City of Auburn Police Department

Standard Operating Procedures

(Clickable Table of Contents)

City of Auburn

Police Department

A Community Oriented Law Enforcement Agency

Chris Hodge
Chief of Police

Auburn Police Department
Standard Operating Procedures

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Auburn PD Standard Operating Procedures

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Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 1**
Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/19/2018

Subject: Introduction

I. Purpose

This manual contains the standard operating procedures of the Auburn Police Department. The primary purpose of this manual is to establish uniform and consistent operating procedures that provide personnel with guidance in carrying out their daily tasks. The rules and guidelines set forth in this manual will aid in ensuring that services are provided in a consistent and lawful manner. This manual supersedes any conflicting prior written directives.

II. Mission

The Auburn Police Department is committed to serving our community through professional law enforcement services that protect the lives and property of the citizens and strives to improve the quality of life in our community.

III. Scope

The standard operating procedures in this manual are for the use of this department and do not apply to any civil or criminal proceedings. Nothing contained in this manual should be construed as setting a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this manual will only form the basis for departmental administrative sanctions.

IV. Validity

Any statement in this manual found to be illegal, incorrect, unenforceable or inapplicable shall not affect the validity of any other chapter, section, or subsection of this manual. Titles of this manual shall not govern, limit, modify, or affect the scope, meaning or intent of any chapter, section or subsection of this manual. As the need arises, due to changes in law, the community, or this department this manual or any part may be modified as needed.

V. Applicability

This manual applies to all employees of the Auburn Police Department, except where specific exceptions are made or in cases where job classification provides exemption.

VI. Gender Reference

The gender pronoun he/his is used throughout this manual and is intended for purposes of brevity and inclusivity only and not intended to discriminate or suggest a preference to any gender.

VII. Distribution

During the writing and after completion of this manual, designated supervisors will be assigned a hard copy and must make it readily assessable to all employees. All employees shall receive an issued FLASH DRIVE version of the written directives from the Chief of Police or his designee. Training of high liability policies are conducted upon each orientation of new employees, both sworn and civilian, and through in-service training as stated in Chapter 4, Section IV. Additionally, a hard copy of this manual is issued to the Office of the City Administrator, and a CD or flash drive version is issued to the Office of the City Attorney. All assigned copies of this manual will be updated by the command staff, or by a person designated by the Chief of Police. All changes to this manual will be communicated by supervisors at roll call and/or division meetings.

VIII. Equal Employment Opportunity Employer

It is the policy of the Auburn Police Department to ensure that all individuals be given an equal opportunity for employment, regardless of race, religion, color, national origin, ancestry, handicap, medical condition, pregnancy, disability, marital status, age, sexual orientation, and sex.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 02**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/19/2018

Subject: Agency Jurisdiction and Mutual Aid

I. Purpose

The purpose of this policy is to clearly establish the geographical boundaries of the jurisdiction of the Auburn Police Department and establish guidelines for mutual aid in the event of natural disaster, mass disorder, and other emergency and non-emergency situations.

II. Rules and Regulations

A. Agency Jurisdiction

This department provides police services to all areas and all persons within the jurisdictional boundaries of the City of Auburn, Georgia. The Patrol Commander will maintain a current map of the City of Auburn in a general area within the Patrol Division, where all personnel will have access. This map will clearly outline the jurisdictional boundaries of the City of Auburn.

B. Concurrent Jurisdiction

The Auburn Police Department is primarily responsible for all police services within the city limits and will respond to calls for service from any person within the city limits of Auburn. There are, however, other agencies that may conduct law enforcement activities within the city limits of Auburn. These include but are not limited to, the Barrow County Sheriff's Department, the Gwinnett County Sheriff's Department, the Gwinnett County Police Department, the Georgia State Patrol, Georgia Bureau of Investigation, Georgia Department of Corrections, Georgia Department of Transportation, and various federal agencies. The officers of the Auburn Police Department will not interfere with any other authorized official of another agency while conducting official law enforcement operations within the City of Auburn. The Auburn Police Department shall have concurrent jurisdiction with the Barrow and Gwinnett County Sheriff's Departments, and the Gwinnett County Police Department within the confines of the city limits of Auburn. The Auburn Police Department shall have the responsibility of enforcing City of Auburn ordinances, state traffic laws, and state criminal laws that occur within the city limits. Auburn Police Department officers shall have the responsibility to patrol and concentrate their activities to areas within the city limits of Auburn. The Auburn Police Department will honor any reasonable request made by the Barrow and Gwinnett County Sheriff's Departments, and the Gwinnett County Police Department for assistance in enforcing the law.

C. Mutual Aid

Georgia Code 36-69-3 allows for interagency assistance in an emergency, in the prevention or detection of violations of any law, in the apprehension or arrest of any person who violates a criminal law of this state, or in any criminal case.

1. Any request under the above guidelines for immediate assistance within a one-hour travel of Auburn, may be approved by the patrol supervisor. Any other requests for aid outside Barrow

County, or for assistance of a non-emergency nature outside Barrow County, must be approved by the Chief of Police.

2. At no time will manpower in excess of 50% of the on-duty officers be committed to assist an outside agency without the approval of the Chief of Police.

D. Request for Law Enforcement Assistance

Only the Chief of Police may authorize a request for assistance from federal law enforcement agencies in emergency situations. The patrol supervisor may request assistance from local and state law enforcement agencies in emergency situations. All requests of a non-emergency nature must be authorized by the Chief of Police. Requests for emergency assistance will be handled through E-911.

E. National Guard Assistance

In case of an outbreak of insurrection, breach of the peace, riot, or combination to oppose the enforcement of the law by force or violence within the City of Auburn, or in the event of a disaster or other emergency, the Chief of Police shall notify the City Administrator and the Mayor that there is a need for National Guard assistance. The Mayor has the authority to request assistance by notifying the governor. If the governor deems the emergency of sufficient magnitude, he may order the National Guard into service for such a period, and to such an extent, and in such a manner as he may deem necessary according to Georgia Code 38-2-6.

F. Use of Outside Personnel

Outside personnel provided to this department in times of emergency or civil disorder shall be utilized to assist in all aspects of emergency situation control. Outside agency personnel are to report to the Incident Commander of the primary agency for assignments. The Incident Commander or his designee shall be responsible for coordinating and maintaining radio communication with outside agency personnel. Processing of arrested persons will be the primary responsibility of personnel from this department; however, the security and transportation of arrested persons to detention facilities may be delegated to outside personnel.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 02-1**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/19/2019

Subject: Law Enforcement Role and Authority

I. Purpose

The purpose of this policy is to define agency personnel, and to establish the respective limitations of authority of Auburn Police Department personnel; to establish the functional role of the agency through mission statements, goals, basic programs and priorities; and provide guidelines for the use of force and discretion.

II. Definitions

Sworn officer – A person who is granted those general peace officer powers prescribed by constitution, statute, or ordinance in the jurisdiction, including those persons who possess authority to make a full custody arrest for limited or specific violations of law within the same jurisdiction.

