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

- Full- and part-time employees
- Certified peace officers • Reserve, auxiliary officers
- Civilian employees
- Volunteers Officer - Those employees, regardless of rank, who are certified peace officer employees of the Woodward Police Department (Iowa Code § 801.4).

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

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

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

Shall or will - Indicates a mandatory action.

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

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment. The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation. When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

### **103.5 ISSUING THE POLICY MANUAL**

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

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An electronic copy of the Policy Manual will be provided to the city attorney as well as the mayor and each member of the city council.

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

### **103.6 PERIODIC REVIEW OF THE POLICY MANUAL**

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

### **103.7 REVISIONS TO POLICIES**

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed. Members are responsible for keeping abreast of all Policy Manual revisions. The Chief of Police will ensure that members under his/her command are aware of any Policy Manual revision. All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to the Chief of Police, who will consider the recommendations and make changes as appropriate.

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### **Chapter 2 – Organization and Administration**

#### **POLICY 200**

##### **200.1 PURPOSE AND SCOPE**

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

##### **200.2 POLICY**

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

##### **200.3 DEPARTMENT COMMAND STRUCTURE**

The command staff consists of:

- Chief of Police
- Senior Police Officer
- On-duty Police Officer

##### **200.4 COMMAND PROTOCOL**

###### **200.4.1 SUCCESSION OF COMMAND**

The Chief of Police exercises command over all members of the Woodward Police Department. During planned absences, the Chief of Police will designate an officer to serve as the acting Chief of Police. Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- a. Senior Police Officer
- b. On-Duty Officer

###### **200.4.2 UNITY OF COMMAND**

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

### 200.5 AUTHORITY AND RESPONSIBILITIES

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

## **POLICY 201**

### GENERAL ORDERS

#### 201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing General Orders.

#### 201.2 POLICY

General Orders will be used to modify policies of the Woodward Police Department when an immediate need to adapt a policy or procedure exists, in order to best meet the mission of the Department. Applicable collective bargaining agreements and other alternatives should be considered before a General Order is issued.

#### 201.3 PROTOCOL

General Orders will be incorporated into the Policy Manual, as required, upon approval. General Orders will modify existing policies or create a new policy as appropriate and will be rescinded if incorporated into the manual. The Chief of Police or the authorized designee should ensure that all General Orders are disseminated appropriately. General Orders should be numbered consecutively and incorporate the year of issue. All members will be notified when a General Order is rescinded or has been formally adopted into the Policy Manual.

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### 201.4.1 COMMAND STAFF

The Chief of Police shall periodically review General Orders to determine whether they should be formally incorporated into the Policy Manual and, as appropriate, will make necessary modifications.

### 201.4.2 CHIEF OF POLICE

Only the Chief of Police or the authorized designee may approve and issue General Orders.

### 201.5 ACCEPTANCE OF DIRECTIVES

All members shall be provided access to the General Orders. Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the General Orders. Members shall seek clarification as needed from the Chief of Police for any provisions they do not fully understand.

## **POLICY 202**

### EMERGENCY OPERATIONS PLAN

#### 202.1 PURPOSE AND SCOPE

This policy clarifies the role of the Woodward Police Department and responsibilities of its members pertaining to large-scale emergencies.

#### 202.2 POLICY

The Woodward Police Department will prepare for large-scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies. The City Emergency Operations Plan complies with the Iowa Homeland Security and Emergency Management Plan. This plan provides guidance for City emergency operations within and outside its borders as may be required (605 IAC 7.3(29C); Iowa Code § 29C.8).

##### 202.2.1 WOODWARD CODES/ORDINANCES

An emergency management organization has been established by the City of Woodward. This ordinance has been approved by the city (Iowa Code § 29C.9).

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### 202.3 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan can be activated in a number of ways. For the Woodward Police Department, the Chief of Police or the highest ranking on-duty officer may activate the Emergency Operations Plan in response to a major emergency. Upon activation of the plan, the Chief of Police or the authorized designee should contact the Dallas County Emergency Management Director to assist with mutual aid response from local, state and federal law enforcement agencies.

#### 202.3.1 RECALL OF PERSONNEL

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

202.4 LOCATION OF THE EMERGENCY OPERATIONS PLAN Copies of the Emergency Operations Plan are available in City Hall, the Police Department, and the Communication Center. All officers should familiarize themselves with the Emergency Operations Plan and the roles members will play when the plan is implemented.

#### 202.5 EMERGENCY OPERATIONS PLAN REVIEW

The Chief of Police or the authorized designee shall review the Emergency Operations Plan at least once every two years and ensure that the plan conforms to any revisions made by the National Incident Management System (NIMS). The Chief of Police or the authorized designee should appropriately address any needed revisions.

#### 202.6 TRAINING

The Department should provide annual training on the Emergency Operations Plan for all officers and other appropriate personnel. All officers should familiarize themselves with the Emergency Operations Plan and personnel responsibilities when the plan is implemented. Training should incorporate a full or partial exercise, tabletop or command discussion.

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### **POLICY 203**

#### TRAINING

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

#### 203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local and the Iowa Law Enforcement Academy (ILEA) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

#### 203.3 OBJECTIVES

The objectives of the training program are to:

- a. Enhance the level of law enforcement service to the public.
- b. Increase the technical expertise and overall effectiveness of department members.
- c. Provide for continued professional development of department members.
- d. Ensure compliance with ILEA rules and regulations concerning law enforcement training.

#### 203.4 CHIEF OF POLICE

The Chief of Police shall designate an officer to be responsible for developing, reviewing, updating, and maintaining the department training plan so that required training is completed. The Chief of Police should review the training plan annually.

##### 203.4.1 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police shall ensure that all regular officers receive the required minimum training hours of in-service training (501 IAC 8.3).

203.5 TRAINING PLAN The training plan should include the anticipated costs associated with each type of training, including attendee salaries and backfill costs. The plan should include a systematic and detailed method for recording all training for all members. Updates and revisions



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may be made to any portion of the training plan at any time it is deemed necessary. The plan will address all required training.

### 203.5.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all inclusive, identify training that is required under state and federal laws and regulations. Additional required training may be identified in individual policies.

- a. Federally mandated training:
  1. National Incident Management System (NIMS) training
- b. State-mandated training:
  1. Officers must successfully complete certified basic law enforcement training before being issued a peace officer's license (Iowa Code § 80B.11).
  2. Annual ILEA officer in-service training. Training shall consist of (501 IAC 8.1):
    - a. Firearms training and qualification with all duty firearms for officers authorized to carry firearms by the department.
    - b. Maintenance of CPR certification.
    - c. A minimum of 12 hours of academic in-service training annually or 36 hours of academic in-service training every three years.
    - d. Mental health in-service training.
    - e. Training for investigation, identification and reporting of public offenses based on the race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability for the victim.
- c. Any other mandated training as determined by the Woodward Police Department

### 203.6 TRAINING ATTENDANCE

- a. All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:
  1. Court appearances.
  2. Previously approved vacation or time off.
  3. Illness or medical leave.
  4. Physical limitations preventing the member's participation.
  5. Emergency situations or department necessity.
- b. Any member who is unable to attend training as scheduled shall notify the Chief of Police or training officer as soon as practicable but no later than one hour prior to the start of training and shall:
  1. Document his/her absence in a memorandum to the Chief of Police.

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2. Make arrangements through the Chief of Police or training officer to attend the required training on an alternate date.

### 203.7 TRAINING RECORDS

The Chief of Police is responsible for the creation, filing and storage of all training records. Training records shall be retained in accordance with the established records retention schedule (501 IAC 8.3).

## **POLICY 204**

### ELECTRONIC MAIL

#### 204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department.

#### 204.2 POLICY

Woodward Police Department members shall use email in a professional manner in accordance with this policy and current law (e.g., the Iowa Open Records Act).

#### 204.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy regarding emails accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

#### 204.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration or practices of the Department.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the email system is prohibited and may result in discipline up to termination.

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. If a member has questions about sending a particular email communication, the member should seek prior approval from the Chief of Police.

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It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by the Chief of Police. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name, or password. Any member who believes his/her password has become known to another person shall change their password immediately.

### 204.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the Iowa Open Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law. The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

## **POLICY 205**

### ADMINISTRATIVE COMMUNICATIONS

#### 205.1 PURPOSE AND SCOPE

This policy sets forth the way the Department communicates significant changes to its membership, such as promotions, transfers, hiring and appointment of new members, separations, individual and group awards and commendations, or other changes in status. This policy also provides guidelines for the professional handling of electronic and non-electronic administrative communications from the Department.

#### 205.2 POLICY

The Woodward Police Department will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature, and disclaimer guidelines, as applicable.

#### 205.3 MEMORANDUMS

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

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### 205.4 CORRESPONDENCE

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on department letterhead. All department letterhead shall bear the signature element of the Chief of Police. Official correspondence and use of letterhead require approval of the Chief of Police. Department letterhead may not be used for personal purposes. Official internal correspondence shall be on the appropriate department electronic or non-electronic memorandum forms.

### 205.5 OTHER COMMUNICATIONS

General Orders and other communications necessary to ensure the effective operation of the Department shall be issued by the Chief of Police or the authorized designee (see the General Orders Policy).

## **POLICY 206**

### SUPERVISION STAFFING LEVELS

#### 206.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that proper supervision is available to meet the needs of the Department and members throughout.

#### 206.2 POLICY

The Woodward Police Department will ensure that proper supervision is available to meet the needs of its members and to achieve the goals of the Department. The needs of its members should be balanced with the needs of the Department for flexibility and discretion in assigning members to meet supervisory needs. While balance is desirable, the paramount concern is to meet the needs of the Department.

#### 206.3 MINIMUM SUPERVISION STAFFING LEVELS

Minimum staffing levels should be established by the Chief of Police. The supervision staffing levels should support proper supervision, span of control, compliance with any collective bargaining agreement and activity levels to meet the needs of members and the goals of the Department.

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### 206.3.1 TEMPORARY SUPERVISORS

In order to accommodate training and other unforeseen circumstances, a qualified lower-ranking member may be used as a temporary supervisor in place of a regularly assigned supervisor.

## **POLICY 207**

### PERMIT TO CARRY A WEAPON

#### 207.1 PURPOSE AND SCOPE

The purpose of this policy is to provide a written process for a permit to carry a weapon. The policy includes information about the application, issuance, denial, revocation, and appeal actions according to Iowa law (Iowa Code § 724.1 et seq.).

##### 207.1.1 DEFINITIONS

Definitions related to this policy include:

Professional permit to carry a weapon - A permit issued to an applicant when the applicant's employment justifies the person's being armed (Iowa Code § 724.6).

Nonprofessional permit to carry a weapon - A permit issued to qualified applicants who satisfy the training requirements and file an application to carry a weapon (Iowa Code § 724.7).

#### 207.2 POLICY

It is the policy of the Woodward Police Department to fairly and impartially consider all applications for a permit to carry a weapon in accordance with applicable law and this policy.

#### 207.3 APPLICANT QUALIFICATIONS

An applicant for a permit to carry a weapon must meet the following requirements (Iowa Code § 724.8; 661 IAC 91.3):

- a. Submit a completed application form (Iowa Code § 724.10)
- b. Submit proof that the applicant has successfully completed a course or class that would demonstrate competence to handle a firearm (Iowa Code § 724.9)
- c. Be at least 18 years of age for a professional permit (Iowa Code § 724.8)
- d. Be at least 21 years of age for a nonprofessional permit (Iowa Code § 724.8)

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- e. Be free from any addiction to alcohol as defined by 661 IAC 91.1 (Iowa Code § 724.8)
- f. Be free from any use of or addiction to any controlled substances (661 IAC 91.3)
- g. Be free from any criminal conviction that would disqualify the applicant from carrying a firearm (661 IAC 91.3)
- h. Be of good moral character and reputation and not present a risk of harm to the applicant or others (Iowa Code § 724.8)
- i. Be free of any protective orders where the applicant is the subject of the order (Iowa Code § 724.26)
- j. Be free from any psychological conditions that might make the applicant unsuitable for carrying a firearm (661 IAC 91.3)
- k. Be a citizen of the United States or, if not a citizen of the United States, be authorized to carry a firearm under federal law (661 IAC 91.3)
- l. Be a resident of the County (Iowa Code § 724.11)
- m. Pay all associated application fees (Iowa Code § 724.11)

### 207.4 APPLICATION FORM

Applications for permits to carry a weapon shall be made on the form prescribed by the Iowa Commissioner of Public Safety (Iowa Code § 724.10).

### 207.5 APPLICATION PROCESS

The Sheriff shall process a properly completed application form and also:

- a. Collect the fee (Iowa Code § 724.11).
- b. Investigate whether the applicant:
  - 1. Has a reputation and character that is such that the individual would be likely to act in a manner dangerous to public safety (Iowa Code § 724.8).
  - 2. Is less than 18 years of age for a professional permit (Iowa Code § 724.8).
  - 3. Is less than 21 years of age for a nonprofessional permit (Iowa Code § 724.8).
  - 4. Is addicted to the use of alcohol (Iowa Code § 724.8).
  - 5. Is addicted to or an unlawful user of any controlled substances (661 IAC 91.3).
  - 6. Is subject to the provisions of a protective order that would prohibit the possession of a firearm (Iowa Code § 724.8).
  - 7. Is prohibited from possessing or acquiring a firearm under the statutes of the United States (Iowa Code § 724.8).
  - 8. Has been convicted of a misdemeanor crime of domestic violence (661 IAC 91.3).

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9. Has, within the previous three years, been convicted of any serious or aggravated misdemeanor defined in Iowa Code § 708.1 et seq. (Iowa Code § 724.8).
  10. Has any criminal conviction that would disqualify the applicant from carrying a firearm (661 IAC 91.3).
  11. Has demonstrated knowledge of firearm safety (Iowa Code § 724.9).
  12. Is not of sound mind or has ever been committed to a mental institution (661 IAC 91.3).
  13. Is an alien who is illegally in the United States (661 IAC 91.3).
  14. Is a fugitive from justice (661 IAC 91.3).
  15. Has been discharged from the armed forces of the United States under dishonorable conditions (661 IAC 91.3).
  16. Is prohibited from shipping, transporting, possessing, or receiving a firearm under the statutes of the United States (Iowa Code § 724.8).
- c. Issue the applicant a permit within 30 days of receipt of the application, unless disqualified by law. The failure to approve or deny an application shall result in a decision of approval (Iowa Code § 724.11).

### 207.6 APPLICATION NOTIFICATION

The Sheriff shall notify an applicant who is refused a permit in writing at the address on the application of the refusal and the specific reasons for refusal (Iowa Code § 724.21A).

#### 207.6.1 APPROVAL AND ISSUANCE

When a permit to carry a weapon is issued, the following shall apply:

- a. The permit to carry a weapon shall be in a form prescribed and published by the Commissioner of Public Safety (Iowa Code § 724.6; Iowa Code § 724.7).
- b. A professional permit to carry a weapon shall be valid for a period of 12 months, except that permits issued to peace officers and correctional officers are valid through the officer's period of employment (Iowa Code § 724.6).
- c. A nonprofessional permit to carry a weapon shall be valid for a period of five years (Iowa Code § 724.7).

#### 207.6.2 DENIAL OF APPLICATION

When a permit to carry a weapon is denied, the following shall apply (Iowa Code § 724.21):

- a. The Sheriff shall notify the applicant in writing of the refusal and specific reasons for the refusal.

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- b. Applicants shall be notified of the right to appeal the decision of the Sheriff.

### 207.6.3 APPEAL

An applicant may file an appeal to an administrative law judge of the Sheriff's denial of a permit to carry a weapon within 30 days of receiving written notice of the denial (Iowa Code § 724.21).

### 207.7 SUSPENDING OR REVOKING A PERMIT

Any permit to carry a weapon issued pursuant to this policy may be suspended or revoked the Sheriff for good cause or if a determination is made that any of the applicant's qualification and application restriction criteria precludes the permit (Iowa Code § 724.13).

The Sheriff shall notify the applicant in writing of a suspension or revocation and specific reasons for the suspension or revocation.

A permit to carry a weapon shall not entitle the holder to either a property or liberty interest because the issuance, suspension or revocation remains exclusively within the discretion of the Sheriff.

The applicant for a renewal of a permit must meet all the requirements for a permit pursuant to Iowa law.

### 207.9 REPORTING AND RECORDS

The Department shall keep a record of all applications for a permit to carry a weapon in accordance with the established records retention schedule.

The Sheriff shall notify the Commissioner of Public Safety of the issuance of any permit by the seventh working day of the month that follows the month in which the permit was issued and provide the following: (661 IAC 91.8; Iowa Code § 724.11):

- a. The permit holder's name.
- b. The permit holder's date of birth.
- c. NICS transaction number.
- d. The type of permit issued.
- e. The portion of the fee to be remitted to the Iowa Department of Public Safety.



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### 207.9.1 CONFIDENTIAL RECORDS

Unless otherwise allowed by law, information collected from an applicant that contains personally identifiable information is confidential and may not be disclosed absent the applicant's consent or pursuant to a court order. Personally identifiable information includes, but is not limited to, the name, Social Security number, date of birth, residential and business address and the driver's license or other identification number of the applicant (Iowa Code § 724.23).

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### **Chapter 3 – General Operations**

#### **POLICY 300**

##### USE OF FORCE

###### 300.1 Purpose and Scope

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

###### 300.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

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

###### 300.2 POLICY

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

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

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

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### 300.2.1 DUTY TO INTERCEDE

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to the Chief of Police.

### 300.3 USE OF FORCE

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

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

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

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

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

#### 300.3.1 USE OF FORCE TO EFFECT AN ARREST

A law enforcement officer may use reasonable force to arrest a person or execute a warrant (Iowa Code § 804.8).

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### 300.3.2

#### FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

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

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

### 300.3.3 PAIN COMPLIANCE TECHNIQUES

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

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Officers utilizing any pain compliance technique should consider:

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

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

### 300.3.4 CAROTID CONTROL HOLD

The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is subject to the following:

- a. The officer shall have successfully completed department-approved training in the use and application of the carotid control hold.
- b. The carotid control hold may only be used when circumstances perceived by the officer at the time indicate that such application reasonably appears necessary to control an individual in any of the following circumstances:
  1. The individual is violent or physically resisting.
  2. The individual, by words or actions, has demonstrated an intention to be violent and reasonably appears to have the potential to harm officers, himself/herself or others.
- c. The application of a carotid control hold on the following individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective, or would present a greater danger to the officer, the individual or others, and the officer reasonably believes that the need to control the individual outweighs the risk of applying a carotid control hold:
  1. Individuals who are known to be pregnant
  2. Elderly individuals
  3. Obvious juveniles
  4. Individuals who appear to have Down syndrome or who appear to have obvious neck deformities or malformations, or visible neck injuries.
- d. Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by medical personnel and should be monitored until examined by medical personnel.

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- e. The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.
- f. Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- g. The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

### **300.3.5 USE OF FORCE TO SEIZE EVIDENCE**

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

### **300.4 DEADLY FORCE APPLICATIONS**

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

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

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

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### **300.4.1 SHOOTING AT OR FROM MOVING VEHICLES**

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

### **300.5 REPORTING THE USE OF FORCE**

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

#### **300.5.1 NOTIFICATIONS TO SUPERVISORS**

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

- a. The application caused a visible injury.
- b. The individual subjected to the force complained of injury or continuing pain.
- c. The individual indicates intent to pursue litigation.
- d. Any application of the Conducted Energy Weapon (CEW) or control device.
- e. Any application of a restraint device other than handcuffs, shackles, or belly chains.
- f. The individual subjected to the force was rendered unconscious.
- g. An individual was struck or kicked.
- h. An individual alleges any of the above has occurred.

### **300.6 MEDICAL CONSIDERATIONS**

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

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

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

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

### 300.7 SUPERVISOR RESPONSIBILITIES

When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- a. Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- b. Ensure that any injured parties are examined and treated.
- c. When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her Miranda rights, the following shall apply:
  1. The content of the interview should not be summarized or included in any related criminal charges.
  2. The fact that a recorded interview was conducted should be documented in a separate report.



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3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- d. Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
  1. These photographs should be retained until all potential for civil litigation has expired.
- e. Identify any witnesses not already included in related reports.
- f. Review and approve all related reports.
- g. Determine if there is any indication that the individual may pursue civil litigation.
  1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- h. Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

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

### **300.7.1 CHIEF OF POLICE RESPONSIBILITY**

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

### **300.8 TRAINING**

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

## **POLICY 301**

### **HANDCUFFING AND RESTRAINTS**

#### **301.1 PURPOSE AND SCOPE**

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

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### 301.2 POLICY

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

### 301.3 USE OF RESTRAINTS

Only members who have successfully completed Woodward Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices. When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

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

#### 301.3.1 RESTRAINT OF DETAINEES

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

#### 301.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety and in no event shall these persons be restrained using leg irons, waist chains or handcuffs behind the body. No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when the on-duty officer in charge makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others.

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### 301.3.3 RESTRAINT OF JUVENILES

A juvenile should not be restrained unless he/she physically resists, threatens physical violence, is suspected of an act of violence against a person or when the officer reasonably believes that the juvenile presents a risk of injury to himself/herself or others (Iowa Code § 232.19).