Code Enforcement Officer – A person who may be a sworn peace officer. The code enforcement officer plays an important role in preserving/ensuring community beautification and safety not only with regard to new construction, but also with the repair and alteration of existing buildings. The code enforcement department exerts a positive influence on the environment and contributes to the economic health and wellbeing of the community. As both an educator and resource, the department provides many services to ensure a healthy and safe environment from which the public benefits including but not limited to:

Animal control

Solid waste

Housing code

Demolition

Zoning complaints

Proper sanitary maintenance

Nuisance abatement

Abandoned vehicles

Trees and shrubs

Civilian personnel – A non-sworn person having no arrest authority as defined in "sworn officer" and "full-custody arrest". Civilians may be employed or affiliated with a law enforcement agency in a variety of supporting roles and may be uniformed but lack the authority to make a full-custody arrest.

Full-custody arrest – Arrest authority with or without a warrant, which includes the legal authority to physically remove a person from their location, taking that person to a place of confinement or judicial authority.

Custody – Legal or physical control of a person in an area or facility, or while in transit; legal, supervisory, or physical responsibility of a person.

Arrest – To deprive a person of his/her liberty by legal authority.

Discretion - the power of free decision or latitude of choice, within certain legal bounds.

III. Rules and Regulations

A. Oath of Office

Prior to assuming sworn status, all officers must take and subsequently abide by an oath of office to enforce the law and uphold the nation's Constitution, the state's Constitution and the Charter and ordinances of the City of Auburn during their employment at the Auburn Police Department. The Chief of Police or his designee will administer the Oath of Office and each person taking this oath will sign a written copy of such.

B. Code of Ethics

All agency personnel, both sworn and civilian, will adhere to the law enforcement Code of Ethics. A printed copy of the Code of Ethics Acknowledgement form will be dated and signed by all personnel prior to any enforcement or assigned responsibilities and duties. Additionally, all agency personnel shall receive ethics training annually. A printed copy will be dated and signed by each employee during employee orientation by the Training Section. The signed copies will then be forwarded to the Office of the Chief of Police and maintained within the employee's personnel file at City Hall.

C. Police Authority

Article IX, Section II, Paragraph III of the Georgia Constitution gives municipal governments the authority to provide police services within their jurisdictional boundaries. The Charter of the City of Auburn, Article I provides for a police agency. Auburn Police Officers are vested with the authority to enforce the ordinances of the City of Auburn, the laws of the State of Georgia, and the Constitution of the United States to protect lives and property. Sworn officers will be issued weapons, receive training in the usage of and carry the same as a condition of their duties in protecting life and

property. The legal authority for law enforcement officers to carry and use weapons in the performance of their duties is granted by exemption under the provisions of Georgia Code Annotated 16-11-130. Said weapons and tactical use thereof shall only be utilized in conformance with sound policies, procedures, and training.

While possessing such authority, officers should be mindful of the fact that they also have the freedom to exercise discretion in the performance of their duties. Obviously, it is not possible to rigidly regulate discretion; however, through training, supervision, and the recognition of written policy, discretion may be more reasonably applied. All agency personnel are encouraged to exercise discretion in a legal and appropriate manner at all times, and to do so according to the circumstances of any given situation. Officers are not required to arrest all offenders of law or ordinance, nor issue a citation to every traffic offender. The intent of this order is to encourage common sense evaluation of the situations when making functional law enforcement decisions, and to employ appropriate alternatives to arrest to address the variety of problems presented. All official acts will be performed in a businesslike and professional manner.

D. Limits of Police Authority

The Auburn Police Department will ensure the rights of accused persons are not violated. Officers will conduct searches, effect arrests, and conduct questioning in accordance with the United States Constitution, the statutes of the United States, as well as the constitution and statutes of Georgia. This manual provides guidelines for officers in the areas of response to resistance/aggression, search and seizure, arrest, interviews and interrogations, and other issues that affect the manner in which police services are provided.

E. Functional Role

It is the mission of the Auburn Police Department not only to protect lives and property, but also to satisfy customers and citizens by providing responsive and effective services, and a well-maintained public infrastructure, which will add value to the community. In providing these services, all sworn and civilian employees are required to adhere to the Basic Employment Standards set forth by the Personnel Manual of the City of Auburn.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 02-2**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/18/2018

Subject: Uniform and Dress Code

I. Purpose

To establish rules and regulations regarding the Agency uniform, equipment and personal appearance and establish employee accountability for the Agency uniform and equipment. In addition, this policy will establish an Agency dress code and employee personal appearance guidelines.

II. Rules and Regulations

General

Sworn employees will wear the designated uniform when reporting for duty, while on duty, and during any authorized special assignment. When the uniform is worn, care shall be taken that it fits well, is neat, clean, and that all leather and metal items are polished and in presentable order.

Civilian employees will wear only approved clothing by the Chief of Police.

Employees of the Agency shall be neat in appearance and well groomed. Male employees will be clean shaven. (Mustaches are allowed, see Section S. 6.)

While wearing the uniform, employees shall maintain a professional appearance.

Under no conditions will a part of the official uniform be intermixed with the wearing of civilian clothes.

When not in uniform or on special assignment, male employees will wear slacks and a dress shirt (tie is optional).

Female employees wearing civilian clothing will wear skirts/dresses that reflect Professional standards in length and design. Dress slacks or pant suits are permissible.

When necessary, the Chief of Police may prescribe other types of clothing to be worn.

When any uniform issued item becomes worn or damaged the officer is to notify his supervisor who will email the patrol commander requesting to have the item replaced.

Uniform Shirt

The uniform shirt will be approved by the Chief of Police. Shirts will be clean and will not be frayed or torn. The uniform shirts will be the Tactical Polo, short sleeve in LAPD Navy Blue. (3 issued)

Uniform Shirt Accessories - The only authorized uniform shirt accessories are:

Badge - To be sown on the outermost garment and clearly visible at all times.

Name - Shall be sown on the right side of the chest in either silver or gold. The name will always be discernible.

Awards - Pins designated and approved by the Chief of Police indicating E.M.T. Training, firearms, etc., will be worn on the right/left side of the shirt.

4. Official Agency Patch - will be displayed on both shoulders of all uniform shirts and jackets and centered one inch below the shoulder seam.

5. Sergeant and Corporal Chevrons - Will be displayed on both shoulders of the appropriate ranking officers. On short sleeved shirts, the bottom points of the chevron will be one-eighth of an inch above the seam stitching on the arm, the top point will be centered below the City patch.

Uniform Trousers

Uniform trousers will be Tactical Trousers in LAPD Blue. (3 issued)

Uniform Belt

The under belt worn with these trousers will be a Black leather/Velcro type (Black patent leather for dress), one and one-half inches wide, with the appropriate finish buckle.

Uniform Headgear

Agency issued ball caps may be worn during inclement weather and designated functions, upon the authorization of the Chief of Police. (1 issued)

The uniform hat brim is not to be altered.

Uniform Footwear

Boots will be plain toe, leather and Black in color.

Boots shall be clean and highly polished and will be kept in good repair.

Black socks will be worn. If white socks must be worn for medical reasons, they will be worn under the black socks.

All sworn officers are authorized a $100.00 boot allowance per year. Officers are to purchase boots and can request reimbursement up to $100.00 after completing the necessary reimbursement form.

Uniform Leather Gear

All uniform personnel will wear a two-inch width black gun belt with appropriate snap closure (1 issued). The gun belt will have upon it the following items:

Standard issue is black "basket weave" or "patent" type leather.

Security style holster - One holster is to be worn on the right or left trouser seam. The butt of the firearm will be to the rear. (1 issued)

Ammunition and case - To be worn on the forward portion of the belt, between the holster and the snap closure. Each officer will carry a minimum of fifteen rounds or one magazine of ammunition in the case. No more than two ammunition cases will be worn. (3 magazines and 1 case issued). A tri-ammunition case may be worn if approved by the Chief of Police.

Handcuff case with handcuffs inserted properly for immediate use. (1 issued)

From two to six black keeper straps may be used to attach the belt to the garrison belt.

Walkie-talkie holders must be fastened to the gun belt (1 issued). Holders for batons may be fastened to the gun belt (1 issued).

Keys and key holder, when worn, will be worn so the keys may be tucked into the back pocket.

TASER will be worn in the approved holster and attached to the belt. (1 issued)

Other accessories will be permitted on the gun belt, with the approval of the Chief of Police or his designee.

Uniform Inclement Weather Gear - Optional according to weather conditions.

Rain gear consists of any issued equipment by the command staff.

The winter jacket, (1 issued), will be blue, black, or yellow with the following worn appropriate to rank:

Gold or silver buttons;

Sergeant and corporal chevrons to be worn on both right/left sleeves one half inch below/above the Agency emblems;

The winter jacket will not be worn with summer uniform.

Gloves, if worn, must be black leather or black fabric; when working traffic, gloves will be orange, white, or yellow.

Special Uniforms - Uniform specifications for special ceremonies and tactical sections will be announced by special order.

Excluded Items - The following items are excluded from use by agency personnel:

No dangling earrings or any type of ornament will be affixed to the ear, while in uniform. Females with pierced ears may wear small post earrings.

The use or the possession of any unauthorized hard metal flashlight is prohibited.

Personal ornaments or excessive jewelry shall not be worn while in uniform nor shall they be affixed to any part of the uniform, unless authorized by the Chief of Police.

Wedding rings may be worn.

Any emblem or patch denoting a special squad to be worn on the uniform must receive prior approval from the Chief of Police. No officer shall wear any type emblem upon his/her uniform denoting membership in a specialized or particular squad of the agency unless currently assigned to the squad.

No political material or any type of flag other than designated in section C-10 may be worn on the uniform.

Firearms

Uniform Officers

A Glock 22 (.40 caliber) pistol, is agency issue for the Patrol Division. When not in use, it is to be snapped in the holster.

The agency issued/approved firearm and ammunition shall be carried by all sworn personnel.

Permission to carry a personal handgun must be authorized by the Chief of Police. Use of a personal handgun will require recording the serial number, make and model in the personnel file of the individual officer. The officer is also required to qualify on the firing range with his/her personal handgun or long gun. When the officer makes a written request to carry a personal handgun, the officer must specify where the handgun will be worn.

Non-Uniform Officer

A Glock 23 (.40 caliber) pistol, is agency issue for the Criminal Investigation

Division and plain clothes personnel.

Permission to carry a personal handgun or long gun must be authorized by the Chief of Police. Use of a personal handgun or long gun will require recording the serial number, make and model in the personnel file of the individual officer. The officer is also required to qualify on the firing range with his/her personal handgun and or long gun. When the officer makes a written request to carry a personal handgun, the officer must specify where the handgun will be worn.

Other Equipment

Handcuffs with one key are required.

2. Body Armor (1 issued) - Soft body armor will be made available to all sworn personnel and may be either (1) issued from inventory or (2) purchased from vendors who meet current minimum protective standards prescribed by the National Institute of Justice. All personnel assigned to patrol-line operations are required to wear body armor during their normal tour of duty in either an inner or outer carrier approved by the department. All sworn officers will wear body armor whenever engaged in high-risk situations. Body armor will typically have a span of 5 years of service. Any exception for wearing body armor will need to be by written approval of the chief of police.

Criminal Investigation Division (CID) Dress Code

An investigator shall dress in civilian clothes and shall keep him/herself neat and clean. The general appearance shall be businesslike and always presentable when in public. Whenever investigators are in the public view or appear before any official body or court, they shall dress in a professional manner.

NOTE: If the weapon is exposed, the officer's badge must also be exposed / visible.

Ties will be worn when applicable or at the direction of the Chief of Police.

No blue jeans or jogging suits will be worn on duty, unless approved by the Chief of Police.

The Corporal Drug Investigator will be allowed to dress appropriate to his current assignment.

All CID members shall keep their hair cut in a conservative manner. Male investigators may wear a trimmed mustache and or trimmed goatee. (All facial hair will be well groomed at all times). No handle bar type mustache will be allowed.

NOTE: Upon approval of the Chief of Police, officers assigned to special details may be exempted from the Agency's grooming policy.

CID personnel will be required to carry their firearms and handcuffs whenever on duty unless prior approval is given. Whenever CID personnel are in contact with the public, he/she should not carry his/her firearms in an open exposed manner without prior approval.

Investigators must carry hand held radios when away from the office or an agency vehicle unless the nature of the investigation prohibits it.

Court Dress - The following attire will be appropriate in court:

Uniform or shirt and tie with dress slacks for males, and appropriate business-like dress for females.

Inside Dress - While assigned to office duty, sworn officers may be exempt from wearing those articles which are not necessary for that duty, upon approval of the Chief of Police.

Civilian Personnel - Office personnel assigned to the agency should dress in a business-like manner. There shall be no blue jeans, bare feet, halter tops, shorts, tank tops, or tennis shoes worn while on duty.

Turning in Equipment upon Termination or Resignation - When any employee resigns or is terminated, all City issued property will be turned into the Chief of Police or his designee. This must be done before the issuance of a final pay check.

Hair – For the safety and security of officers, the Hair regulations for the Agency are as follows:

The hair will be neatly groomed and worn in such a manner as to not hang over the forehead under the regulation head gear. Hair will always be neatly groomed.

The hair at the back of the head may be worn in a full style. No hair will be allowed to extend over the collar.

The hair on the top of the head may be worn in a full style provided the regulation head gear is not hindered by the hair from sitting squarely on the head. The head gear cannot be supported solely by the hair.

Sideburns are permitted, provided they do not extend below the middle of the ear. Sideburns cannot be worn in a flared style. The base will have a precise, horizontal line.