### 301.3.4 NOTIFICATIONS

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

### 301.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

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

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

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

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

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

### 301.5 APPLICATION OF SPIT HOODS

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

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

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

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

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

### **301.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES**

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

### **301.7 APPLICATION OF LEG RESTRAINT DEVICES**

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during detention, arrest, or transportation. In determining whether to use the leg restraint, officers should consider:

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

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### 301.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

- a. If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- b. Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- c. Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- d. The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- e. The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- f. When transported by emergency medical services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

## **POLICY 302**

### CONTROL DEVICES

#### 302.1 PURPOSE AND SCOPE

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

#### 302.2 POLICY

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

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### 302.3 ISSUING, CARRYING AND USING CONTROL DEVICES

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

Only those members who have successfully completed department-approved training on this policy and the use of any control device are authorized to carry and use the device.

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

### 302.4 RESPONSIBILITIES

#### 302.4.1 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police may authorize the use of a control device by selected department members who may not currently be issued or carrying the control device or those in specialized assignments who have successfully completed the required training.

#### 302.4.2 RANGEMASTER RESPONSIBILITIES

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

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

#### 302.4.3 USER RESPONSIBILITIES

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

Any damaged, inoperative, outdated, or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Documentation shall also be forwarded through the chain of command, when appropriate, explaining the cause of damage.

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### 302.5 BATON GUIDELINES

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

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

### 302.6 TEAR GAS GUIDELINES

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

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

### 302.7 OLEORESIN CAPSICUM (OC) GUIDELINES

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

#### 302.7.1 OC SPRAY

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

#### 302.7.2 PEPPER PROJECTILE SYSTEMS

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they

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strike the head, neck, spine, or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

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

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward an individual, whether or not the launcher was used. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training or a product demonstration, is exempt from the reporting requirement.

### **302.7.3 TREATMENT FOR OC EXPOSURE**

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

### **302.8 POST-APPLICATION NOTICE**

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

### **302.9 KINETIC ENERGY PROJECTILE GUIDELINES**

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



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### 302.9.1 DEPLOYMENT AND USE

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

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

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

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

### 302.9.2 DEPLOYMENT CONSIDERATIONS

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

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

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

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to

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manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

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

### **302.9.3 SAFETY PROCEDURES**

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

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

When they are not deployed, shotguns will be unloaded and properly and securely stored in police department vehicles. When deploying a kinetic energy projectile shotgun, officers shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

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

### **302.10 TRAINING FOR CONTROL DEVICES**

The Chief of Police shall ensure that those members who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- a. Proficiency training shall be monitored and documented by a certified control-device weapons or tactics instructor.
- b. All training and proficiency for control devices will be documented in the member's training file.
- c. Members who fail to demonstrate proficiency with the control device or knowledge of the Use of Force Policy will be provided remedial training. If a member cannot demonstrate proficiency with a control device or knowledge of the Use of Force Policy after remedial

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- d. training, the member will be restricted from carrying the control device and may be subject to discipline.

### 302.11 REPORTING USE OF CONTROL DEVICES

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

## **POLICY 303**

### CONDUCTED ENERGY DEVICE

#### 303.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the Conducted Energy Weapon (CEW).

#### 303.2 POLICY

The Conducted Energy Weapon (CEW) is used to control a violent or potentially violent individual. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

#### 303.3 ISSUANCE AND CARRYING CONDUCTED ENERGY WEAPON (CEW)S

Only members who have successfully completed department-approved training may be issued and may carry the Conducted Energy Weapon (CEW).

Conducted Energy Weapon (CEW)s are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Officers shall only use the Conducted Energy Weapon (CEW) and cartridges that have been issued by the Department. Uniformed officers who have been issued the Conducted Energy Weapon (CEW) shall wear the device in an approved holster. Non-uniformed officers may secure the Conducted Energy Weapon (CEW) in the driver's compartment of their vehicles.

Members carrying the Conducted Energy Weapon (CEW) should perform a spark test prior to every shift.

Officers who carry the Conducted Energy Weapon (CEW) while in uniform shall carry it in a weak side holster on the side opposite the duty weapon or on a carrier vest.

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- a. All Conducted Energy Weapon (CEW)s shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- b. Whenever practicable, officers should carry two or more cartridges on their person when carrying the Conducted Energy Weapon (CEW).
- c. Officers shall be responsible for ensuring that the issued Conducted Energy Weapon (CEW) is properly maintained and in good working order.
- d. Officers should not hold a firearm and the Conducted Energy Weapon (CEW) at the same time.

### 303.4 VERBAL AND VISUAL WARNINGS

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

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

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc or the laser in a further attempt to gain compliance prior to the application of the Conducted Energy Weapon (CEW). The aiming laser should not be intentionally directed into anyone's eyes.

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

### 303.5 USE OF THE CONDUCTED ENERGY WEAPON (CEW)

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

#### 303.5.1 APPLICATION OF THE CONDUCTED ENERGY WEAPON (CEW)

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

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- a. The subject is violent or physically resisting.
- b. The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, himself/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the Conducted Energy Weapon (CEW) to apprehend an individual. The Conducted Energy Weapon (CEW) shall not be used to psychologically torment, to elicit statements or to punish any individual.

### 303.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

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

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

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

### 303.5.3 TARGETING CONSIDERATIONS

The preferred targeting areas include the individual's back or front lower-center mass. The head, neck, chest and groin should be avoided when reasonably practicable. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the Conducted Energy Weapon (CEW) probes to a precise target area, officers should monitor the condition of the subject

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if one or more probes strike the head, neck, chest, or groin until the subject is examined by paramedics or other medical personnel.

### **303.5.4 MULTIPLE APPLICATIONS OF THE CONDUCTED ENERGY WEAPON (CEW)**

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

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

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

### **303.5.5 ACTIONS FOLLOWING DEPLOYMENTS**

Officers should take appropriate actions to control and restrain the individual to minimize the need for longer or multiple exposures to the Conducted Energy Weapon (CEW). As soon as practicable, officers shall notify a supervisor any time the Conducted Energy Weapon (CEW) has been discharged. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

### **303.5.6 DANGEROUS ANIMALS**

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

### **303.5.7 OFF-DUTY CONSIDERATIONS**

Officers are not authorized to carry department Conducted Energy Weapon (CEW)s while off-duty.

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Officers shall ensure that Conducted Energy Weapon (CEW)s are secured while in their homes, vehicles, or any other area under their control, in a manner that will keep the device inaccessible to others.

### 303.6 DOCUMENTATION

Officers shall document all Conducted Energy Weapon (CEW) discharges in the related arrest/crime reports. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device, other than for testing purposes, will require supervisor notification.

#### 303.6.1 REPORTS

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

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

### 303.7 MEDICAL TREATMENT

Used Conducted Energy Weapon (CEW) probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken. All persons who have been struck by Conducted Energy Weapon (CEW) probes or who have been subjected to the electric discharge of the device or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

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

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

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

### **303.8 SUPERVISOR RESPONSIBILITIES**

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

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

### **303.9 TRAINING**

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

Proficiency training for personnel who have been issued Conducted Energy Weapon (CEW)s should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time if deemed appropriate by the Chief of Police. All training and proficiency for Conducted Energy Weapon (CEW)s will be documented in the officer's training files.

Command staff, supervisors and investigators should receive Conducted Energy Weapon (CEW) training as appropriate for the investigations they conduct and review.

Officers who do not carry Conducted Energy Weapon (CEW)s should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.



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The Chief of Police is responsible for ensuring that all members who carry Conducted Energy Weapon (CEW)s have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of Conducted Energy Weapon (CEW)s during training could result in injuries and should not be mandatory for certification.

The Chief of Police should ensure that all training includes:

- a. A review of this policy.
- b. A review of the Use of Force Policy.
- c. Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
- d. Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.

## **POLICY 304**

### **OFFICER INVOLVED SHOOTINGS AND DEATHS**

#### **304.1 PURPOSE AND SCOPE**

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

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

#### **304.2 POLICY**

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

#### **304.3 TYPES OF INVESTIGATIONS**

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

- a. A criminal investigation of the suspect's actions.
- b. A criminal investigation of the involved officer's actions.

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- c. An administrative investigation into policy compliance by involved officers.
- d. A civil investigation to determine potential liability.

### **304.4 CONTROL OF INVESTIGATIONS**

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

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

#### **304.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS**

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Woodward Police Department would control the investigation if the suspect's crime occurred in Woodward city limits.

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

#### **304.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION**

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

### **304.5 INVESTIGATION PROCESS**

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

#### **304.5.1 UNINVOLVED OFFICER RESPONSIBILITIES**

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

- a. Secure the scene and identify and eliminate hazards for all those involved.
- b. Take reasonable steps to obtain emergency medical attention for injured individuals.

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- c. Request additional resources from the Department or other agencies.
- d. Coordinate a perimeter or pursuit of suspects.
- e. Check for injured persons and evacuate as needed.
- f. Brief the Chief of Police upon arrival.

### 304.5.2 SUPERVISOR (OFFICER IN CHARGE) RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved Woodward supervisor (OIC) should ensure completion of the duties as outlined above, plus:

- a. Attempt to obtain a brief overview of the situation from any uninvolved officers.
  - 1. If there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- b. If necessary, the supervisor (OIC) may administratively order any Woodward officer to immediately provide public safety information necessary to secure the scene, identify injured parties, and pursue suspects.
  - 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses, and any other pertinent information.
  - 2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- c. Provide all available information to the Chief of Police and the Communication Center. If feasible, sensitive information should be communicated over secure networks.
- d. Take command of and secure the incident scene with additional Woodward Police Department members until properly relieved by another supervisor or other assigned personnel or investigator.
- e. As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
  - 1. Each involved Woodward officer should be given an administrative order not to discuss the incident with other involved officers or Woodward Police Department members pending further direction from a supervisor.
  - 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

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### 304.5.3 CHIEF OF POLICE RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the on-duty officer-in-charge shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police. All outside inquiries about the incident shall be directed to the Chief of Police.

### 304.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Outside agency investigators (if appropriate)
- Medical Examiner (if necessary)
- Involved officer's representative (if requested)
- Mayor
- City Attorney
- County Attorney
- Psychological/peer support personnel
- Chaplain (if requested)

### 304.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

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

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2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, the involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
  3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- e. Communications with peer support group counselors will be considered privileged to the extent provided in Iowa Code § 622.10.

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

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

### 304.6 CRIMINAL INVESTIGATION

The County Attorney's Office is responsible for the criminal investigation into the circumstances of any officer-involved shooting involving injury or death.

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

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

- a. The Woodward Chief of Police or other personnel should not participate directly in any voluntary interview of Woodward officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- b. If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, to maintain the integrity of each involved officer's statement, he/she shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- c. If any involved officer is physically, emotionally, or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.

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- d. Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

### 304.6.1 REPORTS BY INVOLVED WPD OFFICERS

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

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

Nothing in this section shall be construed to deprive an involved Woodward officer of the right to consult with legal counsel prior to completing any such criminal report. Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

### 304.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

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

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

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- b. Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
  - 1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- c. Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

### 304.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the Chief of Police to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from the County Attorney's Office and may be assigned to separately handle the investigation of any related crimes not being investigated by the County Attorney's Office.

All related department reports, except administrative and/or privileged reports, will be forwarded to the Chief of Police for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the Chief of Police.

### 304.7 ADMINISTRATIVE INVESTIGATION

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

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

- a. Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples, and the results of any such testing shall not be disclosed to any criminal investigative agency.
- b. If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
  - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal,

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if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.

- c. If an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
  1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
  2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative collectively or in groups prior to being interviewed.
  3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
  4. The officer shall be informed of the nature of the investigation and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
  5. The Chief of Police shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
  6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Chief of Police, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
  7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

### 304.8 AUDIO AND VIDEO RECORDINGS

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

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



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

### **304.9 DEBRIEFING**

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

#### **304.9.1 CRITICAL INCIDENT STRESS DEBRIEFING**

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

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

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

#### **304.9.2 TACTICAL DEBRIEFING**

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

### **304.10 MEDIA RELATIONS**

No involved Woodward officer shall make any comment to the media unless he/she is authorized by the Chief of Police. Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

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### **POLICY 305**

#### **FIREARMS**

##### **305.1 PURPOSE AND SCOPE**

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance, and firearms training. This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies. This policy only applies to those members who are authorized to carry firearms.

##### **305.2 POLICY**

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

##### **305.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS**

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

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the Chief of Police. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

##### **305.3.1 HANDGUNS**

The Woodward Police Department does not issue handguns to its full time, part time, or reserve officers. The authorized department handgun is the Glock 45 9X19. The following additional handguns are approved for on-duty use:

- a. G17 9X19mm

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- b. G17L 9X19
- c. G19 9X19
- d. G34 9X19
- e. G48 9X19
- f. Other as approved by the Chief of Police

### 305.3.2 SHOTGUNS

The authorized department-issued shotgun is the Remington 870 12 gauge. The following additional shotguns are approved for on-duty use:

- a. Other as approved by the Chief of Police

When not deployed, the shotgun shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

### 305.3.3 PATROL RIFLES

The authorized department-issued patrol rifle is the M&P AR-15. The following additional patrol rifles are approved for on-duty use:

- a. Other as approved by the Chief of Police

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

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

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

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### 305.3.4 PERSONALLY OWNED DUTY FIREARMS

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

- a. The firearm shall be in good working order and on the department list of approved firearms.
- b. The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- c. Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- d. Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

### 305.3.5 AUTHORIZED SECONDARY HANDGUN

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

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

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### 305.3.6 AMMUNITION

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

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

### 305.4 EQUIPMENT

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

#### 305.4.1 REPAIRS OR MODIFICATIONS

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

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

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

#### 305.4.2 HOLSTERS

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

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### 305.4.3 TACTICAL LIGHTS

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

### 305.4.4 OPTICS OR LASER SIGHTS

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

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

### 305.5 SAFE HANDLING, INSPECTION AND STORAGE

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

- a. Members shall not unnecessarily display or handle any firearm.
- b. Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.
- c. Shotguns or rifles removed from vehicles, or the equipment storage room shall be loaded and unloaded in a parking lot, garage, or safe area and outside of the vehicle.
- d. Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked.
- e. Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- f. Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty

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- g. firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

### **305.5.1 INSPECTION AND STORAGE**

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

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

### **305.5.2 STORAGE AT HOME**

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles, or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil and criminal liability (Iowa Code § 724.22).

### **305.5.3 ALCOHOL AND DRUGS**

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

### **305.6 FIREARMS TRAINING AND QUALIFICATIONS**

All members will qualify at least annually with their duty firearms. Training and qualifications must be on an approved range course (501 IAC 8.1(80B)).

#### **305.6.1 NON-CERTIFICATION OR NON-QUALIFICATION**

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

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

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

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

### 305.7 FIREARM DISCHARGE

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

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

- a. If on-duty at the time of the incident, the member shall file a written report or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- b. If off-duty at the time of the incident, the member shall file a written report or provide a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

#### 305.7.1 DESTRUCTION OF ANIMALS

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

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



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spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

### **305.7.2 INJURED ANIMALS**

An officer may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

### **305.7.3 WARNING AND OTHER SHOTS**

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

**305.8 RANGEMASTER DUTIES** The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Chief of Police after each range date.

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

The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until it has been inspected and approved by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots.

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

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### 305.9 FLYING WHILE ARMED

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

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

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- j. Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- k. Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

### **305.10 CARRYING FIREARMS OUT OF STATE**

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

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

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

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

## **POLICY 306**

### **VEHICLE PURSUITS**

#### **306.1 PURPOSE AND SCOPE**

This policy provides guidelines for vehicle pursuits to protect the safety of involved officers, the public and fleeing suspects.

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### 306.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

**Pursuit Intervention Technique (PIT)** - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop. **Ramming** - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

**Roadblocks** - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

**Terminate** - To discontinue a pursuit or stop chasing fleeing vehicles.

**Tire deflation device** - A device designed to puncture the tires of the pursued vehicle.

**Trail** - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles to clearly indicate an absence of participation in the pursuit.

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

### 306.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

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### 306.3 OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law.

Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (Iowa Code § 321.231):

- a. Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- b. Exceed the speed limit.
- c. Disregard regulations governing direction of movement or turning in specified directions.

#### 306.3.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

- a. The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- b. The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists, and others.
- c. The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- d. The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and communications operator/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- e. If weather, traffic, and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- f. Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.

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- g. The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- h. Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.
- i. Vehicle speeds.
- j. Other persons in or on the pursued vehicle (e.g., passengers, co-offenders, and hostages).
- k. The availability of other resources, such as air support assistance.
- l. Whether the pursuing vehicle is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the arrestee in transport. A vehicle containing more than a single arrestee should not be involved in a pursuit.

### 306.3.2 WHEN TO TERMINATE A PURSUIT

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

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit. The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit.

Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- a. The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- b. The pursued vehicle's location is no longer definitely known.
- c. The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- d. The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.

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- e. The identity of the suspect is known, and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.

### **306.4 PURSUIT VEHICLES**

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable.

Vehicle pursuits should be limited to three police department emergency vehicles (two pursuit vehicles and the supervisor vehicle). However, the number of vehicles involved will vary with the circumstances.

An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

#### **306.4.1 MOTORCYCLES**

No officer shall engage in a vehicular pursuit of a motorcycle that requires the officer to exceed the posted or applicable speed limit or that involves a target vehicle operating in violation of the posted or applicable speed limit or other traffic laws unless the officer reasonably believes:

1. That the continued operation of the vehicle the officer intends to stop poses a significant risk of physical harm to the officer, the public, or others.
2. That the occupant(s) on the motorcycle the officer intends to stop pose(s) a significant risk of physical harm to the public or others.
3. That the occupant(s) on the motorcycle is/are wanted for the commission of specific felonious acts involving violence that threaten, have threatened, or will threaten the health, life, or safety of a person or persons.

#### **306.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT**

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

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The primary pursuing officer should notify the communications operator, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

- a. The location, direction of travel and estimated speed of the suspect's vehicle.
- b. The description of the suspect's vehicle including the license plate number, if known.
- c. The reason for the pursuit.
- d. The use of firearms, threat of force, violence, injuries, hostages, or other unusual hazards.
- e. The number of occupants and identity or description.
- f. The weather, road and traffic conditions.
- g. The need for any additional resources or equipment.
- h. The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

### 306.4.4 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

- a. Immediately notifying the communications operator of his/her entry into the pursuit.
- b. Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- c. Broadcasting information that the primary pursuing officer is unable to provide.
- d. Broadcasting the progress of the pursuit, updating known or critical information, and providing changes in the pursuit, unless the situation indicates otherwise.
- e. Identifying the need for additional resources or equipment as appropriate.
- f. Serving as backup to the primary pursuing officer once the suspect has been stopped.



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### 306.5 PURSUIT DRIVING

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for officers who are involved in the pursuit:

- a. Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- b. Because intersections can present increased risks, the following tactics should be considered:
  1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit to warn cross traffic.
  2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.
- c. As a general rule, officers should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
  1. Request assistance from available air support (Iowa State Patrol).
  2. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
  3. Request other officers to observe exits available to the suspect.
  4. Utilizing pursuit intervention technique to stop the pursuit from beginning or continuing.
- d. Notify other law enforcement agencies if it appears that the pursuit may enter their jurisdiction.
- e. Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise, or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

#### 306.5.1 PURSUIT TRAILING

If initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

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### **306.5.2 AIR SUPPORT ASSISTANCE**

When available, air support assistance should be requested. Once the air support crew has established visual contact with the pursued vehicle, they should assume communication control over the pursuit. The primary and secondary ground pursuit vehicles, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants their continued close proximity and/or involvement in the pursuit.

The air support crew should coordinate the activities of resources on the ground, report progress of the pursuit, and provide officers and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If officers on the ground are not within visual contact of the pursued vehicle and the air support crew determines that it is unsafe to continue the pursuit, the air support crew should recommend terminating the pursuit.

### **306.5.3 OFFICERS NOT INVOLVED IN THE PURSUIT**

Officers who are not involved in the pursuit should remain in their assigned areas, should not parallel the pursuit route and should not become involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the police department vehicle.

Non-pursuing members needed at the pursuit termination point should respond in a non-emergency manner, observing the rules of the road. The primary pursuit vehicle, secondary pursuit vehicle and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

### **306.6 SUPERVISORY CONTROL AND RESPONSIBILITIES**

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The supervisor or officer in charge of the officer initiating the pursuit will be responsible for:

- a. Immediately notifying involved officers and the communications operator of supervisory presence and ascertaining all reasonably available information to continuously assess the

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- b. situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.
- c. Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- d. Exercising management and control of the pursuit even if not engaged in it.
- e. Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.
- f. Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- g. Ensuring that assistance from air support, canines or additional resources is requested, if available and appropriate.
- h. Ensuring that the proper radio channel is being used.
- i. Ensuring that the Chief of Police is notified of the pursuit, as soon as practicable.
- j. Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.
- k. Controlling and managing Woodward Police Department officers when a pursuit enters another jurisdiction.
- l. Preparing a post-pursuit review and documentation of the pursuit as required.

### **306.6.1 CHIEF OF POLICE RESPONSIBILITIES**

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

### **306.7 THE COMMUNICATION CENTER**

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

### **306.8 LOSS OF PURSUED VEHICLE**

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

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### 306.9 INTERJURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

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

#### 306.9.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Woodward Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports.

The roles and responsibilities of officers at the termination point of a pursuit initiated by this department shall be coordinated with appropriate consideration of the needs of the agency assuming the pursuit.

### 306.10 PURSUIT INTERVENTION

Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT, ramming or roadblock procedures.

#### 306.10.1 WHEN USE IS AUTHORIZED

Whenever practicable, an officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers, and persons in or on the pursued vehicle. The decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

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### 306.10.2 USE OF FIREARMS

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

### 306.10.3 INTERVENTION STANDARDS

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

- a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to the public's safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained officers and after considering the following:
  1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, officers, or others.
  2. All other reasonable intervention tactics have failed or reasonably appear ineffective.
  3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.
  4. The suspect vehicle is stopped or traveling at a low speed.
  5. Only law enforcement vehicles should be used in this tactic.
- b) The PIT is limited to use by properly trained officers and upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle.
- c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not

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- d) authorized. When ramming is used to stop a fleeing vehicle, the following factors should be present:
  - 1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
  - 2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.
- e) Boxing-in a suspect vehicle. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle. Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
- f) Tire deflation devices should be deployed only after notification of pursuing officers of the intent and location of the intended deployment, and in a manner that:
  - 1. Should reasonably only affect the pursued vehicle.
  - 2. Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
  - 3. Considers the limitations of such devices as well as the potential risk to officers, the public and occupants of the pursued vehicle.
  - 4. Considers whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials or a vehicle transporting children.
- g) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers, or the public.

### 306.11 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

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### 306.12 POLICY REVIEW

Officers of this department shall certify in writing that they have received, read, and understand this policy initially, upon any amendments and whenever training on the policy is provided.

## **POLICY 307**

### FOOT PURSUITS

#### 307.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

#### 307.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public, or the suspect. Officers are expected to act reasonably, based on the totality of the circumstances.

#### 307.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated considering the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place

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department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- a. Containment of the area.
- b. Saturation of the area with law enforcement personnel, including assistance from other agencies.
- c. A canine search.
- d. Thermal imaging or other sensing technology.
- e. Air support.
- f. Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

### 307.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- a. Directed by a supervisor or officer in charge to terminate the foot pursuit; such an order shall be considered mandatory.
- b. The officer is acting alone.
- c. Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- d. The officer is unsure of his/her location and direction of travel.
- e. The officer is pursuing multiple suspects, and it is not reasonable to believe that the officer would be able to control the suspects should a confrontation occur.
- f. The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.



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- g. The officer loses radio contact with the communications operator or with assisting or backup officers.
- h. The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- i. The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- j. The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- k. The officer loses possession of his/her firearm or other essential equipment.
- l. The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- m. The suspect's location is no longer known.
- n. The identity of the suspect is established, or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
- o. The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness, or other environmental conditions.

### 307.5 RESPONSIBILITIES IN FOOT PURSUITS

#### 307.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- a. Location and direction of travel.
- b. Call sign identifier.
- c. Reason for the foot pursuit, such as the crime classification.
- d. Number of suspects and description, to include name if known.

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- e. Whether the suspect is known or believed to be armed with a dangerous weapon.

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to broadcast this information promptly and effectively should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the communications operator of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects, or members of the public.

### **307.5.2 ASSISTING OFFICER RESPONSIBILITIES**

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize nonessential radio traffic to permit the involved officer's maximum access to the radio frequency.

### **307.5.3 SUPERVISOR RESPONSIBILITIES**

Upon becoming aware of a foot pursuit, the supervisor or officer in charge shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor or officer in charge should respond to the area whenever possible; the supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor or officer in charge shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor or officer in charge shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect. Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

### **307.6 REPORTING REQUIREMENTS**

The initiating officer shall complete appropriate crime/arrest reports documenting, at a minimum:

- a) Date and time of the foot pursuit.
- b) Initial reason and circumstances surrounding the foot pursuit.

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- c) Course and approximate distance of the foot pursuit.
- d) Alleged offenses.
- e) Involved vehicles and officers.
- f) Whether a suspect was apprehended as well as the means and methods used.
  - 1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- g) Arrestee information, if applicable.
- h) Any injuries and/or medical treatment.
- i) Any property or equipment damage.
- j) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit follows this policy or that additional review and/or follow-up is warranted.

## **POLICY 308**

### **OFFICER RESPONSE TO CALLS**

#### **308.1 PURPOSE AND SCOPE**

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

#### **308.2 POLICY**

It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

#### **308.3 RESPONSE TO CALLS**

Officers responding to non-emergency calls shall proceed accordingly unless they are sent or redirected to a higher priority call and shall obey all traffic laws.

##### **308.3.1 EMERGENCY CALLS**

Officers responding to an emergency call shall proceed immediately as appropriate and shall continuously operate the emergency vehicle lighting and siren as required by law (Iowa Code § 321.231(4)).

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Officers should only respond to a call as an emergency response when so dispatched or in response to an incident dangerous to the public. This includes, but is not limited to:

- a. When in pursuit or apprehending a violator or suspected violator.
- b. When responding to a reported emergency involving possible personal injury, death, or significant property damage.
- c. When immediate assistance is requested by an officer or other law enforcement agency.

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

Officers not responding to a call as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

### **308.4 REQUESTING EMERGENCY ASSISTANCE**

When requesting emergency assistance, the involved department member should reasonably believe there is an imminent threat to the safety of himself/herself or another person, or that assistance is needed to prevent imminent serious harm to the public.

If circumstances permit, the requesting member should provide the following information:

- Identifying call sign.
- Location of the emergency situation.
- Suspect information, including weapons.
- Reason for the request and type of emergency.
- The number of officers or resources required.
- Hazards and any known or potential dangers for responding officers.

In any event where a situation has stabilized and emergency response is not required, the requesting member shall immediately notify the communications operator.

### **308.5 SAFETY CONSIDERATIONS**

Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property and does not protect the operator from the consequences of reckless disregard for the safety of others (Iowa Code § 321.231(5)).

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The officer may, when responding to a call with an emergency response, and provided there is no endangerment or unnecessary risk to persons and property (Iowa Code § 321.231):

- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing direction of movement or turning in specified directions.
- Park or stand in the roadway.

### **308.6 EMERGENCY EQUIPMENT**

Vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in an emergency response. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicles are operated in compliance with all traffic laws. Those officers should terminate their involvement in any emergency response immediately upon arrival of a sufficient number of emergency law enforcement vehicles.

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly. The officer shall notify the Chief of Police, officer in charge, or the communications operator of the equipment failure so that another officer may be assigned to the emergency response.

### **308.7 OFFICER RESPONSIBILITIES**

The decision to initiate or continue an emergency response is at the discretion of the officer. If, in the officer's judgment, the weather, traffic and road conditions do not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of emergency lights and siren at the legal speed limit. In such an event, the officer should immediately notify the communications operator. An officer shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.

Upon receiving authorization or determining that an emergency response is appropriate, whenever practicable, an officer shall immediately give the location from which he/she is responding.

The first officer arriving at the emergency call should determine whether to increase or reduce the level of the response of additional officers and shall notify the communications operator of his/her determination. Any subsequent change in the appropriate response level should be communicated

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to the communications operator by the officer in charge of the scene unless a supervisor assumes this responsibility.

### **POLICY 309**

#### DOMESTIC ABUSE

##### 309.1 PURPOSE AND SCOPE

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

##### 309.1.1 DEFINITIONS

Definitions related to this policy include:

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

Domestic Abuse - Assault, as defined by Iowa Code § 708.1, when committed under any of the following circumstances between (Iowa Code § 236.2 "a", "b", "c", or "d"):

- a. Family or household members residing together at the time of the assault.
- b. Separated spouses or persons divorced from each other and not residing together at the time of the assault.
- c. Persons who are parents of the same minor child, regardless of whether they have been married or have lived together at any time.
- d. Persons who have been family or household members residing together within the past year but not residing together at the time of the assault.

Family or household member - Spouses, persons cohabitating together, parents or other persons related by blood or marriage. The phrase does not include a minor child under the age of 18 (Iowa Code § 236.2).

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### 309.2 POLICY

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

### 309.3 OFFICER SAFETY

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

### 309.4 INVESTIGATIONS

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

- a. Calls of reported, threatened, imminent, or ongoing domestic abuse and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- b. When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence. When interviewing the victim, officers shall ask whether any court orders exist (Iowa Code § 236.11).
- c. Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that time should also be obtained for follow-up.
  1. Should children be present, a verbal notification to Child Protective Services should be made as soon as time permits.
- d. When practicable and legally permitted, video or audio record all significant statements and observations.
- e. All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Police Department if the injuries later become visible.
- f. Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

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- g. If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.
- h. Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence.
- i. When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- j. Officers shall take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that shall not be used as sole justification for declining to take enforcement action include (Iowa Code § 236.12):
  - 1. Relationship status of suspect and victim.
  - 2. Whether the suspect lives on the premises with the victim.
  - 3. Claims by the suspect that the victim provoked or perpetuated the abuse.
  - 4. The potential financial or child custody consequences of arrest.
  - 5. The physical or emotional state of either party.
  - 6. Use of drugs or alcohol by either party.
  - 7. Denial that the abuse occurred where evidence indicates otherwise.
  - 8. A request by the victim not to arrest the suspect.
  - 9. Location of the incident (public/private).
  - 10. Speculation that the complainant may not follow through with the prosecution.
  - 11. The racial, cultural, or social identity, professional position, or sexual orientation of the victim or suspect.
  - 12. The consent of the victim to any subsequent prosecution.
  - 13. The absence of visible injuries or impairment.

### 309.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- a. Advise the victim that there is no guarantee the suspect will remain in custody.
- b. Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- c. Advise the victim whether any type of court order will be in effect when the suspect is released from jail.



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### 309.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- a. Advise the parties of any options, including but not limited to:
  1. Voluntary separation of the parties.
  2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness assistance).
- b. Document the resolution in a report.

### 309.5 VICTIM ASSISTANCE

Because victims may be traumatized or confused, officers should be aware that a victim's behavior and actions may be affected.

- a. Victims shall be provided with the department domestic abuse information handout, even if the incident may not rise to the level of a crime (Iowa Code § 236.12; Iowa Code § 915.50).
- b. Victims shall also be alerted to any available victim advocates, shelters and community resources (Iowa Code § 236.12; Iowa Code § 915.50).
- c. When an involved person requests law enforcement assistance while removing essential items of personal property, officers shall stand by for a reasonable amount of time (Iowa Code § 236.12; Iowa Code § 915.50).
- d. If the victim has sustained injury or complains of pain, officers shall seek medical assistance for the victim as soon as practicable (Iowa Code § 236.12; Iowa Code § 915.50).
- e. Officers should ask the victim whether he/she has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- f. Officers should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- g. If appropriate, officers should seek or assist the victim in obtaining an emergency order.

### 309.6 DISPATCH ASSISTANCE

All calls of domestic abuse, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Communications Operators are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that communications operators check whether any of the involved persons are subject to the terms of a court order (Iowa Code § 236.11).

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### 309.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic abuse cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory, shall be enforced by officers as if it were the order of a court in this state (Iowa Code § 236.19).

An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

### 309.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- a. Ask the subject of the order about his/her notice or receipt of the order, knowledge of its terms and efforts to respond to the order.
- b. Check available records or databases that may show the status or conditions of the order.
- c. Contact the issuing court to verify the validity of the order.
- d. Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

### 309.9 STANDARDS FOR ARRESTS

- a. Officers are required to arrest under Iowa law the primary physical aggressor when they have probable cause to believe that the person has committed domestic abuse involving (Iowa Code § 236.12):
  1. Bodily injury
  2. The intent to inflict serious bodily injury
  3. The use or display of a dangerous weapon
  4. Suffocation or strangulation
    - (a) This does not include persons in a romantic relationship who have not lived together in the last year.
- b. In determining who is the primary physical aggressor, officers should consider (Iowa Code § 236.12):

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1. The need to protect victims of domestic abuse.
  2. The relative degree of injury or fear inflicted on the parties involved.
  3. Any history of domestic abuse between the parties.
- c. In all other cases, officers who have probable cause to believe that any other domestic abuse has occurred should make an arrest, regardless of whether any injury resulted to the victim. Any decision not to make an arrest must be made by a supervisor or officer in charge (Iowa Code § 236.12).
- d. Officers having probable cause to believe that a person has violated any of the following types of court orders shall make an arrest (Iowa Code § 236.11):
1. Order or approved consent agreement entered under Iowa Code, Chapter 236
  2. Temporary or permanent protection order
  3. Order to vacate the homestead issued under Iowa Code, Chapter 598
  4. Order establishing conditions of release.
  5. Protective or sentencing order in a criminal prosecution arising from a domestic abuse assault.
  6. Violation of a protective order issued under Iowa Code, Chapter 232, if the person to be arrested is an adult.

### 309.10 REPORTS AND RECORDS

The Chief of Police shall ensure:

- a. That information related to domestic abuse incidents is forwarded to the Department of Public Safety (DPS) in the manner prescribed by DPS (Iowa Code § 236.9).
- b. A copy of short form notifications is forwarded to the appropriate district court clerk (Iowa Code § 664A.4A).

### 309.11 SERVICE OF COURT ORDERS

Officers shall serve domestic abuse court orders presented by a plaintiff and shall not charge a fee for the service (Iowa Code § 236.3). Service may also be made by short form notice pursuant to Iowa Code § 664A.4A on the form prescribed by the state court administrator.

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### 309.12 TRAINING

Training on domestic abuse and review of this policy should be conducted as directed by the Chief of Police and include training offered or approved by the Iowa Law Enforcement Academy (ILEA) (Iowa Code § 80B.11).

## **POLICY 310**

### SEARCH AND SEIZURE

#### 310.1 PURPOSE AND SCOPE

Both the federal and state constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Woodward Police Department personnel to consider when dealing with search and seizure issues.

#### 310.2 POLICY

It is the policy of the Woodward Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards, and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

#### 310.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required for a search to be valid. There are, however, several exceptions to the rule that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to:

1. Valid consent.
2. Incident to a lawful arrest.
3. Legitimate community caretaking interests.
4. Vehicle searches under certain circumstances.
5. Exigent circumstances.

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

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact the Chief of Police or the County Attorney on call to resolve questions regarding search and seizure issues prior to electing a course of action.

### **310.4 SEARCH PROTOCOL**

Although conditions will vary, and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- a. Members of this department will strive to conduct searches with dignity and courtesy.
- b. Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- c. Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- d. To minimize the need for forcible entry, an attempt should be made to obtain keys, combinations, or access codes when a search of locked property is anticipated.
- e. Whenever practicable, a search should not be conducted by one officer. A cover officer should be positioned to ensure safety and should not be involved in the search.
- f. When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
  1. Another officer or a supervisor should witness the search.
  2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

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### 310.5 DOCUMENTATION

Officers are responsible for documenting any search and ensuring that any required reports are sufficient including, at minimum, documentation of:

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

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

## **POLICY 311**

### CHILD ABUSE

#### 311.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Woodward Police Department members are required to notify the Department of Human Services (DHS) of suspected child abuse.

##### 311.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency or law enforcement.

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### 311.2 POLICY

The Woodward Police Department will investigate all reported incidents of alleged criminal child abuse and ensure DHS is notified as required by law.

### 311.3 MANDATORY NOTIFICATION

Members of the Woodward Police Department shall notify DHS when there is reasonable cause to believe a child has suffered abuse (Iowa Code § 232.69).

Members shall also notify DHS promptly when the department receives a report of child abuse (Iowa Code § 232.70).

For purposes of notification, abuse includes (Iowa Code § 232.68):

- a. Acts or omissions by the person responsible for the care of a child, which includes physical injury or mental injury.
- b. Sexual offenses.
- c. Failure to provide care necessary for the child's health and welfare when financially able to do so or when offered reasonable means to do so.
- d. Child prostitution.
- e. The presence of illegal drugs.
- f. Manufacturing, use, or possession of a dangerous substance.
- g. Allowing access to a registered sex offender.
- h. Allowing access to obscene material or bestiality in the presence of a minor.

### 11.3.1 NOTIFICATION PROCEDURE

Notification shall be made orally and in writing. Notification shall be made by telephone to the Child Abuse Hotline as soon as practicable but no later than 24 hours. A written report shall be provided to DHS within 48 hours of the oral notification. The oral and written report shall include the following information (Iowa Code § 232.70):

- a. The names and home address of the child and child's parents and other persons believed to be responsible for the child's care.
- b. The child's present whereabouts if not the same as the parent's or other person's home address.
- c. The child's age.
- d. The nature and extent of the child's injuries, including any evidence of previous injuries.
- e. The name, age, and conditions of other children in the same home.

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- f. Any other information that may be helpful in establishing the cause of the injury to the child, the identity of the person or persons responsible for the injury or in aiding the child.
- g. The name and address of the person making the report.

### 311.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- a. Conduct interviews in child-appropriate interview facilities.
- b. Be familiar with forensic interview techniques specific to child abuse investigations.
- c. Present all cases of alleged child abuse to the prosecutor for review.
- d. Coordinate with other enforcement agencies, social service agencies, and school administrators as needed (Iowa Code § 232.71B).
- e. Provide referrals to therapy services, victim advocates, guardians, and support for the child and family as appropriate.
- f. Participate in or coordinate with multidisciplinary investigative teams as applicable (Iowa Code § 915.35; 441 IAC 175.36).

### 311.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, officers shall write a report even if the allegations appear unfounded or unsubstantiated. Investigations and reports related to suspected cases of child abuse should address, as applicable:

- a. The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- b. The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- c. Any relevant statements the child may have made and to whom he/she made the statements.
- d. If a child was taken into protective custody, the reasons, the name, and title of the person making the decision, and why other alternatives were not appropriate.
- e. Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- f. Whether the child victim was transported for medical treatment or a medical examination.
- g. Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- h. Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.



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- i. Previous addresses of the victim and suspect.
- j. Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

### 311.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact DHS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to a place designated by the rules of the court (Iowa Code § 232.79).

Whenever practicable, the officer should inform the Chief of Police of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact the Chief of Police promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations:

- a. Pursuant to a court order (Iowa Code § 232.78).
- b. When there is not enough time to apply for a court order and the child's life or health is in imminent danger the officer shall (Iowa Code § 232.79):
  - 1. Immediately bring the child to a place designated by the rules of the court.
  - 2. Make reasonable efforts to notify the parents, guardian, or custodian of the child's location.
  - 3. Immediately inform the court of the emergency removal and the circumstances of the removal followed up in writing to the court within 24 hours.

#### 311.6.1 NEWBORN SAFE HAVEN LAW

A parent or a person authorized on the parent's behalf may voluntarily relinquish custody of a newborn infant up to 30 days old with any hospital or health care facility or by calling 9-1-1 and

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relinquishing physical custody, without expressing an intent to again assume physical custody, to the officer who responds to the call (Iowa Code § 233.1 et seq.). Any such person relinquishing a newborn infant in accordance with the provisions of Chapter 233 of the Iowa Code is immune from criminal prosecution for neglect or abandonment unless there are indications of child abuse (Iowa Code § 233.3; Iowa Code § 726.3; Iowa Code § 726.6).

Unless the individual relinquishing the newborn infant expresses an intent to again assume physical custody of the infant, the officer responding to such a call shall take physical custody of the newborn infant and (Iowa Code § 233.2):

- a. Should request the name of the parents and information on any medical history of the infant and parents.
- b. Should take reasonable actions to ensure the physical health and safety of the infant.
- c. Shall transport the infant to the nearest hospital or health care facility and provide any parental identification or medical history received.
- d. Shall notify the Department of Human Services as soon as practicable.
- e. Should provide any required testimony for subsequent legal proceedings.
- f. Should comply with all other relevant laws. Any transcripts or recordings of 9-1-1 calls made or any other identifying information received by the department from a person complying with this law is confidential and shall not be disclosed except as otherwise allowed by law (Iowa Code § 233.5).

Any transcripts or recordings of 9-1-1 calls made or any other identifying information received by the department from a person complying with this law is confidential and shall not be disclosed except as otherwise allowed by law (Iowa Code § 233.5).

### 311.7 INTERVIEWS

#### 311.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

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### 311.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not involuntarily detain a child who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- a. Exigent circumstances exist, such as:
  1. A reasonable belief that medical issues of the child need to be addressed immediately.
  2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
  3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- b. A court order or warrant has been issued.

### 311.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify the Chief of Police before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the Chief should consider obtaining a court order for such an examination.

### 311.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking, or use of narcotics.

#### 311.9.1 SUPERVISOR RESPONSIBILITIES

The Chief of Police should:

- a. Work with professionals from the appropriate agencies, including DHS, other law enforcement agencies, medical service providers and local prosecutors to develop community-specific procedures for responding to situations where there are children

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- b. endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- c. Activate any available interagency response when an officer notifies the Chief of Police that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives at the scene.

### **311.9.2 OFFICER RESPONSIBILITIES**

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- a. Document the environmental, medical, social, and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- b. Notify the Chief of Police so an interagency response can begin.

### **311.10 STATE MANDATES AND OTHER RELEVANT LAWS**

Iowa requires or permits the following:

#### **311.10.1 RELEASE OF REPORTS**

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Iowa Code § 22.7; Iowa Code § 235A.15).

**311.10.2 CHILD DEATH TEAMS** The Woodward Police Department should participate in the state or county child death review team as appropriate (Iowa Code § 135.43).