The hair should not cover or touch the ears or extend below the normal hairline.

"Corn-rowing" of the hair is not permitted while in uniform.

A mustache is permitted provided it does not extend below the corners of the upper lip. It cannot turn upward or be worn in a twisted manner. It cannot be of a "handle bar" style and cannot be waxed on the ends. The upper lip must be exposed. The mustache cannot be worn so thick that it extends over one-fourth inch outward.

Wigs or hair pieces may be worn only to cover natural baldness or to cover physical disfiguration. When worn, wigs will conform to hair regulations.

Female uniform officers are required to wear their hair to comply with the standards of

the agency. Female officers are permitted to wear their hair pinned up during duty hours.

All sworn male employees may wear a goatee or beard that are maintained at a length, so it meets with the appearance policy. Facial hair shall be neatly trimmed so as not to exceed the height of the cheek bone, and beards/goatees shall not be permitted below the jaw line. Beards and goatees must be worn with a mustache. The overall length will not exceed ½ inch. Employees wishing to grow a beard/goatee must make this request through their chain of command, and the employee must be able to properly grow their facial hair within a four-week period. Employees will only be allowed to attempt to grow out facial hair two times a year. Should it not fill in and cover the face completely (below the cheekbone and above the jaw line), the beard will not be permitted. There shall be no "patching" present on the face. Patching being defined as breaks within the beard/goatee where no facial hair is present. Beard and Goatee color must be consistent with the employees' current, natural hair color.

Members of the Investigative Division are required to comply with all rules regarding hair styles.

Exemptions from the above rules require prior written authorization from the Chief of Police.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 02-3**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/19/2019

Subject: Contractual Services

I. Purpose

The purpose of this policy is to provide for formalization of police services that are provided by outside agencies. For the purpose of this section, police services will refer to traditional public safety activities such as patrol, investigations, jailing, and maintenance of law enforcement files, property management, automated or manual fingerprint identification, and communications.

II. Rules and Regulations

A. Written Contract

The Auburn Police Department shall have a written contract with all agencies, both public and private, that provide law enforcement services. This written contract will govern the following at a minimum:

1. The specific services to be provided
2. The financial agreement between the police department and the contracting party
3. What specific records must be maintained concerning the performance of services by

the provider agency

4. Specifically, how the contract may be terminated or modified
5. The length of time the contract is valid
6. Specific legal contingencies
7. A stipulation that the provider agency maintain control over its personnel
8. Specific arrangements for the use of equipment and facilities
9. A procedure for review and revision of the agreement

B. Assignment of City Employees to Contracting Agencies

Any City of Auburn employee that is temporarily or permanently assigned to a contracting agency will maintain all employment rights that he had prior to being transferred. This includes promotional and training opportunities, fringe benefits, and other employment rights.

III. Release of Information

Any arrest report, incident report, investigative report, or other material or documents prepared, filed by, or with the Auburn Police Department which may relate, directly or indirectly, to the contracting agency, shall be available to the appropriate officers or agents of the contracting agency, the same as such documents are now available, with the exception of any such documents covered by confidentiality laws, or for which the disclosure is otherwise prohibited by law.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 03**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/19/2018

Subject: Organization and Direction

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I. Purpose

The purpose of this section is to describe the organizational structure of the Auburn Police Department and the application of basic organizational principles. One goal of effective administration is ensuring all employees are familiar with the organizational structure of the department, to include the organizational functions of each division and section within the agency, and its purpose within the overall organizational structure. In addition, each member should be able to recognize the Chain of Command, beginning with his unit, through the ranks, to the Chief of Police. Additionally, this chapter gives guidance for the development and distribution of written directives, the administrative reporting system and form development and usage.

II. Rules and Regulations

A. Need for Organizational Structure

No organization, including a police department, can function without an organizational structure that assigns responsibilities or functions to specific individuals, or groups of individuals. Throughout the organization, there must be clearly defined and distinct lines of authority, so that responsibility and accountability can be assessed. Each person employed by the department is responsible for certain functions and tasks. Additionally, each member is held accountable for the use of delegated authority. One function of an employee holding supervisory responsibilities is to ensure that subordinates are performing the tasks assigned to them, so that the objectives and goal of his command, as they relate to the organization, are met. The ability of the department to make organizational adjustments to meet changing needs, is essential to obtain the maximum benefit from the expenditure of assigned resources. However, to ensure stability, the basic departmental structure should not be changed in the absence of a demonstrated need, or to satisfy temporary requirements.

1. The organizational chart of the Auburn Police Department shall be recognized by all members and will be updated when any reorganization occurs.

2. It will be the responsibility of the Office of the Chief of Police to update the organizational chart, which will be posted in conspicuous areas of the Police Department to be accessible to all employees.

B. Organizational Structure

The Auburn Police Department shall be comprised of:

1. The Office of the Chief of Police

The Chief's Office creates and monitors long range plans that determine how resources will be applied to achieve the mission of the Auburn Police Department. The Chief's Office is responsible to assign an officer or officers for the purpose of Professional Standard needs as they occur; these duties may be split between division commanders and/or additional ranking officers as the Chief of Police deems necessary. The professional standards officer/s investigates all complaints against Police Department personnel, may assist in conducting background investigations for employment, conducts internal audits of divisions, sections, and units of the Police Department to ensure compliance with applicable law and policy as directed by the Chief of Police.

A. Accreditation and State Certification - The Certification/Accreditation

Manager is responsible for monitoring the policies of the Police Department, to ensure that they are in compliance with state laws, CALEA Accreditation and State Certification Standards. The manager is also responsible for collecting the documentation and maintaining the files that are required to

prove compliance with the standards. The Certification/Accreditation Manager answers directly to the Chief of Police.

2. Administrative Services Division is comprised of:

A. The Criminal Investigations Division (CID), which conducts follow-up

investigations on both felony and misdemeanor crimes. CID Investigators are responsible for investigations into child abuse complaints and acts of family violence investigations, respectively. CID also will assist in conducting various classes and presentations within the community, with the purpose of educating different facets of the community and heightening their awareness to prevent victimization of certain crimes.

1. Property and Evidence Unit maintains the department's evidence room. The Evidence Custodian conducts weekly (or as needed) transfers of evidence to the state crime laboratory for analysis. Additionally, this position works to cycle out materials previously submitted, but are of no further evidentiary value and no longer required by law to be retained. As a part of the process, the Custodian routinely communicates with court representatives and police officers, to evaluate the continued necessity of maintaining collected evidence.

2. The Records Section, which houses the terminals containing criminal history record information, is responsible for establishing guidelines for the preparation, retention, dissemination, accountability, auditing, and processing of official forms, reports, and documents initiated and maintained by the Auburn Police Department. This includes issuance of official documents such as citation books. The Records Section also responds to requests under the Georgia Open Records Act and/or re-directs inquiries and complaints from the general public and all outside agencies.

3. The Training Unit is responsible for conducting the overall training for the

Police Department.