#### **311.11 TRAINING**

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- a. Participating in multidisciplinary investigations, as appropriate.
- b. Conducting forensic interviews.
- c. Availability of therapy services for children and families.
- d. Availability of specialized forensic medical exams.
- e. Cultural competence (including interpretive services) related to child abuse investigations.
- f. Availability of victim advocate or guardian ad litem support.
- g. Recognizing abuse that requires mandatory notification to another agency.

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### 311.11.1 STATE MANDATED-TRAINING

The Chief of Police shall ensure that all officers receive two hours of training related to the identification and reporting of child abuse within six months of initial employment and two hours of additional training every five years as required by Iowa Code § 232.69.

## **POLICY 312**

### ADULT ABUSE

#### 312.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Woodward Police Department members as required by law.

##### 312.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

##### 312.2 POLICY

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

##### 312.3 MANDATORY NOTIFICATION

Members of the Woodward Police Department shall notify the Department of Human Services (DHS) when there is a reasonable belief that a dependent adult has suffered abuse (Iowa Code § 235B.3).

Members shall also notify DHS promptly when the department receives a report of dependent adult abuse (441 IAC 176.5(5)).

For purposes of notification, a dependent adult is a person 18 years of age or older who is unable to protect the person's own interests or unable to adequately perform or obtain services necessary to

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meet essential human needs, because of a physical or mental condition which requires assistance from another (Iowa Code § 235B.2).

Abuse requiring notification generally includes neglect, sexual abuse or exploitation and physical injury (Iowa Code § 235B.2).

### 312.3.1 NOTIFICATION PROCEDURE

Notification shall be made by telephone to the Dependent Adult Abuse Hotline as soon as practicable and within 24 hours. A written report shall be provided to DHS within 48 hours after the oral notification. The oral and written report shall include the following information, if available (Iowa Code § 235B.3; 441 IAC 176.4; 441 IAC 176.5(4)):

- a. The names and home addresses of the dependent adult, appropriate relatives, caretakers and other persons believed to be responsible for the care of the dependent adult.
- b. The dependent adult's present whereabouts if not the same as the address given.
- c. The reason the adult is believed to be dependent.
- d. The dependent adult's age.
- e. The nature and extent of the adult abuse, including evidence of previous adult abuse.
- f. Information concerning the suspected adult abuse of other dependent adults in the same residence.
- g. Any other information that may be helpful in establishing the cause of the abuse or the identity of the person or persons responsible for the abuse, or helpful in providing assistance to the dependent adult.
- h. The name and address of the person making the report.

### 312.4 QUALIFIED INVESTIGATORS

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

- a. Conduct interviews in appropriate interview facilities.
- b. Be familiar with forensic interview techniques specific to adult abuse investigations.
- c. Present all cases of alleged adult abuse to the prosecutor for review.
- d. Coordinate with other enforcement agencies, social service agencies and facility administrators as needed (Iowa Code § 235B.3; 441 IAC 176.6(4)).
- e. Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- f.

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- g. Participate in or coordinate with multidisciplinary investigative teams as applicable (Iowa Code § 235B.1).
- h. Take lawful action necessary or advisable for the protection of a dependent adult (Iowa Code § 235B.3; 441 IAC 176.6(4)).

### 312.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated. Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- a. The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- b. Any relevant statements the victim may have made and to whom he/she made the statements.
- c. If a person is taken into protective custody, the reasons, the name, and title of the person making the decision, and why other alternatives were not appropriate.
- d. Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- e. Whether the victim was transported for medical treatment or a medical examination.
- f. Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- g. Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- h. Previous addresses of the victim and suspect.
- i. Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

### 312.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for himself/herself, the officer should make reasonable attempts to contact the DHS. Generally, removal of an adult abuse victim from his/her family, guardian, or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation (Iowa Code § 235B.19).

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Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to DHS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

### **312.7 INTERVIEWS**

#### **312.7.1 PRELIMINARY INTERVIEWS**

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

#### **312.7.2 DETAINING VICTIMS FOR INTERVIEWS**

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- a. Exigent circumstances exist, such as:
  1. A reasonable belief that medical issues of the adult need to be addressed immediately.
  2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
  3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- b. A court order or warrant has been issued.



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### 312.8 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency, or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify the Chief of Police before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

### 312.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking, or use of narcotics.

#### 312.9.1 SUPERVISOR RESPONSIBILITIES

The Chief of Police should:

- a. Work with professionals from the appropriate agencies, including DHS, other law enforcement agencies, medical service providers and local prosecutors to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- b. Activate any available interagency response when an officer notifies the Chief of Police that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives at the scene.
- c. Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social, and other conditions that may affect the adult.

### 312.10 PREVENTION OF ADDITIONAL ABUSE

Officers shall use reasonable means to prevent further abuse of a dependent adult when criminal abuse is suspected, including but not limited to the following (Iowa Code § 235B.3A):

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- a. If requested, remain on scene for the dependent adult's physical safety or assist with other arrangements.
- b. Assist in obtaining medical treatment as necessary.
- c. Ensuring that an explanation is provided regarding any written materials related to the dependent adult's rights (See the Victim and Witness Assistance Policy).

### **312.10.1 CHIEF OF POLICE'S OFFICE RESPONSIBILITIES**

The Chief of Police's Office is responsible for:

- a. Providing a copy of the adult abuse report to the DHS as required by law.
- b. Retaining the original adult abuse report with the initial case file.

### **312.10.2 RELEASE OF REPORTS**

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Iowa Code § 22.7).

### **312.10.3 CONFIDENTIAL INFORMATION**

Members who receive information from DHS related to a dependent adult abuse investigation shall not disseminate the information unless it is authorized (Iowa Code § 235B.8).

### **312.11 TRAINING**

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- a. Participating in multidisciplinary investigations, as appropriate.
- b. Conducting interviews.
- c. Availability of therapy services for adults and families.
- d. Availability of specialized forensic medical exams.
- e. Cultural competence (including interpretive services) related to adult abuse investigations.
- f. Availability of victim advocates or other support.

#### **312.11.1 STATE MANDATED TRAINING**

The Chief of Police shall ensure that officers complete at least two hours of initial training relating to the identification and reporting of dependent adult abuse within six months of initial employment and two hours of additional training every five years as provided by Iowa Code § 235B.16.

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The Chief of Police shall also ensure that officers receive a statement of the abuse reporting requirements within one month of initial employment (Iowa Code § 235B.16).

### **POLICY 313**

#### DISCRIMINATORY HARASSMENT

##### 313.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

##### 313.2 POLICY

The Woodward Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

##### 313.3 DEFINITIONS

Definitions related to this policy include:

###### 313.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on race, color, religion, sex, age, national origin or ancestry, genetic information, disability, military service, sexual orientation and other classifications protected by law (Iowa Code § 216.6).

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected

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class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments, crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

### **313.3.2 RETALIATION**

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

### **313.3.3 SEXUAL HARASSMENT**

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- b. Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- c. Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

### **313.3.4 ADDITIONAL CONSIDERATIONS**

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

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- a. Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and the Iowa State Civil Rights Commission guidelines.
- b. Bona fide requests or demands by a supervisor that a member improve his/her work quality or output, that the member report to the job site on time, that the member comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

### **313.4 RESPONSIBILITIES**

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional law enforcement standards and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to the Chief of Police. Any member who is not comfortable with reporting violations of this policy to the Chief of Police may bypass the chain of command and make the report to the Mayor. Complaints may also be filed with the City Clerk.

Any member who believes, in good faith, that he/she has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy. The supervisor receiving the information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

#### **13.4.1 QUESTIONS OR CLARIFICATION**

Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact the Chief of Police, the Mayor, or the City Clerk for further information, direction, or clarification.

#### **313.4.2 SUPERVISOR RESPONSIBILITIES**

The responsibilities of each supervisor and manager shall include, but are not limited to:

- a. Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- b. Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- c. Ensuring that their subordinates understand their responsibilities under this policy.

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- d. Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- e. Making a timely determination regarding the substance of any allegation based upon all available facts.
- f. Notifying the Chief of Police or Mayor in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

### **313.4.3 SUPERVISOR'S ROLE**

Because of differences in individual values, supervisors may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing, or retaliatory. Supervisors and managers shall be aware of the following:

- a. The behavior of supervisors and managers should represent the values of the Department and professional law enforcement standards.
- b. False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating, or counseling members or issuing discipline in a manner that is consistent with established procedures.

### **313.5 INVESTIGATION OF COMPLAINTS**

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation or harassment shall be fully documented and promptly and thoroughly investigated.

#### **313.5.1 SUPERVISORY RESOLUTION**

Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor who is a rank higher than the alleged transgressor.

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### **313.5.2 FORMAL INVESTIGATION**

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include, but is not limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, the Mayor, or the City Clerk.

### **313.5.3 ALTERNATIVE COMPLAINT PROCESS**

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

### **313.6 DOCUMENTATION OF COMPLAINTS**

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- a. Approved by the Chief of Police.
- b. Maintained in accordance with the established records retention schedule.

### **313.6.1 NOTIFICATION OF DISPOSITION**

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

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### 313.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during his/her term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understood its contents and agreed that they will continue to abide by its provisions.

## **POLICY 314**

### MISSING PERSONS

#### 314.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

##### 314.1.1 DEFINITIONS

Definitions related to this policy include:

At risk - Includes persons who:

- a. Are 13 years of age or younger.
- b. Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
  1. Out of the zone of safety for his/her chronological age and developmental stage.
  2. Mentally or behaviorally disabled.
  3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
  4. Absent from home for more than 24 hours before being reported to law enforcement as missing.
  5. In a life-threatening situation.
  6. In the company of others who could endanger his/her welfare.
  7. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.



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8. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.
- c. Qualify for a state AMBER Alert™ (661 IAC 89.201(694)).

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes (Iowa Code § 694.1):

- a. A person with a physical or mental disability.
- b. Missing under circumstances indicating that the person's safety may be in danger.
- c. Missing under circumstances indicating that the disappearance was not voluntary.
- d. An unemancipated minor.

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC) and the Iowa Missing Persons Information Clearinghouse.

### 314.2 POLICY

The Woodward Police Department does not consider any report of a missing person to be routine and assumes that the missing person needs immediate assistance until an investigation reveals otherwise. Priority shall be given to missing person cases over property-related cases. Members will initiate an investigation into all reports of missing persons, regardless of the length of time the person has been missing.

### 314.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Chief of Police shall ensure the following forms and kits are developed and available:

- a. Missing person report form.
- b. Medical records release form.
- c. Biological sample collection kits.

### 314.4 ACCEPTANCE OF REPORTS

Any member encountering an individual who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation (Iowa Code § 694.2).

Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

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A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction (Iowa Code § 694.3).

### 314.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

- a. Respond to a dispatched call as soon as practicable.
- b. Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
- c. Notify the Chief of Police immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- d. Broadcast an alert if the person is under 18 years of age or there is evidence that the missing person is at risk. The alert should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 18 years of age or may be at risk (Iowa Code § 694.2).
- e. Ensure that entries are made into the appropriate missing person networks (Iowa Code § 694.10):
  1. Immediately, when the missing person is at risk or an unemancipated minor (Iowa Code § 694.5).
  2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report (34 USC § 41308).
- f. Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts (Iowa Code § 694.3).
- g. Collect and/or review:
  1. A photograph and fingerprint card of the missing person, if available.
  2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
  3. Any documents that may assist in the investigation, such as court orders regarding custody.
  4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- h. When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- i. Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for

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- j. transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify the Chief of Police and proceed with reasonable steps to locate the missing person.

### 314.6 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

#### 314.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the Chief of Police shall include, but are not limited to:

- a. Reviewing and approving missing person reports upon receipt.
  - 1. The reports should be promptly sent to the Chief of Police's Office.
- b. Ensuring resources are deployed as appropriate.
- c. Initiating a command post as needed.
- d. Ensuring applicable notifications and public alerts are made and documented.
- e. Ensuring that records have been entered into the appropriate missing person networks (Iowa Code § 694.10).
- f. Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
  - 1. If the case falls within the jurisdiction of another agency, the Chief of Police should facilitate transfer of the case to the agency of jurisdiction.

#### 314.6.2 CHIEF OF POLICE'S OFFICE RESPONSIBILITIES

The responsibilities of the Chief of Police's Office receiving member shall include, but are not limited to (Iowa Code § 694.4):

- a. As soon as reasonable under the circumstances, notify and forward a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- b. Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.
- c. Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- d. Coordinating with the National Crime Information Center (NCIC) Terminal Contractor for Iowa to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).
- e. Forwarding the missing person report to any law enforcement agency requesting a copy.

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- f. Forwarding a copy to any law enforcement agency that the reporting party requests if the request is reasonable considering the information contained in the report.

### 314.7 FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- a. Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
  - 1. The notice must be in writing and should also include a photograph.
  - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information, if the school receives a call requesting the transfer of the missing child's files to another school.
- b. Should recontact the reporting party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available.
- c. Should consider contacting other agencies involved in the case to determine if any additional information is available.
- d. Shall verify and update the Iowa Missing Person Information Clearinghouse, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- e. Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- f. Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- g. Should make an appropriate inquiry with the Medical Examiner.
- h. Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.
- i. Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to Division of Criminal Investigations (DCI) and enter the photograph into applicable missing person networks (34 USC § 41308).
- j. Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

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- k. In the case of an at-risk missing person or a person who has been missing for an extended time, should consider seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

### 314.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies, and refer the case for additional investigation if warranted.

The Chief of Police should ensure that, upon receipt of information that a missing person has been located, the following occurs:

- a. Notification is made to DCI.
- b. The missing child's school is notified.
- c. Entries are made in the applicable missing person networks.
- d. Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

#### 314.8.1 UNIDENTIFIED PERSONS

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying himself/herself should:

- a. Obtain a complete description of the person.
- b. Enter the unidentified person's description into the NCIC Unidentified Person File.
- c. Use available resources, such as those related to missing persons, to identify the person.

### 314.9 CASE CLOSURE

The Chief of Police may authorize the closure of a missing person case after considering the following:

- a. Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- b. If the missing person is a resident of Woodward or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- c. If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.

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- d. A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

### 314.10 TRAINING

Subject to available resources, the Chief of Police should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

- a. The initial investigation:
  - 1. Assessments and interviews.
  - 2. Use of current resources, such as Mobile Audio/Video (MAV).
  - 3. Confirming missing status and custody status of minors.
  - 4. Evaluating the need for a heightened response.
  - 5. Identifying the zone of safety based on chronological age and developmental stage.
- b. Briefing of department members at the scene.
- c. Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile, catastrophe).
- d. Verifying the accuracy of all descriptive information.
- e. Initiating a neighborhood investigation.
- f. Investigating any relevant recent family dynamics.
- g. Addressing conflicting information.
- h. Key investigative and coordination steps.
- i. Managing a missing person case.
- j. Additional resources and specialized services.
- k. Update procedures for case information and descriptions.
- l. Preserving scenes.
- m. Internet and technology issues (e.g., internet use, cell phone use).
- n. Media relations.
- o. Training offered by the Iowa Department of Public Safety (661 IAC 89.107(694)).

## POLICY 315

### PUBLIC ALERTS

#### 315.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

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### 315.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television, and press organizations, Regroup, and other avenues, to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

### 315.3 RESPONSIBILITIES

#### 315.3.1 MEMBER RESPONSIBILITIES

Members of the Woodward Police Department should notify the Chief of Police as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and the public could assist in locating a missing person, apprehending a dangerous person, or gathering information.

#### 315.3.2 SUPERVISOR RESPONSIBILITIES

The senior officer on duty apprised of the need for a public alert is responsible for making the appropriate notifications based upon the circumstances of each situation. The officer shall promptly notify the Chief of Police when any public alert is generated. The officer in charge of the investigation to which the alert relates is responsible for:

- a. Updating alerts.
- b. Canceling alerts.
- c. Ensuring all appropriate reports are completed.
- d. Preparing an after-action evaluation of the investigation to be forwarded to the Chief of Police.

### 315.4 AMBER ALERTS™

AMBER Alerts™ are used to provide a statewide system for the rapid dissemination of information regarding abducted children.

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### 315.4.1 CRITERIA

The following criteria are utilized to determine if an AMBER Alert should be requested (661 IAC 89.201):

- a. An officer has confirmed that a person has been abducted and that an entry has been made into the Iowa On-line Warrants and Articles System (IOWA).
- b. The victim of the abduction is a child under 18 years of age.
- c. An officer has a reason to believe the child is in danger of serious bodily injury or death.
- d. An officer has enough descriptive information about the child, abductor, or the suspect's vehicle to justify an immediate broadcast.

### 315.4.2 PROCEDURE

The following is the procedure for initiating an AMBER Alert:

- a. The assigned officer will determine if the facts of the abduction fit the criteria for an AMBER Alert.
- b. If the criteria are met, the assigned officer will submit, by facsimile, a completed copy of the State of Iowa AMBER Alert Notification Plan Facsimile Transmission Packet to the Iowa State Patrol (ISP) communications.
- c. After initiation of an AMBER Alert, additional information may be submitted by the assigned officer to the ISP by facsimile, electronic mail, or telephone.

### 315.5 ENDANGERED PERSON ALERT SYSTEM

The Endangered Person Advisory (EPA) system provides information about an endangered missing person to the public by use of the local media with distribution to other law enforcement agencies.

#### 315.5.1 CRITERIA

The following criteria are utilized to determine if an EPA should be issued:

- a. The incident circumstances do not qualify as an AMBER Alert.
- b. The person is missing under unexplained or suspicious circumstances.
- c. One of the following factors place the missing person at risk of death or serious injury:
  1. Age.
  2. Health.
  3. Mental or physical disability.
  4. Weather or environmental conditions



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- d. Notification to the public has the potential to assist in the recovery of the endangered missing person.

### 315.5.2 PROCEDURE

The following is the procedure for initiating an EPA:

- a. The assigned officer will respond to the scene and initiate a missing endangered person investigation.
- b. The assigned officer will determine if the facts of the missing person fit the criteria for an EPA.
- c. If the criteria are met, the officer will make a missing person entry into the National Crime Information Center (NCIC) through IOWA.
- d. The Woodward Police Department will appoint an officer to coordinate with Iowa Department of Public Safety (DPS) to help coordinate the release of information.

### 315.6 ALERT IOWA

Alert Iowa is a statewide mass notification and emergency messaging system that may be used to provide notice to the public regarding any active event that poses a risk to the public. When the Woodward Police Department is the lead agency on such an event, the incident commander of the authorized designee, should consider using the Alert Iowa system to disseminate the critical information to the public. The Alert Iowa system is accessible through the Iowa Homeland Security and Emergency Management website.

## **POLICY 316**

### VICTIM AND WITNESS ASSISTANCE

#### 316.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

#### 316.2 POLICY

The Woodward Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Woodward Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

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### 316.3 CRIME VICTIM LIAISON

The Chief of Police may appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Woodward Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

### 316.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

### 316.5 VICTIM INFORMATION

The Chief of Police or training officer shall ensure that victim information handouts are available and current. These should include as appropriate:

- a. Shelters and other community resources for victims including domestic violence and sexual assault victims (Iowa Code § 236.12; Iowa Code § 915.50):
  1. The informational brochure published by the Iowa Department of Justice for victims of domestic violence (Iowa Code § 236.16).
- b. Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; Iowa Code § 915.41).
- c. An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- d. A clear explanation of relevant court orders and how they can be obtained.
- e. Information regarding available compensation for qualifying victims of crime (Iowa Code § 915.84).
- f. VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
  1. The telephone number and website to register with VINE (Iowa Code § 915.10A).

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- g. Notice regarding U visa and T visa application processes.
- h. Resources available for victims of identity theft.
- i. Resource materials related to the rights of dependent adults pursuant to Iowa Code § 235B.3A.
- j. A place for the officer's name, badge number and any applicable case or incident number.
- k. An advisement of the victim's right to register with the county attorney. The brochure shall also include a request-for-registration form (Iowa Code § 915.11).
- l. An explanation that the victim may have a victim counselor present upon request during any proceedings related to the offense involving the victim (Iowa Code § 9E.3). (m)
- m. Availability of the address confidentiality program, administered by the Iowa Secretary of State (Iowa Code § 915.20).
- n. Rights provided to victims of domestic abuse, sexual abuse and sexual assault (Iowa Code § 915.50; Iowa Code § 236A.13; Iowa Code § 709.22).

### 316.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

## POLICY 317

### HATE CRIMES

#### 317.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

##### 317.1.1 DEFINITIONS

Definitions related to this policy include:

Hate crime - A crime motivated by prejudice based on (Iowa Code § 729A.2):

- a. The actual or perceived race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability of the victim.

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- b. The victim's association with a person of certain race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability.

### 317.2 POLICY

The Woodward Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

### 317.3 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

- a. Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes, and forming networks that address prevention and response.
- b. Providing victim assistance and community follow-up or identifying available resources to do so.
- c. Educating community and civic groups about hate crime laws.

### 317.4 INVESTIGATIONS

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- a. Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.
- b. The Chief of Police should be notified of the circumstances as soon as practicable.
- c. Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned officers should take reasonable steps to preserve evidence that establishes a possible hate crime.
- d. Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.
- e. Depending on the situation, the assigned officers may request assistance from investigators or other resources.
- f. The assigned officers should interview available witnesses, victims, and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- g. The assigned officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.

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- h. The assigned officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked “Hate Crime.”
- i. The assigned officers should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid (Temporary Protective Order) through the courts or County Attorney.

### 317.4.1 INVESTIGATOR RESPONSIBILITIES

If a hate crime case is assigned, the assigned investigator will be responsible for:

- a. Coordinating further investigation with the County Attorney and other appropriate law enforcement agencies.
- b. Maintaining contact with the victim and other involved individuals, as needed.
- c. Maintaining statistical data and tracking of suspected hate crimes, as indicated or required by state law.

### 317.5 TRAINING

All members of this department should receive training on hate crime recognition and investigation (Iowa Code § 80B.11; Iowa Code § 729A.4).

## POLICY 318

### STANDARDS OF CONDUCT

#### 318.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Woodward Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member’s supervisors.

#### 318.2 POLICY

The continued employment or appointment of every member of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

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### 318.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

#### 318.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors or officers in charge shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors or officers in charge should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor or officer in charge to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

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

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

#### 318.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors are required to follow all policies and procedures and may be subject to discipline for:

- a. Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- b. Failure to report any known misconduct of a member and to promptly and fully document such misconduct appropriately or as required by policy.
- c. Directing a subordinate to violate a policy or directive, acquiescing to such a violation, or exhibiting indifference to such a violation.

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- d. Exercising unequal or disparate authority toward any member for malicious or other improper purpose.

### **318.4 GENERAL STANDARDS**

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Iowa Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

### **318.5 CAUSES FOR DISCIPLINE**

The following are illustrative causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

#### **318.5.1 LAWS, RULES, AND ORDERS**

- a. Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive, or requirement, or failure to follow instructions contained in department or City manuals.
- b. Disobedience of any legal directive or order issued by any department member of a higher rank.
- c. Violation of federal, state, local, or administrative laws, rules or regulations.
- d. All members shall comply with the provisions of Chapter 825 of the Iowa Statutes, and no member shall prevent any other member from fully complying with any state or federal laws (Iowa Code § 825.5).

#### **318.5.2 ETHICS**

- a. Using or disclosing one's status as a member of the Woodward Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.

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- b. The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit, or any other improper purpose.
- c. The receipt or acceptance of a reward, fee, or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- d. Acceptance of fees, gifts, or money contrary to the rules of this department and/or laws of the state.
- e. Offer or acceptance of a bribe or gratuity.
- f. Misappropriation or misuse of public funds, property, personnel, or services.
- g. Any other failure to abide by the standards of ethical conduct.

### 318.5.3 DISCRIMINATION, OPPRESSION OR FAVORITISM

Discriminating against, oppressing, or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

### 318.5.4 RELATIONSHIPS

- a. Unwelcome solicitation of a personal or sexual relationship while on-duty or using one's official capacity.
- b. Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- c. Establishing or maintaining an inappropriate personal or financial relationship, because of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- d. Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- e. Associating on a personal, rather than official, basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.



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### 318.5.5 ATTENDANCE

- a. Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- b. Unexcused or unauthorized absence or tardiness.
- c. Excessive absenteeism or abuse of leave privileges.
- d. Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.

### 318.5.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE

- a. Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained because of the member's position with this department.
- b. Disclosing to any unauthorized person any active investigation information.
- c. The use of any information, photograph, video, or other recording obtained or accessed because of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- d. Loaning, selling, allowing unauthorized use, giving away or appropriating any Woodward Police Department badge, uniform, identification card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.
- e. Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment, and non-subpoenaed records.

### 318.5.7 EFFICIENCY

- a. Neglect of duty.
- b. Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.
- c. Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- d. Unauthorized sleeping during on-duty time or assignments.
- e. Failure to notify the Department within 24 hours of any change in residence address, home contact telephone numbers or marital status.

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### 318.5.8 PERFORMANCE

- a. Failure to disclose or misrepresenting material facts or making any false or misleading statement on any application, examination form, or other official document, report, or form, or during the course of any work-related investigation.
- b. The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper, or document.
- c. Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- d. Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- e. Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency, and discipline of this department or that would tend to discredit any of its members.
- f. Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
  1. While on department premises.
  2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
  3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- g. Improper political activity including:
  1. Unauthorized attendance while on-duty at official legislative or political sessions.
  2. Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- h. Engaging in political activities during assigned working hours except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- i. Any act on or off-duty that brings discredit to this department.

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### 318.5.9 CONDUCT

- a. Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- b. Unreasonable and unwarranted force to a person encountered or a person under arrest.
- c. Exceeding lawful peace officer powers by unreasonable, unlawful, or excessive conduct.
- d. Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily harm on another.
- e. Engaging in horseplay that reasonably could result in injury or property damage.
- f. Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the city.
- g. Use of obscene, indecent, profane, or derogatory language while on-duty or in uniform.
- h. Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- i. Unauthorized possession of, loss of, or damage to department property or the property of others or endangering it through carelessness or maliciousness.
- j. Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- k. Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract, including fraud in securing the appointment or hire.
- l. Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- m. Any other on or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

### 318.5.10 SAFETY

- a. Failure to observe or violating department safety standards or safe working practices.
- b. Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- c. Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

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- d. Unsafe firearm or other dangerous weapon handling including loading or unloading firearms in an unsafe manner, either on or off-duty.
- e. Carrying, while on the premises of the work site, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- f. Unsafe or improper driving habits or actions in the course of employment or appointment.
- g. Any personal action contributing to a preventable traffic accident.
- h. Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

### 318.5.11 INTOXICANTS

- a. Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication, or drugs, whether legal, prescribed, or illegal.
- b. Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- c. Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug, or non-prescribed medication to any work site.

## **POLICY 319**

### INFORMATION TECHNOLOGY USE

#### 319.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software, and systems.

##### 319.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented, or licensed by the Woodward Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

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Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems, and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

### **319.2 POLICY**

It is the policy of the Woodward Police Department that members shall use information technology resources, including computers, software, and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

### **319.3 PRIVACY EXPECTATION**

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices, or networks.

### **319.4 RESTRICTED USE**

Members shall not access computers, devices, software, or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software, or systems by another member to the Chief of Police.

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

### **319.4.1 SOFTWARE**

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software on any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire, or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as a part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software. Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

### **319.4.2 HARDWARE**

Access to technological resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by the Chief of Police.

### **319.4.3 INTERNET USE**

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to

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department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

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

### **319.4.4 OFF-DUTY USE**

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by the Chief of Police. This includes the use of telephones, cell phones, texting, email, or any other off-the-clock work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

### **319.5 PROTECTION OF SYSTEMS AND FILES**

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or the Chief of Police.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to the Chief of Police.

### **319.6 INSPECTION AND REVIEW**

The Chief of Police or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any

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contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

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

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

## **POLICY 320**

### DEPARTMENT USE OF SOCIAL MEDIA

#### 320.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission. This policy does not address all aspects of social media use. Specifically, it does not address:

1. Personal use of social media by department members (see the Speech, Expression and Social Networking Policy).
2. Use of social media in personnel processes (see the Recruitment and Selection Policy).
3. Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

#### 320.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

#### 320.2 POLICY

The Woodward Police Department will use social media as a method of effectively informing the public about department services, issues, investigations, recruitment and other relevant events.



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Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all people.

### 320.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by the Chief of Police or designee prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

### 320.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and that conforms to all department policies regarding the release of information may be posted. Examples of appropriate content include:

- a. Announcements.
- b. Tips and information related to crime prevention.
- c. Investigative requests for information.
- d. Requests that ask the community to engage in projects that are relevant to the department mission.
- e. Real-time safety information that is related to in-progress crimes, geographical warnings, or disaster information.
- f. Traffic information.
- g. Media releases.
- h. Recruitment of personnel.

#### 320.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Chief of Police or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

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### 320.5 PROHIBITED CONTENT

Content that is prohibited from posting includes but is not limited to:

- a. Content that is abusive, discriminatory, inflammatory, or sexually explicit.
- b. Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- c. Any information that could compromise an ongoing investigation.
- d. Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Woodward Police Department or its members.
- e. Any information that could compromise the safety security of department operations, members of the Department, victims, suspects, or the public.
- f. Any content posted for personal use.
- g. Any content that has not been properly authorized by this policy, the Chief of Police, or the designee.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to the Chief of Police or designer. The Chief of Police or designer will ensure its removal from public view and investigate the cause of the entry.

#### 320.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public. The Department may provide a method for members of the public to contact department members directly.

### 320.6 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination, and retention of information posted on department sites.

## **POLICY 321**

### REPORT PREPARATION

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### 321.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to those members of the Department who complete investigations and reports as a part of their duties.

### 321.2 POLICY

It is the policy of the Woodward Police Department that members shall act with promptness and efficiency in the preparation and processing of all reports. Reports shall document sufficient information to refresh the member's memory and shall provide enough detail for follow-up investigation and successful prosecution.

### 321.3 EXPEDITIOUS REPORTING

Incomplete reports, unorganized reports or reports that are delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or to a special priority made necessary under exceptional circumstances.

### 321.4 REPORT PREPARATION

Reports should be sufficiently detailed for their purpose and free from errors prior to submission and approval. It is the responsibility of the officer to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor or officer in charge. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be held.

All reports shall accurately reflect the identity of the persons involved; all pertinent information seen, heard, or assimilated by any other sense; and any actions taken. Members shall not suppress, conceal, or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

#### 321.4.1 HANDWRITTEN OR TYPED REPORTS

County, state, and federal agency forms may be block printed unless the requirement for typing is apparent. Supervisors may require block printing or typing of reports of any nature for department

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consistency. Handwritten reports must be prepared legibly. If the report is not legible, the submitting member will be required by the reviewing supervisor to promptly make corrections and resubmit the report. The narrative portion of reports must be typed or dictated. Members who dictate reports shall use appropriate grammar, as the content is not the responsibility of the typist. Members who generate reports on computers are subject to all requirements of this policy.

### **321.4.2 ELECTRONIC SIGNATURES**

The Woodward Police Department has established an electronic signature procedure for use by all members of the Woodward Police Department. The Chief of Police shall be responsible for maintaining the electronic signature system, ensuring that each member creates a unique, confidential password for his/her electronic signature and that the use of electronic signatures otherwise complies with the law (Iowa Code § 554D.108).

- a. Members may only use their electronic signatures for official reports or other official communications.
- b. Each member shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

### **321.5 REQUIRED REPORTING**

In all the following situations, members shall complete reports using the appropriate department approved forms and reporting methods, unless otherwise approved by the Chief of Police.

The reporting requirements are not intended to be all-inclusive. A member may complete a report if he/she deems it necessary or as directed.

#### **321.5.1 CRIMINAL ACTIVITY**

When a member responds to a call for service, or because of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in a written report includes:

- a. All arrests.
- b. All felony crimes.
- c. Non-felony criminal incidents involving threats or stalking behavior.
- d. Situations covered by separate policy. These include:

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1. Use of Force Policy.
2. Domestic Abuse Policy.
3. Child Abuse Policy.
4. Adult Abuse Policy.
5. Hate Crimes Policy.
6. Suspicious Activity Reporting Policy.
7. All misdemeanor crimes where the victim desires a report.

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., a dispatch log).

### 321.5.2 NON-CRIMINAL ACTIVITY

Non-criminal activity to be documented includes:

- a. Any found property or found evidence.
- b. All protective custody and welfare detentions.
- c. Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy).
- d. Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- e. Suspicious incidents that may place the public or others at risk.
- f. Any use of force by members of this department against any person (see the Use of Force Policy).
- g. Any firearm discharge (see the Firearms Policy).
- h. Any time a member points a firearm at any person.
- i. Any traffic accidents above the minimum reporting level (see the Traffic Accidents Policy).
- j. Whenever the member believes the circumstances should be documented or at the direction of the Chief of Police or officer in charge.

### 321.5.3 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- a. The injury is a result of drug overdose.
- b. There is an attempted suicide.
- c. The injury is major or serious, and potentially fatal.
- d. The circumstances surrounding the incident are suspicious in nature and it is desirable to document the event.

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### 321.5.4 DEATHS

Death investigations require specific investigation methods, depending on the circumstances. They should be handled in accordance with the Death Investigation Policy. The handling member should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following incidents shall be appropriately investigated and documented:

- a. Unattended deaths (no physician or qualified hospice care during the period preceding death).
- b. Sudden, accidental, or suspicious deaths.
- c. Suicides.
- d. Homicide or suspected homicide.
- e. Found dead bodies or body parts.

### 321.6 ALTERNATIVE REPORTING FOR VICTIMS

Reports that may be submitted by the public via online or other self-completed reporting processes include:

- a. Lost property.
- b. Misdemeanor thefts of property, other than firearms or materials threatening to public safety, when there is no suspect information or serial number or ability to trace the item.
  1. Misdemeanor thefts of cellular telephones may be reported even though they have a serial number.
- c. Misdemeanor vandalism with no suspect information and no hate crime implications.
- d. Vehicle burglaries with no suspect information or evidence.
- e. Stolen vehicle attempts with no suspect information or evidence.
- f. Annoying telephone calls with no suspect information.
- g. Identity theft without an identifiable suspect.
- h. Online or email fraud solicitations without an identifiable suspect and if the financial loss classifies the crime as a misdemeanor.
- i. Hit-and-run vehicle accidents with no suspect or suspect vehicle.
- j. Supplemental property lists.

Members may refer victims to online victim assistance programs (e.g., the Federal Communications Commission (FCC) website for identity theft; the Internet Crime Complaint Center (IC3) website for computer crimes).

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### 321.7 REVIEW AND CORRECTIONS

The Chief of Police shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should notify the originating member, stating the reasons for rejection. The original report should be returned to the reporting member for correction as soon as practicable. It shall be the responsibility of the originating member to ensure that any report returned for correction is processed in a timely manner.

### 321.8 REQUIRED STATE REPORTING

#### 321.8.1 SERIOUS INJURY AND INVESTIGATION AND REPORTING

Members of the Department shall investigate all incidents of gunshot wounds, stab wounds, or other serious injuries. A report of the investigation shall be forwarded to the appropriate county attorney (Iowa Code § 147.112).

#### 321.8.2 CONTROLLED SUBSTANCES ARREST REPORTING

A member who arrests a person for a controlled substances crime or who arrests a known unlawful user of controlled substances for any crime shall report the arrest, the charge filed, and the results of any analysis of seized controlled substances to the Iowa Department of Public Safety within five days of the arrest or filing of the charge, whichever is later (Iowa Code § 124.510). If analysis results are unavailable at the time of the arrest or filing of the charge, the member shall report those to the Department as soon as they become available.

## **POLICY 322**

### MEDIA RELATIONS

#### 322.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of official department information to the media. It also addresses coordinating media access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities.

#### 322.2 POLICY

It is the policy of the Woodward Police Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

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### 322.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. In situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, other officers as assigned may prepare and release information to the media in accordance with this policy and applicable laws regarding confidentiality.

### 322.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of department members and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or prejudice the rights of any person or is otherwise prohibited by law.

### 322.5 MEDIA REQUESTS

Any media request for information or access to a law enforcement incident shall be referred to the Chief of Police, or if unavailable, to the first available designee. Prior to releasing any information to the media, members shall consider the following:

- a. At no time shall any member of this department make any comment or release any official information to the media without prior approval from the Chief of Police or designee.
- b. In situations involving multiple agencies or government departments, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- c. Under no circumstance should any member of this department make any comment to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police. Under these circumstances the member should direct the media to the agency handling the incident.



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### 322.6 ACCESS

Authorized media representatives shall be provided access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities as required by law.

Access by the media is subject to the following conditions:

- a. The media representative shall produce valid media credentials that shall be prominently always displayed while in areas otherwise closed to the public.
- b. Media representatives should be prevented from interfering and may be removed for interfering with emergency operations and criminal investigations.
  1. Based upon available resources, reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the Chief of Police or other designated spokesperson.
- c. Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express written consent of the person in custody.
- d. No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved member.

#### 322.6.1 CRITICAL OPERATIONS

A critical incident or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor or officer in charge. Department members shall not jeopardize a critical incident or tactical operation to accommodate the media. All comments to the media shall be coordinated through the Chief of Police or designee.

#### 322.6.2 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or member safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Chief of Police. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

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### 322.7 CONFIDENTIAL OR RESTRICTED INFORMATION

It shall be the responsibility of the Chief of Police to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

#### 322.7.1 EMPLOYEE INFORMATION

The identities of officers involved in shootings or other critical incidents may only be released to the media upon the consent of the involved officer or upon a formal request filed.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of officers involved in shootings or other critical incidents, shall be referred to the Chief of Police.

Requests should be reviewed and fulfilled by the Custodian of Records, or if unavailable, the Chief of Police or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws (e.g., Iowa Open Records Act).

### 322.8 RELEASE OF INFORMATION

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.

#### 322.8.1 INFORMATION LOG

The Department will maintain a daily information dispatch log of significant law enforcement activities. Log entries shall only contain information that is deemed public information and not restricted or confidential by this policy or applicable law. Upon request, the log entries shall be made available to media representatives through the Chief of Police.

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The daily information log will generally include:

- a. The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation, or the information is confidential (e.g., juveniles or certain victims).
- b. The date, time, location, case number, name, birth date and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation or the information is confidential (e.g., juveniles).
- c. The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident.

## **POLICY 323**

### **SUBPOENAS AND COURT APPEARANCES**

#### **323.1 PURPOSE AND SCOPE**

This policy establishes the guidelines for department members who must appear in court. It will allow the Woodward Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

#### **323.2 POLICY**

Woodward Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

#### **323.3 SUBPOENAS**

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

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### 323.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf or at the request of any party other than the County Attorney or the prosecutor shall notify the Chief of Police without delay regarding:

- a. Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.
- b. Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- c. Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- d. Any civil action stemming from the member's on-duty activity or because of his/her association with the Woodward Police Department.
- e. Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Woodward Police Department.

The Chief of Police will notify the prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary. No member shall be retaliated against for testifying in any matter.

### 323.3.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties. The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

### 323.3.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance.

### 323.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

### 323.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

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If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

### 323.6 COURTROOM PROTOCOL

When appearing in court, members shall:

- a. Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- b. Dress in the department uniform or business attire.
- c. Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

#### 323.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content to be prepared for court.

### 323.7 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current city policy.

## **POLICY 324**

### PART-TIME OFFICERS

#### 324.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Woodward Police Department part-time officers to supplement and assist regular full-time police officers in their duties. These officers provide professional and special functions and part-time services that can augment regular staffing levels.

##### 324.1.1 DEFINITIONS

Definitions related to this policy include (441 IAC 93.7):

Part-time officer - A person who is a certified peace officer and is anticipated to work less than an average of 40 hours per week.

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### 324.2 POLICY

The Woodward Police Department shall ensure that part-time officers are properly appointed, trained, and supervised and that they maintain the appropriate certifications and readiness to carry out their assigned duties.

### 324.3 RECRUITMENT AND SELECTION

The Woodward Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral, and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as regular full-time police officers before appointment.

#### 324.3.1 APPOINTMENT

Applicants who are selected for appointment as part-time officers shall, on the recommendation of the Chief of Police, be sworn in and take the Oath of Office in accordance with the Oath of Office Policy and as required for the position.

Part-time officers are considered at-will employees and may be dismissed at the discretion of the Chief of Police, with or without cause. Part-time officers shall have no property interest in continued appointment. However, if a part-time officer is removed for alleged misconduct, the part-time officer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

### 324.4 IDENTIFICATION AND UNIFORMS

Part-time officers will be issued Woodward Police Department uniform shirts, badges, and identification cards. The uniforms and badges shall be the same as those worn by regular full time police officers. The identification cards will be the standard Woodward Police Department identification cards, with the exception that "Part-time" will be indicated on the cards.

### 324.5 COMPENSATION

Compensation for part-time officers is provided as follows:

- a. Part-time officers shall work as specified in the collective bargaining agreement or as contracted with the Woodward Police Department.

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- b. Part-time officers are issued two sets of uniform shirts and all designated attire and safety equipment, as applicable to their positions. All property issued to part-time officers shall be returned to this department upon termination or resignation.

### **324.6 PERSONNEL WORKING AS PART-TIME OFFICERS/DEPUTIES**

Qualified regular department personnel, when authorized, may also serve as part-time officers. However, this department shall not utilize the services of part-time officers in such a way that it would violate employment laws or labor agreements (e.g., a detention officer working as a part time officer for reduced pay or no pay).

### **324.7 COMPLIANCE**

Part-time officers shall be required to adhere to all department policies and procedures. A copy of the policies and procedures will be made available to each part-time officer upon appointment. The officers shall become thoroughly familiar with these policies.

Whenever a rule, regulation or guideline in this Policy Manual refers to a regular full-time police officer, it shall also apply to a part-time officer, unless by its nature it is inapplicable.

Part-time officers are required by this department to meet department-approved training requirements. All part-time officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the training officer.

### **324.8 FIREARMS**

Part-time officers shall successfully complete department-authorized training in the use of firearms. Their appointments must be approved by the City prior to being issued firearms by this department or otherwise acting as part-time officers on behalf of the Woodward Police Department.

Part-time officers will be issued duty firearms, if applicable, as specified in the Firearms Policy. Any part-time officer who is permitted to carry a firearm other than the assigned duty weapon or any optional firearm may do so only in compliance with the Firearms Policy.

Part-time officers are required to maintain proficiency with firearms used during their assignments. Part-time officers shall comply with all training and qualification requirements set forth in the Firearms Policy.