4. The Code Enforcement Unit, which is responsible for identifying,

investigating, and notifying citizens when they are in violation of a City Ordinance relating to environmental issues and general health standards. This unit falls under the direction of the CID Commander.

5. Court Clerk. The Court Clerk handles all aspects of City Court. They are responsible for the issuance of ticket books to the officers and accountability for all tickets. They run the City Court ensuring that all the orders of the court are followed and coordinate with Department of Motor Vehicles and Probation.

3. The Patrol Division is comprised of:

Uniform Patrol Operations, which encompasses the uniform patrol officers and supervisors. The Patrol Division is responsible for the enforcement of criminal and traffic laws and local ordinances by responding to calls for service, and by engaging in proactive problem-solving activities designed to improve the quality of community life. The Patrol Division also will assist in conducting various classes and presentations within the community with the purpose of educating different facets of the community and heightening their awareness to prevent victimization of certain crimes.

Support Services is responsible for the day to day operation of the office. They handle all incoming calls to the Police Department and are GCIC certified. They handle background checks and enter and remove warrants from the GCIC/NCIC computer system.

4. Each employee will be accountable to only one immediate supervisor. Additionally, each Division, Unit, or Section will be under the direct command of only one supervisor. This organization's composition is readily available to all personnel, via posted organizational charts within the department, and this policy.

5. To achieve effective direction, coordination and control, the number of employees under the immediate control of a supervisor should be no more than 8-12 subordinates. However, there may be situations that warrant a larger span of control. Factors to be considered in making this decision may include: ability of the supervisor and/or subordinate; complexity of the task to be performed by subordinates, and separation by time and place of the supervisor and the subordinates.

C. Command Staff

The Command Staff of the Chief of Police shall be:

1. The Commander over the Patrol Division.

2. The Commander over the Administrative Services Division.

3. The Public Information Officer (PIO)

D. Job Description

Job descriptions of each rank within the Department, to include civilian employees, are maintained in the Human Resources Department, and are accessible to all employees upon request. In addition, each Division will maintain job descriptions of personnel assigned to Units within that Division.

E. Office of the Chief of Police

The Office of the Chief of Police shall be the Executive Office of the Department. The Chief of Police shall be the Executive Officer of the Department and shall be accountable to the Mayor and City Council for departmental affairs. The Chief of Police has the authority to issue, modify, and approve

agency written directives, and see that the rules, regulations, and all general and special orders are enforced.

1. The Department operates under the direct supervision of the Chief of Police. The Office of the Chief of Police shall be so regulated that the command protocol, in the absence of the Chief Executive Officer, will be under the command of a designated supervisor, with the rank of lieutenant or above, in most instances of his absence, the Chief of Police will assign shared command to both division commanders until his return. The designated supervisor/s shall be regarded as the representative of the Chief of Police and his commands obeyed. Officers representing the Chief of Police in his absence will be designated by written memo issued by the Chief of Police.

2. In the event of the absence of the Chief of Police and any other staff commander, due to being incapacitated or otherwise unable to act, the Mayor and City Council will designate a member to assume the authority vested in the Chief of Police, until such time as the Chief of Police returns to duty.

F. Administration

1. Ranking members are those personnel having authority to administer and supervise the work of various Divisions, Sections, Units, and members of the Department.

2. In descending order, the commissioned ranks of the Department are:

Chief of Police

Lieutenant

Sergeant (to include the PIO)

Corporal/Detective Corporal

Patrol Officer

3. Ranking members of the Department shall exercise the authority of the position under all conditions, which require that the use of such authority is in the best interest of the Department. A ranking officer shall not unnecessarily countermand any order issued by officers below his rank, or needlessly interfere with the specific duties of members of a lesser rank. Ranking members of the Department are officers that hold the rank of Corporal or above.

4. Orders that deviate from existing written orders may be issued by a ranking member in an emergency and remain in effect only during the emergency.

G. Department Command

Section 1.12 of the Charter of the City of Auburn creates the City of Auburn Police Department mandating a minimum police force of two sworn officers providing protection 24/7. Under Section 1.12, the Chief of Police is responsible for the administration, coordination, and control, of all police activities.

H. Command Responsibility

A commanding officer has responsibility for every aspect of his command. Commensurately, within policy guidelines and legal constraints, he has the authority to coordinate and direct assigned personnel and other allocated resources to achieve his organizational objectives. In so doing, he must perform the full range of administrative functions, relying upon policy, direction, training, and personnel initiative. Each employee that is vested with the authority to perform their duties is accountable to their supervisor for their actions or failure to act.

1. Upon a change of command, the Commanding Officer being replaced has a duty and obligation to lend his full assistance to make the command transition as smoothly and orderly as possible.

2. Orientation for the new Commanding Officer should include exchanging information concerning unique problems for the command and assisting with community and professional contacts relating to the command.

I. Chain of Command

The Chain of Command, descending from the Chief of Police, and ascending from the lowest rank, shall be preserved to maintain the principles of good administration. Employees shall not bypass their supervisors, except as provided for in these rules and regulations. Employees shall not take a matter directly to the Chief of Police, which should ordinarily be taken up with their immediate supervisor. If an employee believes that an unfair decision has been made by an immediate supervisor, that employee may request that the matter be reviewed by the next higher supervisor in the Chain of Command. The Chief of Police does have an "open door" policy, which allows employees to speak with the Chief of Police on any matter. However, employees are encouraged to inform their direct supervisor of this intent.

1. Each employee must be aware of his relative position within the organization, to whom he is immediately responsible, and those who are accountable to him.

2. All employees shall, at every level of rank, keep their superior officers informed, verbally or in writing, of all matters concerning personnel, performance, conduct, unusual activity, situations, or any other actions concerning the overall mission of the department or in which the department has a logical business interest.

J. Command Protocol

The command protocol, in normal day-to-day agency operations, shall be that each officer is responsible to his immediate assigned supervisor for guidance and direction. At the scene of any crime, accident, or other incident, the senior or ranking officer present shall assume the command and direction of police personnel to ensure the orderly and efficient accomplishment of the police task.

The command protocol in exceptional situations, (i.e. emergency or critical incidents), is also designed to ensure the orderly and efficient accomplishment of the police task through transition into the Incident Command System (ICS), whereby the on-duty patrol supervisor assumes the incident command position. This responsibility will remain with the initial Incident Commander, until proper relief and acknowledgement by both ranking officers.

The command protocol in situations involving personnel of different functions engaged in a single operation will replicate that articulated above when those situations are unpredicted and non-scheduled. For those situations involving pre-planned operations, the command protocol will be established as a part of the pre-planning component.

When a supervisor is directly involved in any incident in which Departmental or individual officer liability is likely to attach, or where the Chief of Police will likely initiate a directed investigation by the Office of Professional Standards, the involved supervisor shall immediately relinquish all supervisory authority of the scene once another supervisor (irrelevant of rank) arrives on scene. In concert with this transfer of authority and control, the involved supervisor shall not approve any officer report generated in conjunction with the incident in question or under review. This does include all official law enforcement reports and internal review reports (i.e. Response to Aggression and Vehicle Pursuit Reports.)