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### 324.8.1 CONCEALED FIREARMS

A part-time officer may carry a concealed firearm while in an off-duty capacity provided he/she is exempt pursuant to Iowa Code § 724.4.

An instance may arise where a part-time officer is assigned to a plainclothes detail for his/her assigned tour of duty. Under these circumstances, the part-time officer may be permitted to carry a weapon more suited to the assignment, but only with the knowledge and approval of the Chief of Police in charge of the detail.

Any part-time officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to department standards. The weapon shall comply with all the requirements set forth in the Firearms Policy.

Before being allowed to carry any optional firearm during an assigned tour of duty, the part-time officer shall demonstrate his/her proficiency with the weapon.

### 324.9 FIELD TRAINING

All part-time officers shall complete the same department-specified field training as regular full time police officers, as described in the Field Training Policy.

### 324.10 SUPERVISION

Part-time officers may perform the same duties as regular full-time officers in this department.

### 324.11 INVESTIGATIONS AND COMPLAINTS

If a part-time officer has a personnel complaint made against him/her or becomes involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy.

## **POLICY 325**

### RESERVE OFFICERS

#### 325.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Woodward Police Department reserve officers to supplement and assist certified police officers in their duties. These officers provide professional and special functions that augment regular staffing levels.



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### 325.1.1 DEFINITIONS

Definitions related to this policy include (Iowa Code § 80D.1A): Reserve officer - A volunteer, nonregular, sworn member of the department who serves with or without compensation, has regular police powers and participates on a regular basis in the department's activities of crime prevention and control, preservation of the peace and enforcement of the law.

### 325.2 POLICY

The Woodward Police Department shall ensure that reserve officers are properly appointed, trained and supervised and that they maintain the appropriate certifications and readiness to carry out their assigned duties.

### 325.3 RECRUITMENT AND SELECTION

The Woodward Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department. All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment.

325.3.1 APPOINTMENT Applicants who are selected for appointment as reserve officers shall, on the recommendation of the Chief of Police, be sworn in and take the Oath of Office in accordance with the Oath of Office Policy and as required for the position.

Reserve officers are considered at-will employees and may be dismissed at the discretion of the Chief of Police, with or without cause. Reserve officers shall have no property interest in continued appointment. However, if a reserve officer is removed for alleged misconduct, the reserve officer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee (Iowa Code § 80D.6).

### 325.4 IDENTIFICATION AND UNIFORMS

Reserve officers will be issued Woodward Police Department uniforms, badges and identification cards. The uniforms and badges shall be the same as those worn by regular full-time police officers. The identification cards will be the standard Woodward Police Department identification cards, with the exception that "Reserve" will be indicated on the cards (Iowa Code § 80D.9).

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### 325.5 AUTHORITY

Reserve officers shall perform peace officer duties within the scope of their approved training (Iowa Code § 80D.6).

Reserve officers (Iowa Code § 80D.6):

- a. Perform law enforcement functions and have the authority to arrest on behalf of this department.
- b. Shall not exercise peace officer duties when off-duty.

### 325.7 PERSONNEL WORKING AS RESERVE OFFICERS

Qualified regular department personnel, when authorized, may also serve as reserve officers. However, this department shall not utilize the services of reserve officers in such a way that it would violate employment laws or labor agreements (e.g., a detention officer working as a reserve officer for reduced or no pay).

### 325.8 COMPLIANCE

Reserve officers shall be required to adhere to all department policies and procedures. A copy of the policies and procedures will be made available to each reserve officer upon appointment. The reserve officer shall become thoroughly familiar with these policies.

Whenever a rule, regulation or guideline in this Policy Manual refers to a regular full-time police officer, it shall also apply to a reserve officer, unless by its nature it is inapplicable.

Reserve officers are required by this department to meet department-approved training requirements.

All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the training officer.

### 325.9 FIREARMS

Reserve officers shall successfully complete department-authorized training in the use of firearms. Their appointments must be approved by the City prior to being issued firearms by this department or otherwise acting as reserve officers on behalf of the Woodward Police Department.

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Reserve officers will be issued duty firearms as applicable, as specified in the Firearms Policy. Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon or any optional firearm may do so only in compliance with the Firearms Policy.

Reserve officers are required to maintain proficiency with firearms used during their assignments. Reserve officers shall comply with all training and qualification requirements set forth in the Firearms Policy (Iowa Code § 80D.7).

### **325.9.1 CONCEALED FIREARMS**

An instance may arise where a reserve officer is assigned to a plainclothes detail for his/her assigned tour of duty. Under these circumstances, the reserve officer may be permitted to carry a weapon more suited to the assignment, but only with the knowledge and approval of the Chief of Police.

Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to department standards. The weapon shall comply with all the requirements set forth in the Firearms Policy. Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve officer shall demonstrate his/her proficiency with the weapon.

### **325.10 RESERVE COORDINATOR/TRAINING OFFICER**

The Chief of Police shall delegate certain responsibilities to a reserve coordinator/training officer. The reserve coordinator/training officer shall be appointed by and directly responsible to the Chief of Police or the authorized designee (Iowa Code § 80D.9).

The reserve coordinator/training officer may appoint a senior reserve officer or other designee to assist in the coordination of reserve officers and their activities. The responsibilities of the coordinator or the authorized designee include, but are not limited to:

- a. Assigning reserve officers.
- b. Conducting reserve officer meetings.
- c. Establishing and maintaining a reserve officer callout roster.
- d. Maintaining and ensuring performance evaluations are completed.
- e. Monitoring the field training progress of reserve officers.
- f. Monitoring individual reserve officer performance.
- g. Monitoring overall reserve officer activities.
- h. Maintaining a liaison with other agency reserve coordinators.

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### 325.11 FIELD TRAINING

All reserve officers shall complete the same department-specified field training as regular full-time police officers as described in the Field Training Policy.

### 325.12 SUPERVISION

Reserve officers may perform the same duties as regular full-time officers of this department provided, they are under the direct or indirect supervision of a supervisor or officer in charge. Reserve officers shall never supervise a regular full-time officer (Iowa Code § 80D.9).

#### 325.12.1 EVALUATIONS

While in training, reserve officers should be continuously evaluated using standardized daily and weekly observation reports. The reserve officer will be considered a trainee until he/she has satisfactorily completed training. Reserve officers who have completed their field training should be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve officer.

#### 325.12.2 INVESTIGATIONS AND COMPLAINTS

If a reserve officer has a personnel complaint made against him/her or becomes involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy.

## **POLICY 326**

### LIMITED ENGLISH PROFICIENCY SERVICES

#### 326.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

##### 326.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

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Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficiency (LEP) individual - Any individual whose primary language is not English and who has a limited ability to read, write, speak, or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still exhibit LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context specific; an individual may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Woodward Police Department, designated by the Department, who can communicate fluently, directly, and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

### **326.2 POLICY**

It is the policy of the Woodward Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

### **326.3 FOUR-FACTOR ANALYSIS**

Because there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of the following four factors, which are:

- a. The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of this department or a particular geographic area.

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- b. The frequency with which LEP individuals are likely to encounter department members, programs, or services.
- c. The nature and importance of the contact, program, information, or service provided.
- d. The cost of providing LEP assistance and the resources available.

### **326.4 TYPES OF LEP ASSISTANCE AVAILABLE**

Woodward Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

### **326.5 WRITTEN FORMS AND GUIDELINES**

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The Chief of Police will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

### **332.6 AUDIO RECORDINGS**

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

### **332.6 AUDIO RECORDINGS**

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

### **326.7 QUALIFIED BILINGUAL MEMBERS**

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently

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communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other City departments who have been identified by the Department as having the requisite skills and competence may be requested.

### **326.8 AUTHORIZED INTERPRETERS**

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must understand the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual.

A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process that demonstrates their skills and abilities in the following areas:

- a. The competence and ability to communicate information accurately in both English and in the target language.
- b. Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.
- c. The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- d. Knowledge of the ethical issues involved when acting as a language conduit.

#### **326.8.1 SOURCES OF AUTHORIZED INTERPRETERS**

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services in compliance with established procedures. Other sources may include:

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- a. Qualified bilingual members of this department or personnel from other City departments.
- b. Individuals employed exclusively to perform interpretation services.
- c. Contracted in-person interpreters, such as state or federal court interpreters, among others.
- d. Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

### 326.8.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above) and have been approved by the Department to communicate with LEP individuals.

Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

### 326.9 CONTACT AND REPORTING

Although all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation that involves a situation in which interpretation services were provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.



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### 326.10 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Woodward Police Department will take reasonable steps to develop in-house language capacity.

### 326.11 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

### 326.12 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses, and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

1. An authorized department member or allied agency interpreter.
2. An authorized telephone interpreter.
3. Any other authorized interpreter.

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Any Miranda warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated Miranda warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

### **326.13 CUSTODIAL INTERROGATIONS**

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. Miranda warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

To ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

### **326.14 BOOKINGS**

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, to protect the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained.

Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

### **326.15 COMPLAINTS**

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the Chief of Police.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during a complaint investigation should not be members of this department.

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Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language accessible manner.

### **326.16 COMMUNITY OUTREACH**

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses, and neighborhoods to provide equal access to such programs and services.

### **326.17 TRAINING**

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

The Chief of Police shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The training officer shall maintain records of all LEP training provided and will retain a copy in each member's training file in accordance with the established records retention schedule.

## **POLICY 327**

### **COMMUNICATIONS WITH PERSONS WITH DISABILITIES**

#### **327.1 PURPOSE AND SCOPE**

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

##### **327.1.1 DEFINITIONS**

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter;

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an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters.

### 327.2 POLICY

It is the policy of the Woodward Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects, and arrestees, have equal access to law enforcement services, programs, and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

### 327.3 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

- a. Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate his/her understanding.
- b. The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- c. The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- d. The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

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### 327.4 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service. The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- a. The methods of communication usually used by the individual.
- b. The nature, length and complexity of the communication involved.
- c. The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, is hard of hearing or has impaired speech must be handcuffed while in the custody of the Woodward Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

### 327.5 TYPES OF ASSISTANCE AVAILABLE

Woodward Police Department members shall never refuse an available service to an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall it require anyone to furnish their own auxiliary aid or service as a condition

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for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to disabled individuals through a variety of services.

Disabled individuals may choose to accept department-provided auxiliary aids or services, or they may choose to provide their own. Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

### **327.6 AUDIO RECORDINGS AND ENLARGED PRINT**

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form (e.g., a personnel complaint form) or provide forms with enlarged print.

### **327.7 QUALIFIED INTERPRETERS**

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee) if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- a. Available within a reasonable amount of time but in no event longer than one hour if requested.
- b. Experienced in providing interpretation services related to law enforcement matters.
- c. Familiar with the use of VRS and/or video remote interpreting services.
- d. Certified in either American Sign Language (ASL) or Signed English (SE).
- e. Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- f. Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

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### 327.8 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, are hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

### 327.9 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

### 327.10 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available. Adults may be relied upon when (28 CFR 35.160):

- a. There is an emergency or critical situation and there is no qualified interpreter reasonably available.

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- b. The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

### **327.11 REPORTING**

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

### **327.12 FIELD ENFORCEMENT**

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services for every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity, and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to plan for the care of such animals prior to transport.



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### 327.12.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

- a. Hand gestures or visual aids with an individual who is deaf, is hard of hearing or has impaired speech.
- b. Exchange of written notes or communications.
- c. Verbal communication with an individual who can speech-read by facing the individual and speaking slowly and clearly.
- d. Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
- e. Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

### 327.13 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, are hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Miranda warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written Miranda warning card (Iowa Code § 804.31).

To ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

### 327.15 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the Chief of Police. Investigations into such complaints shall be handled in accordance with the Personnel

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Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this department.

### **327.16 COMMUNITY OUTREACH**

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses, and neighborhoods to provide equal access to such programs and services.

### **327.17 TRAINING**

To ensure that all members who may have contact with disabled individuals are properly trained, the Department will provide periodic training that should include:

- a. Awareness and understanding of this policy and related procedures, related forms, and available resources.
- b. Procedures for accessing qualified interpreters and other available resources.
- c. Working with in-person and telephone interpreters and related equipment.

The Chief of Police shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including those who are deaf, are hard of hearing, have impaired speech or vision or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Chief of Police shall maintain records of all training provided and will retain a copy in each member's training file in accordance with the established records retention schedule.

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### **Chapter 4 – Patrol Operations**

#### **POLICY 400**

##### PATROL

##### 400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the patrol function and address intraorganizational cooperation and information sharing.

##### 400.2 POLICY

The Woodward Police Department provides patrol services and will prioritize responses to requests for emergency services using available resources to enhance the safety of the public and department members.

##### 400.3 FUNCTION

Patrol will generally be conducted by uniformed officers in law enforcement vehicles within jurisdictional areas of Woodward. The function of patrol is to respond to calls for assistance and reports of criminal activity, act as a deterrent to crime, enforce state and local laws, identify community needs, provide support and assistance to the community and respond to emergencies.

Patrol services include, but are not limited to:

- a. Responding to emergency calls for service.
- b. Apprehending criminal offenders.
- c. Providing mutual aid and assistance to other agencies for emergency and law enforcement-related activities.
- d. Preventing criminal acts, traffic violations and collisions, maintaining public order and discovering hazardous situations or conditions.
- e. Responding to reports of both criminal and non-criminal acts.
- f. Responding to routine calls for service, such as public assistance or public safety.
- g. Directing and controlling traffic.
- h. Carrying out crime prevention activities, such as residential inspections, business inspections and community presentations.

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- i. Carrying out community-oriented policing and problem-solving activities, including the application of resources to improve or resolve specific problems or situations and contacting or assisting members of the public in a positive way.

### **400.4 INFORMATION SHARING**

To the extent feasible, all information relevant to the mission of the Department should be shared among all personnel on a timely basis. Members should be provided with opportunities on a regular basis to share information.

Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws. Members are encouraged to share information with other agency personnel.

### **400.5 CROWDS, EVENTS AND GATHERINGS**

Officers may encounter gatherings of people, including, but not limited to, civil demonstrations, public displays, parades, sporting events and civic, social and business events. Officers should monitor such events as time permits to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action.

Generally, officers should consider seeking compliance through advisements and warnings for minor violations and should reserve greater enforcement options for more serious violations or when voluntary compliance with the law is not achieved.

Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety concerns.

## **POLICY 401**

### **BIAS BASED POLICING**

#### **401.1 PURPOSE AND SCOPE**

This policy provides guidance to department members that affirms the Woodward Police Department's commitment to policing that is fair and objective.

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Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

### **401.1.1 DEFINITIONS**

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

### **401.2 POLICY**

The Woodward Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

### **401.3 BIAS-BASED POLICING PROHIBITED**

Bias-based policing is strictly prohibited. However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

### **401.4 MEMBER RESPONSIBILITIES**

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

#### **401.4.1 REASON FOR CONTACT**

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual. To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

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Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

### **401.5 SUPERVISOR RESPONSIBILITIES**

The Chief of Police and/or the officer in charge should monitor compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- a. The Chief of Police should discuss any issues with the involved officer in a timely manner.
  1. Supervisors should document these discussions, in the prescribed manner.
- b. The Chief of Police should periodically review Mobile Audio/Video (MAV) recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
  1. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- c. The Chief of Police shall initiate investigations of any actual or alleged violations of this policy.
- d. The Chief of Police should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

### **401.6 TRAINING**

Training on fair and objective policing and review of this policy should be conducted as directed by the Chief of Police and include training offered by the Iowa Law Enforcement Academy (ILEA) (Iowa Code § 80B.11).

## **POLICY 402**

### **CRIME AND DISASTER SCENE INTEGRITY**

#### **402.1 PURPOSE AND SCOPE**

The purpose of this policy is to provide guidance in handling a major crime or disaster.

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### 402.2 POLICY

It is the policy of the Woodward Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

### 402.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, it shall be maintained until the officer is properly relieved by the Chief of Police, a senior officer, or other designated person.

### 402.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- a. Broadcast emergency information, including requests for additional assistance and resources.
- b. Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- c. Locate or identify suspects and determine whether dangerous suspects are still within the area.
- d. Provide first aid to injured parties if it can be done safely.
- e. Evacuate the location safely as required or appropriate.
- f. Secure the inner perimeter.
- g. Protect items of apparent evidentiary value.
- h. Secure an outer perimeter.
- i. Identify potential witnesses.
- j. Start a chronological log noting critical times and personnel allowed access.

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### 402.5 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

#### 402.5.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

### 402.6 PUBLIC DISORDER EMERGENCY

An officer when in uniform or while displaying a badge may arrest, without a warrant, any person violating or attempting to violate an order or rule made pursuant to Iowa Code § 29C.1 et seq. (Iowa Code § 29C.18).

## **POLICY 403**

### RIDE-ALONGS

#### 403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for a ride-along with members of the Woodward Police Department. This policy provides the requirements, approval process, hours of operation and member responsibilities for ride-alongs.

#### 403.2 POLICY

Ride-along opportunities will be provided to the members of the public, City employees and members of this department to observe and experience, first-hand, the various functions of the Woodward Police Department. The term “ride-along” includes riding as a passenger with an officer on patrol or observing the workday of members engaged in other functions within the Department, such as the Communication Center.



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### 403.3 ELIGIBILITY

A ride-along is available to the public and those employed within the City of Woodward. Efforts will be made to accommodate all interested persons. However, any applicant may be disqualified without cause from participating. Factors that may be considered in disqualifying an applicant include, but are not limited to:

- Being under 15 years of age.
- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against this department or the City.
- Denial by any supervisor.

### 403.4 AVAILABILITY

A ride-along or job observation is available most days of the week, from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police.

### 403.5 REQUESTS TO PARTICIPATE

Generally, ride-along and job observation requests will be maintained and scheduled by the Chief of Police. The applicant will complete and sign a ride-along or job observation waiver form. If the applicant is under 18 years of age; a parent or guardian must be present to complete the waiver form. Information requested will include a valid state-issued identification card or driver's license number, birthdate, address and telephone number.

The Chief of Police will schedule a date, based on availability, generally one week after the date of application. If the request is denied, a representative of this department will advise the applicant of the denial.

### 403.6 PROCEDURES

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

- Explorers
- Volunteers
- Woodward Police Department applicants
- Any others with approval of the Chief of Police

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- Students enrolled in any department-approved police officer/dispatcher training course

An effort will be made to ensure that no more than one member of the public will participate in a ride-along or job observation during any given time period. Normally, no more than one ride-along participant will be allowed in department vehicles at a given time.

### **403.6.1 OFF-DUTY PARTICIPATION**

Off-duty members of any other law enforcement agency, and employees of the City, will not be permitted to participate in a ride-along with on-duty members of this department without the express consent of the Chief of Police.

If such participation is permitted, the off-duty officer or city employee shall not:

- a. Be considered on-duty.
- b. Represent himself/herself as a member of this department or any other law enforcement agency.
- c. Participate in any law enforcement activity except as emergency circumstances may require.

### **403.6.2 CRIMINAL HISTORY CHECK**

All ride-along applicants are subject to a criminal history check. The criminal history check may include local records check and an Iowa Online Warrants and Articles (I.O.W.A.) Criminal History Record Check prior to approval of the ride-along.

### **403.6.3 SUITABLE ATTIRE**

Any person approved to participate in a ride-along is required to be suitably dressed. Sandals, tank tops, shorts and ripped or torn pants are not permitted. The Chief of Police or a duty officer may refuse a ride-along to anyone who is not dressed appropriately.

### **403.7 MEMBER RESPONSIBILITIES**

The assigned department member shall always consider the safety of the ride-along or job observation participant.

The member shall maintain control over the participant and shall instruct the individual about the conditions that necessarily limit his/her participation. Instructions should include:

- a. The participant will follow the directions of the department member.

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- b. The participant will not become involved in any investigation, handling of evidence, discussions with victims or suspects, reading an individual's criminal history or other protected information, or handling any police department equipment.
- c. Participation may be terminated at any time by the member if the participant interferes with the performance of the member's duties.
  - 1. If the ride-along is in progress, the member may return the participant to the point the ride originated.
- d. Participants may be allowed to continue a ride-along during the transportation and booking process, provided it does not jeopardize their safety.
- e. Members will not allow participants to be present in any location or situation that would jeopardize the participant's safety or cause undue stress or embarrassment to a victim or any other member of the public.
- f. Participants who are not law enforcement officers shall not be permitted to accompany the department member into a private residence without the express consent of the resident or other authorized person.

The member assigned to provide a ride-along shall advise the communications operator that a ride-along participant is present in the vehicle before going into service. An officer with a ride-along participant should use sound discretion when encountering a potentially dangerous situation, such as a high-speed pursuit and, if feasible, let the participant out of the vehicle in a well-lit public place. The communications operator will be advised of the situation and as soon as practicable have another department member respond to pick up the participant at that location. The ride along may be continued or terminated at this time. Conduct by a person participating in a ride-along that results in termination of the ride, or is otherwise inappropriate, should be immediately reported to the Chief of Police. The member should enter comments regarding the reasons for terminating the ride-along on the waiver form. Upon completion of the ride-along, the member shall return the waiver form to the Chief of Police.

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### Woodward Police Department Ride Along Application and Waiver

I understand that I must complete this application truthfully to the best of my knowledge. I acknowledge that failure to provide truthful and complete answers may be grounds to deny my participation in this program. I also grant consent for the Woodward Police Department to complete a background check prior to being approved to participate in this program.

Full Name: (Last/First/Middle Initial) \_\_\_\_\_

Date of birth: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Driver's License number: \_\_\_\_\_ State: \_\_\_\_\_

Contact number: ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_ Home address: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_

List all prior arrests (If not applicable, indicate "N/A"):

**REASON FOR RIDE-ALONG** By signing this document, I acknowledge that the opportunity to participate in the Woodward Police Department Ride-Along Program is a privilege and that the assigned officer, Chief of Police, or his designee can discontinue my participation in the ride-along program at any time.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### RELEASE and WAIVER OF LIABILITY

I, \_\_\_\_\_, have requested permission of the Woodward Police Department to participate in the Police Ride-Along Program. I understand the ride-along program involves riding in a police vehicle being operated by a police officer who is performing both routine and emergency police functions. I acknowledge that riding in a police vehicle can be a potentially dangerous activity, as it may be necessary to operate the vehicle outside of the normal rules of the road. I further acknowledge that I may be exposed to dangerous and/or hazardous situations inherent in police work where I may be at risk for serious, or even fatal, injury. I understand that police officers cannot avoid all dangers or disregard his/her duties which involve such dangers or hazards simply because I am accompanying him/her. Knowing the risks involved, I hereby assume any and all risks of injury, death or property damage arising out of or in any way connected with my participation in the ride-along program. I, the undersigned, in consideration of being allowed to participate in the

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ride-along program do for myself, my heirs, next of kin, family, guardians, executors, administrators and assigns, forever waive, release, and discharge the City of Woodward and its officers, officials, employees, agents and volunteers from and against any and all claims, damages, or liabilities arising out of or in any way connected with my participation in the ride-along program. I have carefully read the foregoing Release and Waiver of Liability. I understand the contents thereof and I sign the same freely and voluntarily.

Participant signature: \_\_\_\_\_ Date: \_\_\_\_\_

Participant printed name: \_\_\_\_\_

Parent/legal guardian information (if under 18)

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Emergency contact information

Name: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

BACKGROUND checked by \_\_\_\_\_

# **Woodward Police Department**

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### **POLICY 404**

#### INVOLUNTARY COMMITMENTS

##### 404.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may detain and transport a person for an involuntary commitment.

##### 404.2 POLICY

It is the policy of the Woodward Police Department to protect the public and individuals through legal and appropriate use of involuntary commitment process.

##### 404.3 AUTHORITY

An officer may take a person into custody when the officer has reasonable grounds to believe that the person is mentally ill and because of that illness is likely to physically injure themselves or others if not immediately detained. The officer may transport, or cause the person to be transported, to the nearest hospital or available facility licensed to care for persons with mental illness (Iowa Code § 229.22).

##### 404.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for an involuntary commitment, he/she may inquire as to whether the person desires to be voluntarily evaluated at an appropriate facility. If the person so desires, the officer should:

- a. Transport the person to an appropriate facility that can conduct the evaluation and admit the person.
- b. Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

If at any point the person changes his/her mind regarding voluntary evaluation, the officers should proceed with the involuntary commitment, if appropriate.

##### 404.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving a person who may qualify for detention for the purpose of an involuntary commitment should consider, as time and circumstances reasonably permit:

- a. Available information that might assist in determining the possible cause and nature of the person's action or stated intentions.

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- b. Community or neighborhood mediation services.
- c. Conflict resolution and de-escalation techniques.
- d. Community or other resources that may be readily available to assist with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others. Involuntary commitments should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

### 404.5 TRANSPORTATION

When transporting any individual for an involuntary commitment, the transporting officer should have the Communication Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in the patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, and the medical staff requests the presence of the officer, the officer will be present during the transport.

### 404.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

### 404.7 DOCUMENTATION

The officer shall describe the circumstances supporting the involuntary commitment action to the examining physician, examining physician assistant or examining psychiatric advanced registered nurse practitioner either in person or by a written report (Iowa Code § 229.22).

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### 404.8 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody through an involuntary commitment should resolve the criminal matter by issuing a warning or a citation, as appropriate.

When an individual who may qualify for an involuntary commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- a. Arrest the individual when there is probable cause to do so.
- b. Notify the Chief of Police of the facts supporting the arrest and the facts that would support the detention.
- c. Facilitate the individual's transfer to jail.
- d. Thoroughly document in the related reports the circumstances that indicate the individual may qualify for an involuntary commitment.

In the Chief of Police and officer's judgment, the individual may instead be transported to the appropriate mental health facility. The Chief of Police and the officer should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

#### 404.8.1

#### NOTIFICATION REQUEST PRIOR TO DISCHARGE

Where an arrest warrant has been issued, or charges are pending against the individual, officers should ensure that (Iowa Code § 229.11; Iowa Code § 229.22):

- a. Any court order issued regarding the detention of an individual provides an order that notification be made to the Woodward Police Department about the discharge prior to the discharge from a facility or hospital.
- b. Notification is made in writing on the proper form to the facility or hospital that the Woodward Police Department requests notification of discharge of an individual prior to the discharge.



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### 404.9 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for an involuntary commitment, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officer should further advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody.

### 404.10 TRAINING

This department will endeavor to provide department-approved training on interaction with mentally disabled persons, involuntary commitments and crisis intervention.

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### **Chapter 5 – Traffic Operations**

#### **POLICY 500**

##### TRAFFIC ENFORCEMENT

##### 500.1 PURPOSE AND SCOPE

This policy provides guidelines for traffic enforcement and investigation by members of the Woodward Police Department.

##### 500.2 POLICY

It is the policy of the Woodward Police Department that enforcement actions are to be taken in proportion to the severity of the violation, the likelihood of such continued behavior contributing to future traffic collisions and/or their severity, and commensurate with existing statutory requirements.

##### 500.3 RESPONSIBILITY FOR THE TRAFFIC COMPONENT

The duty officer will have primary responsibility for traffic functions, which include:

1. Traffic enforcement.
2. Traffic accident investigation, including follow-up.
3. Use of radar as a speed measuring device.
4. Traffic direction and control.
5. Enforcement of OWI laws (see OWI policy).
6. Selective traffic enforcement.
7. Automated traffic safety systems.
8. General traffic law enforcement duties.

##### 500.4 TRAFFIC RECORDS

The Department will maintain a traffic records system containing:

1. Traffic accident and enforcement data – The Records Section will maintain records of traffic accident reports and traffic citations and arrests and their dispositions, when available. This information will be computerized and available for compilation and review. The Records Section will be responsible for transmitting reportable accident and citation data to the Iowa Department of Transportation.

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2. Traffic safety and education reports – The agency will maintain records of traffic safety education efforts (i.e. public service spots) to be incorporated into the Department's monthly council report.
3. Roadway hazard reports – Officers encountering traffic or roadway hazards will prepare a report detailing the problem and recommended solution. The report will be forwarded to the city street department or the Department of Transportation. Problems requiring immediate attention will be relayed to the appropriate agency through the Communications Center.
4. Traffic data reports – Traffic volume, accident, and citation data is maintained by the Department of Transportation. It is accessible by request and may be utilized in selective enforcement efforts.
5. Uniform traffic citations – Department personnel will enter or transfer the data from each summons into the TraCs system. Electronic transfer of the summons will then be routed to the appropriate location. Citation data will be maintained the same as any other routine traffic report.

### 500.5 PROCESSING, MAINTENANCE, AND DISTRIBUTION OF TRAFFIC RECORDS

All traffic records are maintained in the Department's Records Section. The record-keeping system utilized for these reports is the same as for all other reports maintained in the Records Section. Fatal traffic accident reports will be maintained indefinitely. Accident and traffic enforcement data is maintained by the Records Section, which submits data to the Iowa Department of Transportation. This information is accessible to various search criteria and summaries that can be generated to assist in making traffic management decisions. Traffic Records may contain:

1. Traffic collision data (reports/investigations/locations).
2. Traffic enforcement data (citations/arrests/dispositions/locations).
3. Roadway hazard reports.
4. Traffic volume data.
5. Traffic distribution reports.
6. Traffic collision and enforcement analysis.

Copies of the Iowa Report of Motor Vehicle Accidents and the Woodward Police Department Accident Reports (supplemental reports not included without subpoena) will be available upon request to the driver, owner, or insurance agents of the vehicles involved or property damaged.

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### 500.6 SELECTIVE TRAFFIC ENFORCEMENT

Selective Enforcement activities initiated will be directed toward violations in proportion to the frequency which they occur in accident situations, and to respond to traffic-related needs brought to the Department's attention through citizen complaints, officer observations, information from the traffic engineering office, and other traffic data.

### 500.7 METHODS OF ENFORCEMENT

Consistent enforcement action supports the aim of traffic law enforcement, which is to achieve voluntary compliance with traffic laws.

Appropriate enforcement action will be taken for each violation of the law witnessed by members of the department. Officers will use sound individual discretion and department policy to determine what enforcement action will be taken, using:

1. Verbal warnings.
2. Issuance of a warning citation.
3. Issuance of a citation.
4. Physical arrest.

A citation is the preferred manner of traffic enforcement, when appropriate.

The officers have the discretion of utilizing verbal warnings or warning citations, in lieu of a traffic citation, in reference to some violations (i.e. speed violations, off-road violations, equipment violations, non-hazardous regulatory violations, and pedestrian and bicycle violations). However, warnings will not be issued in the following situations:

1. For non-traffic criminal charges.
2. For any type of OWI charges.
3. For driving under revocation or while barred.
4. When there is an accident with injuries and a traffic violation has been committed (unless extenuating circumstances exist).

Enforcement action may be taken after the date a new law becomes effective.

Custodial arrests will be made in those cases where the continued presence of the motor vehicle operator on the road would constitute a hazard to the public, unless exigent circumstances exist to prevent the officer from doing so. Examples include, but are not limited to:

1. Driving while intoxicated.

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2. Reckless driving.
3. Drag racing.
4. Multiple major or hazardous violations.

The officer may make a custodial arrest or issue a citation, at their discretion, for driving while license suspended, however, if a citation is issued in lieu of arrest, the driver will be admonished that he/she is not to operate the vehicle.

Qualitative rather than quantitative enforcement will better advance the purposes of traffic enforcement. Therefore, there is no minimum number of traffic citations. The officer is strongly encouraged to utilize his/her own experiences, information provided by the Department, and information from public reports of infractions to enforce traffic laws in high accident or other problem areas.

### **500.8 ENFORCEMENT PRACTICES**

Officers will be alert to the occurrence of violations while engaged in routine patrol duties, and will devote a portion of their duty tour to selective traffic law enforcement through the utilization of the patrol techniques:

1. Area traffic patrol.
2. Directed traffic patrol – from the Chief of Police or officer in charge.
3. Covert stationary patrol.
4. Overt stationary patrol.

Department conducted roadside safety checks may be utilized in an attempt to ensure vehicle equipment compliance, interdiction of drunk drivers, and to improve the overall safety of the motoring public. All departmental conducted roadside safety checks will be done under the direction of the Chief of Police, who will develop a safety plan and distribute to all personnel who are involved in these activities. The written plan will contain the following:

1. Purpose of the Roadside Safety check.
2. Position assignments.
3. Equipment list.

When assisting other law enforcement agencies in roadside safety checks, the Chief of Police may opt to utilize a plan developed by that agency.

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### 500.9 TRAFFIC ENFORCEMENT SPECIAL CIRCUMSTANCES

Commercial carriers and out-of-state violators will be treated the same as residents in traffic law enforcement matters. Except for the place of detention in a custodial arrest, juvenile violators will be treated no differently than other traffic violators.

### 500.10 RADAR

Approved speed-measuring devices for use by personnel include radar and laser units (excluding photo enforcement devices). Mounted speed-measuring devices are installed in all patrol vehicles.

Only speed-measuring devices that meet National Highway Traffic Safety Administration standards will be used for traffic speed enforcement. Officers will use all speed-measuring devices in accordance with the operational instructions and documented training. The individual officer will have the responsibility of testing the equipment prior to usage by using the internal calibration. Programmed maintenance will consist of periodic inspections of speed-measuring equipment by the Chief of Police or his/her designee. Speed-measuring devices will be only operated by officers trained in their use.

### 500.11 RECOMMENDATIONS FOR LICENSE RE-EXAMINATION

Officers who identify a motorist who appears to be incompetent, physically or mentally disabled, or suffering from a disease or other condition that prevents the motorist from exercising reasonable and appropriate care over a motor vehicle, can request that notification be made to the Iowa D.O.T. for re-examination.

Merely requesting a re-examination does not imply revocation of a license, and the driver may legally continue to drive pending an examination. However, if the officer reasonably believes the continued presence of the driver on a roadway would constitute a hazard, all reasonable means should be taken to locate or provide transportation for the subject.

## **POLICY 501**

### TRAFFIC ACCIDENT INVESTIGATION

#### 501.1 PURPOSE AND SCOPE

This policy provides guidelines for traffic accident investigation by members of the Woodward Police Department.

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### 501.2 POLICY

It is the policy of the Woodward Police Department to ensure a thorough, competent, and organized investigation of all motor vehicle crashes that occur within the jurisdiction of the department.

### 501.3 USE OF REPORT

All traffic accidents reported to the Woodward Police Department will be investigated and reported in accordance with Iowa Codes 321.266 and 321.273. Officers will respond to the scene and conduct a complete investigation of any traffic accident that involves:

1. Death or injury.
2. Property damage to vehicles or property in excess of \$1,500.00.
3. Damage to city vehicles or property.
4. Hit and run (with suspects).
5. Disturbance between motorists.
6. Major traffic congestion as the result of the accident.
7. Damage to the vehicles to the extent towing is required.
8. Impairment due to alcohol or drugs.
9. Hazardous materials.

The State of Iowa's Investigating Officer's Reportable Accident Report will be completed in every motor vehicle accident in which any person is killed or injured, or if there is a combined property damage in excess of \$1,500.00. All other accidents will be investigated and reported on the State of Iowa's Investigating Officer's Non-Reportable Accident Report.

Traffic accident diagrams are required to be submitted on all reportable accidents. Accident scene diagrams are not required in non-reportable accidents but may be utilized if their inclusion would be helpful to understanding the accident.

Diagrams will contain information relating to:

1. Point(s) of impact.
2. Final resting positions of vehicles or persons.
3. Damage to property other than vehicles.
4. Skid, push, and scuff marks.
5. The physical characteristics of the scene, such as view obstructions or traffic control devices.
6. Any other information the officer may feel is pertinent to the case.

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Measurements will be taken when involved persons sustain significant injuries or anytime officers believe they are pertinent to the crash investigation. Measurements will be taken by the triangulation or coordinate system. Fixed points used as a base from which measurements are taken will be included.

A Supplemental Report may be used by the investigating officer to record information for which the accident report itself provides insufficient space to record additional information. A Supplemental Report is required with:

1. Accidents involving serious injury or fatalities.
2. Pursuits involving departmental vehicles.
3. Accidents involving City-owned vehicles.

The State of Iowa Drivers Exchange Copy Report form will be given to the operator of every motor vehicle involved in an accident. The officer will provide a brief explanation of what is contained on the form.

### **501.4 ACCIDENT INFORMATION COLLECTION**

When investigating traffic accidents, officers will ensure the appropriate report forms are completed accurately and in accordance with report writing training. The collection of information will include the following:

1. Interviewing/examining/recording principals and witnesses.
2. Examining and recording vehicle damage.
3. Examining/recording effects of the accident on the roadway.
4. Collecting/preserving evidence.
5. Exchanging information among principals.

### **501.5 ON-SCENE AUTHORITY AND RESPONSIBILITY**

Officers responding to a traffic accident scene will perform the following minimum activities:

1. Upon arrival, park the police vehicle in such a way as to provide maximum protection to the scene, but without endangering the officer or public.
2. Assess the scene to determine the need for emergency services (such as ambulance, fire equipment, or additional officers for traffic control or to quell a disturbance between motorists).
3. Render aid to the injured.



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4. Note special conditions or factors that may have contributed to the accident (such as natural hazards, visibility obstruction, inoperative traffic control devices, etc.).
5. Establish a safe traffic pattern around the scene.
6. Record short-lived evidence and preserve on-scene evidence when the need for further investigation appears evident.
7. Locate and interview witnesses.
8. Notify a supervisor when supervisory direction appears to be warranted.
9. Issue appropriate traffic citations.
10. Arrange the removal from the roadway of vehicles, persons, and debris.

Once drivers and witnesses have been located and identified, each will be given an opportunity to relate their account of how the accident occurred. Questioning may be conducted at the scene of a minor traffic accident. At accidents which are serious, brief statements may be obtained at the scene and subsequent statements should be taken at a more suitable location. For accidents requiring supplemental reports, officers will attempt to document the statement through either a written statement or recording. Completion of the accident investigation will be the responsibility of the primary or assigned officer and will be completed in a timely manner.

The primary officer will request a traffic investigator:

1. In cases of vehicular homicide.
2. In fatality accidents.
3. In any other circumstances the officer feels appropriate.

### **501.6 TOWING**

Owner/operators will be afforded the opportunity to choose their own tow company within reason. If an owner/operator is unable to articulate where he wishes the vehicle to be towed, it will be removed by the authorized tow agency with which the Department has a contract. Vehicle owners are responsible for the payment of courtesy tows.

All vehicles to be held as evidence will require an Impound form and be entered into evidence.

Removal of accident debris will be the responsibility of the tow truck driver. When a tow truck is not utilized, accident debris that cannot be removed by the persons involved in the accident or that cannot be readily moved to the edge of the roadway by the officer, will be the responsibility of Public Works when on city roadways. Situations involving the interstate or state highways will be the responsibility of the Iowa Department of Transportation (IDOT). The officer will request the Communications Center to make the proper notification.

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### 501.7 ACCIDENT VICTIM PROPERTY

When a vehicle must be removed from the scene, the investigating officer will advise the driver and/or other occupants to recover any loose personal property they do not wish to leave with the vehicle. When it is necessary to recover a victim's personal belongings for safekeeping, a Property Receipt will be completed, and the items entered into property.

Drivers' licenses, insurance cards, and vehicle registration forms will be returned to the respective parties prior to their leaving the accident scene, unless the party is transported to the hospital. It will be the responsibility of the primary officer to arrange for safekeeping and return of those items. If the documents are altered or counterfeit, they will be entered into evidence and appropriate charges filed.

### 501.8 ACCIDENTS INVOLVING CITY VEHICLES

Any motor vehicle accident which occurs within the city limits of Woodward and involves a Woodward owned vehicle, will be investigated by a Woodward Police Officer or a deputy from the Dallas County Sheriff's Office and the appropriate accident report will be completed.

In all cases where an officer responds to the scene of a City vehicle involved in an accident the city attorney will be notified.

Accidents involving police vehicles will be completed by an outside agency such as the Dallas County Sheriff's Office or the Iowa State Patrol. The accident report will be forwarded to the Chief of Police for review. The Chief will take such action as is deemed appropriate. When a state reportable accident occurs in the line of duty, the Iowa Department of Transportation (IDOT) requires law enforcement agencies and emergency responders to certify to the IDOT when such an accident occurred (Iowa Code 321.267A). The department will notify the DOT of the accident by completing the "In the Line of Duty" letter. If the accident was an intentional act by the officer, the use of "legal intervention" will be documented on the accident report. If a traffic accident involving a department vehicle occurs outside the City limits, the law enforcement agency having jurisdiction over the accident will be notified.

The officer involved will notify their supervisor as soon as practical of the accident and location. If the accident involves serious bodily injury or fatality, it will be investigated by the Iowa State patrol, if possible.

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### 501.9 LEAVING THE SCENE ACCIDENTS

Accidents in which the driver has left the scene will be investigated by the primary officer. Follow up investigations of accidents will be the responsibility of the primary officer and will be completed in a timely manner.

For the purposes of this section, pursuable information is any information, statement, evidence, or items which could reasonably and realistically lead to the driver, owner, or passenger of the vehicle leaving the scene, or to any witnesses to the accident, or to the involved vehicle itself.

Leaving-the-scene accidents, where no pursuable information exists, will not be assigned for follow-up work and the report will be retained by departmental policy.

### 501.10 ACCIDENTS INVOLVING IMPAIRMENT

When an officer has reasonable grounds to believe an operator of a motor vehicle has been involved in a motor vehicle collision resulting in injury or death, the officer may request the operator submit to a Preliminary Breath Test (PBT). If the operator refuses the PBT, the operator will be read the Iowa Implied Consent Advisory and the officer will proceed accordingly.

Where probable cause exists that the violator has operated a motor vehicle under the influence of alcohol or drugs, a physical custody arrest will be made except for those individuals who have been incapacitated by injury. Persons who have been incapacitated to the extent they are unable to give consent for a chemical test, will be processed at the hospital under the provisions of the Iowa Code Chapter 321J.7.

In circumstances where a search warrant is necessary to obtain a chemical test, the warrant will be applied for under the terms of Iowa Code 321J.10. The Chief of Police will be notified of the application for these warrants.

### 501.11 ACCIDENTS INVOLVING HAZARDOUS MATERIALS

Upon arrival at the scene of a possible hazardous material incident, the officer will:

1. Be cautious if attempting to rescue persons in the hazard area.
2. Notify the fire department and ambulance services immediately.
3. Provide adequate protection to the scene and isolate the immediate area.
4. Arrange for diverting traffic from the area of danger.
5. Relinquish command to the fire department and other trained personnel.
6. Assist with traffic, crowd control, and evacuation, if necessary

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7. Eliminate the possibility of sparks or other ignition from smoking, flares, electricity or any other source, to the maximum extent possible.
8. Evacuate the surroundings, depending on the extent of the hazard.
9. Resume command of the accident scene and conduct the investigation of the accident once the hazard has been neutralized.