K. Authority and Responsibility of Supervisors

Supervisors shall constantly direct their efforts toward the intelligent and efficient performance of the mission of the Department, with an emphasis on customer service. They shall require their subordinates to do the same.

1. Supervisors are accountable for their own conduct, their performance of police duties, and for the activities of their subordinates.

2. Supervisors shall ensure that an investigation is conducted, upon any misconduct or non-performance of duty complaint that comes to their attention. Supervisors shall, at all times, be an example of intelligence, efficiency, promptness, accuracy, trustworthiness, and courtesy.

3. Supervisors shall promptly obey all orders from their superior officers, and they shall issue orders or instructions, when necessary, for the efficient operation of their command, when not in conflict with orders or instructions issued by a higher authority.

4. Supervisors shall investigate any delinquent or unethical conduct, or laxity in the performance of duty, or in the observance of Departmental rules on the part of their subordinates.

5. Supervisors shall take corrective action, to include remedial training concerning policy or policies violated by the subordinate. A supervisor who observes or becomes informed of willful neglect or misconduct by an employee not assigned to his unit, shall immediately bring it to the attention of the employee's supervisor, as well as his own superior officer.

6. Supervisors shall ensure that subordinates complete all required reports promptly and accurately, subject to inspection and approval.

7. Supervisors shall be responsible for the care and maintenance of all Departmental property and work areas assigned to their unit. They shall conduct regular inspections of all property and personnel under their supervision and control.

8. Supervisors shall submit a detailed written report when a subordinate, under circumstances requiring an exceptionally high degree of courage, risks his life in the prevention of a crime, the apprehension of a criminal, in saving or attempting to save the life of another, or performs a difficult and important police service requiring the highest degree of tact, diligence, initiative and/or ability.

L. Staff Meetings

Staff Meetings will be held on a bi-weekly basis, and all officers with the rank of Sergeant or above, must attend, unless excused, prior to the meeting, by a commanding officer. The purpose of the staff meeting is to evaluate each Division's effectiveness in providing services, and to devise plans and assign responsibility to solve problems and reduce crime. Staff meetings will also provide a forum to discuss and propose solutions to internal deficiencies, and to exchange information between divisions. Information discussed at staff meetings will be passed on to line personnel in a timely manner. Information that requires more timely dissemination may be passed to Units, Sections, and Divisions by any employee. The staff minutes carry the weight and force of policy. The Policy and Procedure Manual will be updated as soon as practical, to reflect the staff minutes, if applicable.

M. Obedience to Lawful Orders

Any officer or civilian employee receiving a lawful order from a superior officer must obey that order. Officers must also obey orders from a superior by an employee of the same or lesser rank.

1. No employee is required to obey an unlawful order. Unlawful orders should be reported to a superior officer immediately.

2. Employees that receive conflicting orders shall inform the superior giving the order that it conflicts with existing orders and request clarification.

N. Written Orders

Written orders may be created or changed as needed to fit the needs of the Department, as long as these directives comply with law and City policy. There are four types of written orders:

1. General orders are concerned with policy and procedures and affect more than one organizational component. General orders may only be issued by the Chief of Police. Any Auburn Police Department employee may recommend a change, or inclusion of a new General Order into the Auburn Police Department Operations Manual. Changes to existing policy or new policy must be presented, in writing, by the employee making the recommendation to his immediate supervisor. The following events will then occur:

a. The supervisor will either present the proposed change or new policy at a weekly staff meeting for review or distribution to the staff via email;

b. If the proposal merits further consideration, it will be assigned by the Chief of Police for research and development; and

c. The employee assigned to develop the policy or make a change, will disseminate draft copies of the policy via email to all Division Commanders and affected personnel for input.

NOTE: Minor policy changes or new policy, which do not significantly impact operations, or merely incorporate existing customs, are not required to be disseminated for review by all personnel.

d. Approved changes or additions/deletions to the manual will be presented to the designated policy operations manual administrator for inclusion into the Auburn Police Department Operations Manual. All new written orders and modifications will be distributed to affected personnel via email by the Chief of Police and an email receipt will be documented via electronic signature. The electronic copy of the old order will be archived digitally by the operations manual administrator. The original signed hard copies of the new and old orders will be maintained in the master hard-copy policy manuals which will be located in the following locations: (1) in the certification/Accreditation Manager's office. (2) in the patrol room. (3) in the office of Chief of Police.

Note: Additionally, the City Attorney's office and the City's Mayor shall be provided a copy of all current Auburn Police Department policies on flash drive.

2. The General Order format will include a broad statement explaining the intended purpose of the policy. It will also include procedures to carry out the written directive and the effective date.

3. Special orders affect only a specific segment of the organization, or may be a statement of policy or procedure, regarding a specific circumstance or event that is of a temporary nature. Ranking officers may only issue special orders to units under their command. Written orders must include the date, time, person or group(s) affected, the time period the order is in effect, and the name of the person issuing the order.

4. Personnel orders announce the change in the status of personnel, such as a transfer or a promotion. All personnel Orders must pass through the Office of the Chief of Police.

O. Distribution and Access of Auburn Police Department Policies and Procedures

The operations manual administrator shall maintain a master digital copy of the Auburn Police Department Operations Manual and all written orders; these orders will be placed in the Auburn Police Department Operations Manual folder "written orders" when issued and will be stored on the city shared drive. A master back-up copy of the manual and all written orders will also be maintained on a stand-alone external hard drive.

Each employee of the Auburn Police Department shall receive a digital copy of the Auburn Police Department Operations Manual in the form of a USB flash drive. Additionally, all general orders, directives, selected memorandums, training documentation, and examinations will be emailed to each employee in order to allow employees to place the memorandum containing written directives in the folder marked "written directives" on the USB flash drive. The operations manual administrator shall provide the appropriate documentation needed to show receipt of the information by employees in the form of email receipt logs, signature logs for updates and issuance of any and all Auburn Police Department Operations Manuals.

P. Staff Inspections

Staff inspections will be utilized to ensure policy and procedure compliance. This will be accomplished through an objective review of all Divisions' administrative and operational activities.

1. The Chief of Police will identify, in writing, a ranking officer to conduct an inspection of a Division, Section, or Unit. The officer conducting the inspection will not be attached to the Division, Unit, or Section he is assigned to inspect.

2. The ranking officer conducting the inspection will use the Staff Inspection Sheet provided by the Certification/Accreditation Manager for guidance. The inspection sheet will be used to document deficiencies and recommend corrective action, as well as highlight positive areas of the Divisions, Sections, or Units inspected. The ranking officer conducting the inspection will submit a report to the Chief Police.

3. The ranking officer in charge of the inspected area or his designee will conduct a follow-up inspection and a written report to ensure that deficiencies not corrected at the time of the inspection are corrected at a later date.