### **501.12 ACCIDENTS INVOLVING SERIOUS INJURY OR FATALITY**

In accident investigations with serious bodily injury or death, the officer will notify the Chief of Police as soon as practicable. The officer will be in command of the scene at all serious injury or fatality accidents until the Traffic Accident Technical Investigator or senior officer arrives on scene.

The first officer on the scene of a serious injury or fatality accident will complete the TraCs accident report with all available information at the time of the incident.

The scene will be secured the same as any other major crime scene:

1. The body of the declared deceased and property of the deceased will not be moved without the approval of the Traffic Accident Technical Investigator.
2. Those investigative duties directly related to the body or bodies will be conducted with priority to facilitate early removal of the body or bodies.
3. The scene of a fatal traffic accident will be treated in the same manner as a homicide investigation as it relates to documenting the position of the body or bodies and the position of evidence.

Notification of the next of kin is the responsibility of the Medical Examiner, unless departmental assistance is sought, in which case the department will assist in the notification.

An investigative hold may be placed on each vehicle involved and will be stored at the impound facility.

## **POLICY 502**

### **TRAFFIC ANCILLARY SERVICES**

#### **502.1 PURPOSE AND SCOPE**

This policy provides guidelines for traffic services provided by the Woodward Police Department.

#### **502.2 POLICY**

It is the policy of the Woodward Police Department to assist motorists who need mechanical assistance to prevent traffic congestion, hazard, or accident.

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### 502.3 NON-EMERGENCY ASSISTANCE

Officers will remain alert to motorists who need assistance. Directions and other information will be provided in a professional and courteous manner. Motorists who need mechanical assistance but whose vehicle is drivable will be shown the nearest location where such mechanical assistance is available. Officers may follow or escort (in a non-emergency manner) such motorists to ensure their arrival.

Motorists whose vehicles are inoperable and creating a traffic hazard may be pushed to a safer location using marked patrol vehicles equipped with push bumpers. This should only be done when traffic conditions allow for safe execution, at very slow speed, for short distances, avoiding corners if possible. Overhead lights must be utilized when pushing vehicles off the roadway.

Prior to pushing a vehicle causing a traffic hazard, officers will obtain the operator's permission. The officer will also provide instructions to the operator informing them of how the maneuver will be executed, the intended final resting spot, and the potential for minor damage to the vehicle for which the police department will not be responsible.

### 502.4 EMERGENCY ASSISTANCE

Officers encountering motorists in need of emergency services will summon the appropriate assistance. In case of fire, an attempt should be made to extinguish the fire by using a fire extinguisher when possible.

Injured persons requiring medical attention will be treated at the scene by the officer until proper medical assistance arrives. Injured persons requiring medical treatment and not in custody should be transported by ambulance.

Uninjured persons who have become stranded because of a roadway emergency may be transported by the officer to an appropriate and safe location.

Under no circumstances will a member drive a city vehicle into standing or running water to salvage property or attempt to push a stalled vehicle from a flooded roadway. Members will notify the Communications Center to dispatch Woodward City Fire/Rescue to assist motorists stranded due to high water. This policy will not preclude members from doing what is possible to safely rescue person(s) in imminent danger due to rising waters.

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### 502.5 VEHICLE ESCORTS

Escorts of civilian vehicles transporting medical emergencies are authorized only if the life of the sick or injured person would be jeopardized by waiting for an ambulance. This exception applies only to those cases where the officer encounters a civilian vehicle already transporting a medical emergency.

When such an escort is authorized, the officer will:

1. Advise Communications of the nature of the emergency, the destination, and the route to be taken.
2. Ensure the vehicle being escorted remains as close to the patrol unit as possible.
3. Utilize all emergency lights and siren during civilian escort.

Ambulances will not be escorted unless they are from another jurisdiction and require direction.

Funeral processions will not receive police escort except when authorized by the Chief of Police.

Normally, public carriers will provide their own escorts for hazardous or oversized loads or will contact the Iowa Department of Transportation (IDOT) for assistance.

Special requests may be approved by the Chief of Police.

### 502.6 CORRECTION OF ROADWAY HAZARDS

Officers, during routine patrols, will check for the following hazards:

1. Debris, damage or defects to the roadway.
2. Defects in safety features.
3. Damaged traffic control devices and/or traffic control and information signs.
4. Damaged or defective roadway lighting systems.
5. Other roadway or roadside hazards, including vehicles parked or abandoned on or near the roadway, and conditions caused by weather.
6. Engineering defects and lack of safety features.
7. A perceived need for roadway lighting, traffic control devices and/or traffic control and informational signs where none exist.
8. Any other perceived hazard.

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Corrective action to be taken by the officer includes:

1. Whenever possible, removing items found in the traveled portion of the roadway and leaving the items on the side of the road.
2. Making notification to the Communications Center and, if necessary, the Chief of Police;
3. For hazards requiring immediate attention, notifying the Communication Center to initiate action to correct the problem, i.e., notification and/or call out of the City Public Works Department or IDOT.
4. In the case of a serious hazard, completing an incident report explaining the hazardous condition in detail in addition to the above actions. The officer will remain at the scene until the hazard is corrected or barricades are erected and provide traffic direction and control as appropriate.

For hazards not requiring immediate attention, Communications will notify Public Works or IDOT.

### **502.7 ADVERSE ROAD AND WEATHER CONTITIONS**

During periods of extreme weather, it is imperative that main thoroughfares remain open. To ensure this, officers may order any vehicle to be towed which is obstructing a designated thoroughfare or where such vehicle may interfere with roadway maintenance. One call for service may be submitted for multiple vehicles in the same location. The list of towed vehicles and where they were towed will be entered into the call for service. For these tows, the vehicle owner compensates the tow company.

### **502.8 ROADBLOCKS**

A roadblock is defined as a deliberate obstruction by physical means at one or more selected points on a roadway, for the purpose of stopping vehicular traffic.

It may become necessary to utilize patrol vehicles for blocking the roadway at the scene of fires, accidents, and related incidents. The patrol vehicles should be parked to maximize visibility to oncoming traffic.

Officers will provide traffic control as needed and protect the scene as appropriate. If the roadway is to be blocked for an extended period, officers will contact the Communications Center and arrange for barricades to be brought to the scene.

Officers involved in such traffic control will wear reflective vests while performing these duties.

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### 502.9 TRAFFIC CONTROL AT CRITICAL INCIDENT SCENES

The primary task of Department personnel engaged in traffic direction and control services at critical incident scenes will be to maintain access avenues to and from the scene by emergency services personnel. The Department will coordinate its efforts with other emergency services at critical incident scenes to provide crowd control and adequate safety measures for vehicle and pedestrian traffic.

Officers assisting at the scene of critical incidents will ensure civilian traffic does not interfere with emergency service activities. In no case will civilian vehicles be allowed to drive over fire hoses or into the critical incident scene unless authorized.

### 502.10 TRAFFIC DIRECTION EQUIPMENT

All officers performing manual traffic control will ensure they are visible by using vehicle auxiliary lighting, flashlights, etc.

Officers will wear a traffic safety vest whenever performing traffic direction, whether during the patrol function or while at a traffic direction detail. This does not apply to emergency situations if it is impractical to immediately don the vest. When sufficient control is established at the scene, officers will don the safety vest.



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### **Chapter 6 – Notifications and Referrals**

#### **POLICY 600**

##### NOTIFICATIONS AND REFERRALS

###### 600.1 PURPOSE AND SCOPE

It will be the policy of the Woodward Police Department to make prompt notification to an outside agency when a situation or condition falls within that agency's area of responsibility.

###### 600.2 REFERRAL TO OTHER AGENCIES

Members will refer persons with non-crime related problems or requests to the appropriate social services or other agency that can best accommodate them. The Communications Center can assist in contact numbers for non-criminal referral agencies.

Outside agencies will include, but are not limited to:

1. Fire Department personnel or outside agencies.
2. Ambulance Services.
3. Other city or county departments.
4. Public Utilities.
5. State and County Law Enforcement Agencies.
6. Iowa Department of Transportation
7. Safe Place.
8. Crisis Intervention.
9. American Red Cross.

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### **Chapter 7 – Barricaded Gunman/Hostage Situations**

#### **POLICY 700**

##### BARRICADED SUBJECT/HOSTAGE SITUATION

##### 700.1 PURPOSE AND SCOPE

The purpose of this directive is to outline procedures that have proven to benefit law enforcement in situations of this type. In the absence of any other rules of engagement, officers will use the NTOA Priorities of Life Model:

1. Hostage.
2. Innocent Civilians.
3. Officers.
4. Suspect.

All barricaded gunman/hostage situations will require a SWAT and Crisis Negotiator call-out as a matter of policy. This can be accomplished by contacting Dallas County Dispatch and requesting SRT.

Personnel assigned to the incident will be designated a primary radio channel by Dallas County Dispatch.

The initial on-scene officer(s) or supervisor, if appropriate, will:

1. Attempt to stabilize the situation until the arrival of SWAT and a Crisis Negotiator.
2. Deploy arriving officers to prepare for suspect actions.
3. Establish an incident command location.
4. Notify the Chief of Police.
5. Designate inner and outer perimeters.
6. Evacuate civilians from the inner perimeter, if possible.
7. Evacuate injured persons to a position outside the outer perimeter, if possible.
8. Request Ambulance and Fire equipment to the outside perimeter.
9. Designate the press area as needed.

All available courses of action will be considered as options when managing a Barricaded Gunman or Hostage situation. It is the policy of the Woodward Police Department, however, that non-force and lesser force options are considered before the implementation of more severe force choices.

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### **Chapter 8 – Barricaded Gunman/Hostage Situations**

#### **Responsibilities and Command**

## **POLICY 800**

### **800.1 PURPOSE AND SCOPE**

The purpose and scope of this policy is to protect the public from suspects who are armed and actively participating in random or systematic killing or serious injury to individuals and to apprehend the suspect(s) as soon as possible.

The success of any law enforcement intervention hinges on a team approach, full participation by all officers, good communications, and coordination of efforts.

Upon arrival, an officer will be expected to undertake the duties assigned to him by this policy or the Incident Commander. The purpose of this directive is to outline procedures that have proven to benefit law enforcement in situations of this type.

### **800.2 DEFINITIONS**

1. Active Killing and/or Serious Injury – When suspect(s) are armed and actively participating in random or systematic killing or serious injury of individuals with their overriding objective appearing to be that of murder or serious injury.
2. Serious Injury – Bodily injury that does any of the following:
  - a. Creates a substantial risk of death.
  - b. Causes serious permanent disfigurement.
  - c. Causes protracted loss or impairment of the function of any bodily member or organ.
3. Initial On-Scene Incident Commander – The first officer arriving on scene. This officer will remain in command unless relieved by the Chief of Police, a supervisor from another agency, or by mutual agreement with another officer, or he/she assumes the responsibilities of Contact Team Commander.
4. Contact Team – The team making contact with the suspect(s) and stopping the suspect(s) by arrest, containment, or use of deadly force. The Team will be one of four possible formations.

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- a. The T-Y is the preferred formation for a Contact Team. It is a four-person team made up of a Point position, a Left Flank position, a Right Flank position, and Rear-Guard position. The Commander would take any position but Rear Guard.
  - b. The V is a three-person team made up of a Left Flank position, a Right Flank position, and a Rear-Guard position. The Commander would take either flank position.
  - c. The Dual is a two-person team made up of a Left Flank position, and a Right Flank position. The Commander would take either flank position.
  - d. Single Officer Entry – made only under extreme circumstances when an officer reasonably believes his/her immediate action will have a significant positive impact on the situation.
5. Rescue Team - A hastily formed team of officers who enter an active killing incident to rescue or evacuate victims. T-Y formation will also be utilized with officers utilizing the two man carry/drag to evacuate victims who are non-ambulatory.
6. Rescue Task Force or (RTF) – A mixed discipline ad-hoc unit with a security element, medical element and a team leader who operate in the Warm Zone to triage patients, provide Indirect Threat Care and coordinate casualty evacuation to an Ambulance Exchange Point. The team is typically comprised of 3 law enforcement officers and 2-3 EMS/Fire personnel.
7. Hot Zone – An area inside the Inner Perimeter under direct threat.
8. Warm Zone – An area inside of the inner perimeter where security measures are in place.
9. Casualty Collection Point (CCP) – A specific Warm Zone location with security measures to assemble nearby casualties and provide Indirect Threat Care.
10. Indirect Threat Care – A defined set of limited medical procedures provided in the Warm Zone, e.g. care provided while an indirect threat may exist.
11. Ambulance Exchange Point – A specific location where an ambulance or emergency vehicle is sent to pick up evacuated casualties from a team operating in the Warm Zone. The ambulance or emergency vehicle may or may not transport to directed hospitals.
12. Loading Zone – A large open area where all casualties from an incident are assembled, organized, and loaded into awaiting ambulances or emergency vehicles that transport to directed hospitals. Typically used when casualties outnumber available transport ambulances.
13. Containment – When the Contact Team Commander believes the suspect(s) has/have ended efforts to kill or seriously injury individuals or is prevented from doing so because of physical barriers; and when previously seriously injured victims can be safely rescued, and the suspect is prevented from fleeing.

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### 800.3 INITIAL ON-SCENE INCIDENT COMMAND

The initial on-scene incident commander will be the first officer arriving on scene. This officer will remain in command unless relieved by a Command Officer, an officer from another agency, or by mutual agreement with another officer.

The Initial Incident Commander will select a location where following officers should respond. The Incident Commander will attempt to determine if this is a true active killing and serious injury situation and gather any suspect information available. The Initial Incident Commander will advise dispatch of their determination.

If it is an active incident, the Initial Incident Commander will select an entry point and begin to assemble the determined size of Contact Team. When enough officers have arrived on scene to form the needed size contact team, the Initial Incident Commander will advise dispatch that they are prepared to enter, who the officers are that make up the team, and the planned entry point. The Contact Team will enter under the command of the Initial Incident Commander, who will assume the responsibilities of Contact Team Commander.

The first officer arriving after the Contact Team has entered will assume incident command. This officer will remain in command until relieved by a Command Officer, a supervisor, or by mutual agreement with another officer. The new Incident Commander will decide if another Contact Team is needed for entry or to set an inner perimeter to contain the suspect(s).

The Incident Commander will select a Mobile Command Post site based on proximity to the point of entry of the Contact Team, safety, space, and isolation from the public. The Incident Commander will also select sites for other responding emergency equipment and evacuation areas for victims. After staffing the inner perimeter, the next priority of the Incident Commander is to form a Rescue Team.

Ambulance, Fire, and Rescue equipment should be requested as appropriate by the Incident Commander through the Communications Center. These units will deploy to the evacuation area. Security at evacuation areas should be maintained to ensure the suspect does not or has not targeted that area for action. Command personnel of assisting agencies will report to the Mobile Command Post. A safe response route should be established and maintained for arriving emergency vehicles.

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### 800.4 INCIDENT COMMAND

The Incident Commander will isolate the incident by setting up an outer perimeter to keep all persons out of the area. All civilians should be evacuated from the area, if it can be done safely. Traffic and crowd control will be handled in such a manner as to maintain a secure outer perimeter. The Incident will begin a call up of additional personnel, as he/she deems necessary, to handle the active incident and other routine police business.

An area should be established as a News Media Information Center outside both the outer perimeter and the suspect's line of sight when applicable.

The Incident Commander will utilize tactics to gain the advantage and successfully conclude the incident with the least amount of damage or injury to life and property. The response to active killing and serious injury situations must be coordinated. To that end, the actions taken, and options being considered by all emergency personnel must be communicated to the Command Post. The Incident Commander will also coordinate resources with any Fire/EMS resources that may be deployed when establishing a unified command. Communication regarding Rescue Task Force Deployment or medical resources will be coordinated by police, fire and other outside entities in the unified command center. Based on the nature, size and casualties of a particular incident an appropriate vehicle, or structure will be deployed or utilized to facilitate a successful unified command.

### 800.5 CONTACT TEAM OPERATIONS

The T-Y is the preferred formation for a Contact Team; however, it is recognized that circumstances may dictate the deployment of a smaller team. The mission of the team is to make contact with the suspect(s) as soon as possible and stop the suspect(s) by arrest, containment, or use of deadly force. With this mission in mind, the team will not do a thorough clearing but will continue past victims or harmless distractions. Members of the Contact Team should remember that victims might be in shock or reacting to fear, resulting in them not responding to police commands.

A single officer entry is allowable if the officer reasonably believes his/her immediate entry will significantly impact the actions of the suspect(s) and lessen harm to victims.

Communications will be extremely difficult, so, after entry, the Contact Team will act in accordance with its mission and training and does not need any further authorization to act. The Contact Team Commander, if possible, should inform the Incident Commander of areas searched, locations of victims, locations of explosive devices, and other relevant information – if it can be done without distracting from the mission. Nothing will preclude the use of appropriate force.

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When the lives of others are in clear and immediate danger, laws permit the use of deadly force. The use of appropriate force will be the responsibility of each officer involved in the incident.

The Contact Team should make entry at a location other than the main entrance, if possible, as this is the place where a suspect might logically set up barricades, explosives, or an ambush.

In large buildings or with multiple dispersed suspects, multiple Contact Teams may be used. If multiple Contact Teams are used, great care and coordination is required to avoid crossfire situations. When considering the use of multiple Contact Teams, the Incident Commander should also consider that communications between teams will be difficult at best, so consideration should be given to having predesignated search areas. If the Contact Team contains the suspect and the rescue of seriously injured victims is not significantly curtailed, department policy on hostage/barricaded gunmen will be followed.

### **800.6 RESCUE TASK FORCE OPERATIONS**

When it is determined that the threat(s) or suspect(s) in the active killing incident have been eliminated or isolated into a contained area, it is permissible for contact and rescue teams to request the insertion of rescue task forces based on number of victims encountered upon making the initial entries. If possible, officers on contact and rescue teams should try to advise the appropriate entry point for RTF units, location of victims and level of observed injuries, and where the current hot zone is so that RTF members can stop short of active areas when conducting rescue operations.

Rescue Task Force Members will also employ the T/Y formation with officers serving in the right flank, left flank and rear-guard position. RTF Fire/EMS personnel will function in the middle of the tactical stack and follow the right flank and left flank positions. Team members will demonstrate the same flexibility of movement that police contact, and rescue teams employ based on physical environment and incident needs. Officers must be aware that the EMS personnel are not armed, and the primary function of RTF officers is to protect the EMS/Fire element and victims.

Upon receiving appropriate staffing for a rescue task force (3 Officers and 2-3 EMS Firefighters), Team members will radio dispatch to advise that a rescue task force is assembled and ready to enter the structure. The RTF composition and entry point will then be relayed, and the team will enter the structure. The RTF will enter the most appropriate part of the structure based on known intelligence to rescue, evacuate and triage victims if necessary. Team members will operate only in the warm zone as determined by communication from contact and rescue teams. The Rescue Task Force medical element will work with the law enforcement element to identify victims and determine treatment need. Walking wounded will be directed to the nearest exit and perimeter

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officers and medical warned of exiting victims. All persons encountered in the warm zone will be treated as potentially hostile until determined otherwise.

The medical element will provide indirect threat care to victims encountered and determine the most serious cases in need of evacuation to a casualty collection point (CCP), ambulance exchange point or loading zone. Depending on the structure and number of casualties, officers may be deployed to a location inside the warm zone to serve as the casualty collection point. Those officers will secure that area and remain a protection element for medical resources deployed to the CCP.

Because of limited resources on the RTF, teams will hand off casualties to other medical resources as soon as possible and return to the warm zone to continue treatment and evacuation of victims. The medical element will determine treatment needs and time with victims and relay this to the law enforcement portion of the RTF during treatment.

All communication between RTF members will be done in a “feedback loop” style of communication to ensure appropriate movement and tactics of the rescue task force. If the rescue task force was to encounter a threat the law enforcement element will take appropriate action to end the threat but not leave the RTF Fire/EMS without protection. If available, multiple Rescue Task Force units will be deployed within a designated warm zone; however, deployment must be communicated to other contact, rescue or RTF teams operating within the structure. After all victims have been treated and evacuated, SWAT unit officers may be called in for a slow and methodical search of the location. The incident site will be considered a warm zone until all possibility of further suspects or victims can be ruled out.

### **800.7 SUSPECT ARREST**

When the suspect is arrested or incapacitated, regular department policy will be followed regarding the investigation and collection of evidence.

### **800.8 DEACTIVATION**

Upon the resolution of the incident, the following post-incident procedures will be taken:

1. The Incident Commander will ensure that all the incident personnel are accounted for.
2. Victims, hostages, suspects, and officers will be checked for medical and psychiatric emergency care needs.
3. Command post operations will be deactivated.
4. A press release will be prepared.
5. All involved personnel will be debriefed prior to their release from duty.



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**No one will be relieved from the scene without the knowledge and approval of the Incident Commander.**

6. A separate formal critique of the incident will be arranged with involved members. The incident critique will be arranged by the Incident Commander and will take place, normally, within 72 hours of the completion of the incident.