4. Staff inspections will be conducted within all organizational components at least once every three years. Completed staff inspections will be retained in the Office of Professional Standards.

Q. Line Inspections

Line inspections ensure that employees are acting in concert with agency requirements in such areas as personal appearance, use and maintenance of equipment, and adherence to agency orders. Line inspections are also concerned with the status and conditions of physical facilities within a given organizational function.

1. Patrol supervisors will inspect subordinates daily, to ensure that they comply with basic appearance and dress standards. Inspections will be held prior to assignment and the results will be documented on the pass down duty roster. The supervisor will take corrective action with individual officers in a private setting. All other first line supervisors conduct their inspections by observing assigned personnel during the supervisor's scheduled work period to ensure that agency uniform, civilian attire, and appearance standards are maintained. The supervisor will take corrective actions with individual officers in a private setting. Deficiencies will be documented in the supervisor's notebook.

2. Supervisors will periodically walk through assigned facilities and office areas to ensure overall cleanliness, order, and the presence of necessary equipment and supplies. All property belonging to the Auburn Police Department will be subject to search or inspection at any time and without notice.

3. Patrol and CID Supervisors will inspect equipment issued to individual officers on a quarterly basis, unless otherwise needed. Issued equipment includes handguns, handcuffs, batons, soft body armor, and OC. All equipment will be inspected to ensure that it is well maintained, functional, and properly issued. Results of the inspection will be documented on the pass-down duty roster for patrol supervisors. CID supervisors will note the inspections and document any deficiencies in their notebook. Supervisors should use good judgment in taking corrective action. Subordinates should be notified of any shortcomings privately and should not be allowed to perform street duty if the inspection reveals deficiencies of a nature that might increase the liability of the Department, or the safety to the officer.

4. Any inspection that reveals department-issued equipment is lost, stolen, or intentionally abused, will require an incident report. An internal investigation and/or criminal investigation may also be conducted at the discretion of the Commanding Officer.

5. The supervisor discovering a deficiency will follow-up to ensure that corrective action is taken within a reasonable length of time. All deficiencies will be documented either on the pass-down duty roster, in a memorandum or in email form. Any deficiency, which cannot be corrected immediately, will also be documented on the employee's counseling form, along with documented recommended corrective actions, and a follow-up date.

6. The Chief of Police will conduct an inspection of the Auburn Police Department and all grounds at least yearly. The inspection will be announced at least one month prior to the inspection occurring. The purpose of the inspection is to ensure that all Departmental property is in good

condition, clean and free from hazards. The Chief may also make a cursory check to ensure compliance to policy.

7. Unannounced inspections may be conducted at any time by any supervisor that is responsible for the property he is inspecting. Inspections may be conducted on permanently or temporarily issued equipment. Supervisors will document all surprise inspections on the pass-down duty roster. Deficiencies will be addressed as outlined above.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 03-2**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/19/2018

Subject: Goals and Objectives

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I. Purpose

The purpose of this chapter is to establish guidelines for the development and review of departmental goals, objectives, and work plans. In order for the Auburn Police Department or any police agency to effectively meet the needs of the citizens, it must establish short, medium, and long-term goals to give guidance and direction to agency personnel.

II. Definitions

A. Goals – a relatively broad statement of the end or result that one intends ultimately to achieve. A goal usually requires a relatively long-time span to achieve and, whenever possible, should be stated in a way that permits measurement of its achievement. Goals provide the foundation for objectives.

B. Objectives – an end or result that one intends to attain in order to achieve partial fulfillment of a goal. An objective is a sub-goal, or an element of a goal; therefore, it requires a shorter time to accomplish than a goal.

C. Work Plans - precise activities that contribute to accomplishing objectives.

III. Rules and Regulations

A. Formulation and Distribution of Written Goals and Objectives

Each year the Chief of Police shall order a review of organizational goals and objectives. This review involves all short, medium, and long-range goals and objectives. This order will cause the following events to occur:

1. Division Commanders will meet with subordinates to receive input for changes and/or additions to existing goals and objectives. Personnel will use all available data for review of goals and objectives.

This will include citizen input from citizen complaints, citizen surveys, radio and TV call-ins, and Neighborhood Watch. Internal sources might include crime analysis, shift reports, activity logs, previous budgets and annual reports.

2. Goals are presented to the Chief of Police. Yearly budget request will be submitted reflecting updated goals and objectives.

3. Goals and Objectives are presented at a weekly staff meeting for dissemination to those employees that are affected. A copy of the goals and objectives will be placed on the police department in-house computer system which can be accessed by agency personnel. Goals and objectives are reviewed quarterly at the bi-weekly staff meeting unless otherwise directed or scheduled by the chief of police.

B. Work Plans

Patrol and Investigation Division Lieutenants conduct a weekly, if not daily review of crime analysis to identify crime trends. In response, the two division Lieutenants will develop work plans or strategies to address these crime trends. These work plans or strategies are carried out by the patrol officers and sergeants. These work plans are reviewed at bi-weekly staff meetings and changed as needed by the two division Lieutenants.

C. Medium and Long-Range Goals

The Chief of Police along with staff personnel will develop multi-year plans that include the following:

1. Medium and long-term goals and objectives as are determined using the procedures described in 3-2 III (A).

2. Anticipated workloads, population trends, and personnel needs.

3. Anticipated capital improvements and equipment needs.

4. The multi-year plan will be reviewed at least annually.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 03-4**

Effective Date: March 1, 2018 Revised: 05/01/2018

Review: 09/19/2018

Subject: Hiring Standards

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I. Purpose

The purpose of this chapter is to establish fair and impartial standards for the effective recruitment and selection processes for sworn personnel. This will aid the Auburn Police Department in identifying and employing the best available candidates. The Auburn Police Department is committed to the establishment of proactive equal opportunities for all persons within the available workforce, in accordance with applicable law.

II. Rules and Regulations

A. Recruitment Accountability

1. Recruitment assistance will be sought through cooperative agreements where referrals and advice will be requested from other law enforcement agencies, personnel departments, community leaders, community organizations, schools and colleges, the City of Auburn, and the State of Georgia.

2. All employees of this Department are encouraged to be aware of Departmental personnel needs and actively encourage qualified citizens to apply.

B. Recruitment Process

The Auburn Police Department will strive to identify and recruit the best candidates available for actual and forecasted vacancies. Recruitment shall be done in a manner that employs standards of equal opportunities for all potential applicants.

1. The Auburn Police Department will generally hire on an as-needed basis. The recruiting campaign should be continuous to ensure qualified applicants are available to fill vacancies.

2. The Criminal Investigations Division (CID) / Office of Professional Standards (OPS) will be responsible for maintaining contact with applicants from the initial application to final employment and/or exclusion from the selection process. The department will provide updates on application status, testing times, or pertinent information concerning the hiring/selection process.

3. All personnel assigned to assist in the recruitment process will be knowledgeable in the following areas:

a. recruiting needs;

b. career opportunities, salaries, benefits, and training requirements;

c. federal and state compliance guidelines;

d. demographics, community organizations, educational institutions, and other pertinent information about the community;

e. understanding of the different ethnic groups and cultures;

f. an ability to maintain records to track candidates;

g. and the ability to recognize factors that disqualify candidates.

4. Whenever possible, all personnel in the Department should be involved in the recruitment process. This will be accomplished by placing memorandums in readings, roll call training or personnel briefings by the Chief of Police or his designee.

5. The Recruiting Team, whenever possible, will include minority members fluent in the community's languages, and be aware of the changes in the demographical environment.

6. The Chief of Police will ensure that announcements for sworn positions are sent to applicable community service organizations for posting and dissemination.

a. Job announcements will describe duties, responsibilities, skills needed, educational level, and physical requirements.

b. Job announcements will be distributed as the necessity to recruit arises and may include advertising in newspapers and law enforcement magazines.

c. Job announcements will indicate that Auburn is an equal opportunity employer.

d. Applications for employment must be received within seven days of advertised job openings by the City of Auburn Police Department and forwarded to the OPS. If the job posting remains open due to current staffing levels, no time limits will be set.

e. A letter of acknowledgment will be sent via mail to anyone submitting an application for a sworn position by the police department.

C. Police Applicant Minimum Qualifications

The following is a list of minimum qualifications for employment as a peace officer with the Auburn Police Department:

1. The applicant must have a high school diploma or its equivalent, as recognized by the Georgia Department of Education. Desired: Minimum two years college or POST certified.

2. The applicant must be a citizen, a repatriated or naturalized citizen of the United States.

3. The applicant must undergo a background investigation.

4. The applicant must be at least eighteen (18) years of age.

5. The applicant must have a valid driver's license to operate a motor vehicle.

D. Selection Process

1. The Hiring Board Coordinator shall be designated by the Chief of Police as a ranking officer of Lieutenant or above. This person will be selected by the Chief of Police and will have the responsibility of administering the selection process. The Hiring Board Coordinator will ensure that hiring board members are available for scheduled assessments. All elements of the selection process shall be administered, scored, evaluated, and interpreted uniformly. The Hiring Board Coordinator will ensure that selection materials and confidential materials associated with the selection process are stored in a locked filing cabinet or secure hard drive. All materials discarded from the hiring process will be shredded prior to disposal. Material will be maintained for two years after it is no longer in use. All records of candidates not appointed will be maintained in a secure file within the OPS/CID Unit for three years.

a. Whenever possible, the agency's sworn work force will be representative of the available workforce in the City of Auburn, relative to its ethnic and gender composition. The recruitment plan will include proactive steps to target any group that is identified as underrepresented in the agency's service community. Final authority to hire rests with the Chief of Police.

2. The following criteria will be used in selecting all persons that apply for a sworn position:

a. Criminal History/ Driver History Check- the first step in the selection process is to identify those persons that meet the basic requirements for the position. (The applicant will supply a certified copy of their driver history). OPS, at their discretion, may disqualify some applicants at this stage, based on the results of the criminal history record information.

b. The testing process will include:

Background Investigation Required:

A background investigation of each candidate for employment will be conducted by an officer trained in collecting required information prior to appointment to probationary status. The background investigation, though costly and time consuming, is the most useful and relevant component of the selection process.

Psychological Examinations

A psychological examination designed to assess the emotional stability and psychological fitness of each candidate will be conducted prior to appointment to probationary status, using valid, useful and nondiscriminatory procedures. Psychological assessments are needed to eliminate candidates who may not be able to carry out their responsibilities or endure the stress of the working conditions. Each candidate's test is conducted and personally reviewed by a qualified professional, such as, a psychologist or psychiatrist to ensure proper interpretation and legal defense of the selection process. Each test has been validated by public safety agencies using and nondiscriminatory procedures.

The tests results are indicative of intelligence, personality, any emotional illness, any highly exploitive, destructive, or manipulative personality traits or any self-destructive tendencies.

Results of the emotional stability and psychological fitness examinations are maintained in the candidate's file to ensure proper procedures are followed and to provide data for continuing research and legal defense, if needed.

Drug Screen

All candidates for positions with the City of Auburn are given a drug screen test prior to employment. Specimens are obtained after proper consent/waiver forms are signed by the candidate and witnessed. All procedures are administered under the supervision of qualified medical personnel. All

candidates are given the opportunity to indicate any medications they are taking on the consent form. Traces of any illegal drugs will result in an automatic disqualification for employment with the Police Department. All consent; waivers and test results are placed in the background investigation folder of each candidate.

Medical Examination

A medical examination of each candidate will be conducted after the employer has made a conditional job offer and prior to appointment to probationary status. All medical examinations will use valid, useful and nondiscriminatory procedures. The purpose of the examination is to reveal any medical problems, which may affect work performance or contribute to work related disabilities. Only licensed physicians will be used to certify the general health of candidates. The comprehensive medical examination given to candidates recommended for hiring will include a statement from the physician(s) interpreting the results.

Oral Interviews

The department maintains the primary responsibility for developing and administering oral interviews. This process will be coordinated and/or administered by the Chief of Police or his/her designee, who may select a recruitment officer or appoint a committee of department personnel to assist. The Chief of Police will conduct the final oral interview of all prospective employees.

Polygraph Examination

In completing the background investigation of police officer candidates, a polygraph examination will be administered. A copy of all relevant questions to be utilized in the polygraph examination will be furnished to the candidates and will not include disability-related inquires. Only Polygraph Operators that are qualified to conduct examinations by virtue of their training will be used to administer polygraph examinations. The acceptance or denial of employment shall in no way be based solely upon the results of a polygraph examination instrument. The totality of the circumstances, which include both the pre-test interviews, however, may be utilized in making and supporting the employment decisions.

P.O.S.T. and Entry Examinations for Non-Certified Peace Officer Candidates

Written examinations of all peace officer candidates will be conducted (at the local colleges) prior to an acceptance for peace officer training. These examinations may be provided after a conditional offer of employment is made.

f. All new sworn employees will be on probationary status for six months, initiating upon completion of the FTO program. At the conclusion of the probationary period, the employee must be rated satisfactory on the performance evaluation. An unsatisfactory rating may constitute grounds for dismissal, or an extension of probationary status. The work performance of probationary

employees will be evaluated using valid, useful, and nondiscriminatory procedures, through performance evaluations.

g. Applicants that are determined to be ineligible based on the results of any phase of the testing process will be informed in writing within 30 days by the Hiring Board Coordinator.

h. Applicants who do not make an acceptable score on all phases of testing and evaluations may reapply after 90 days to participate in the application process again. If the applicant still does not successfully pass all phases of the testing process after the 90 days, he/she is not eligible to reapply until 12 months after their last assessment.

E. Background Investigation

1. In an effort to maintain an equitable standard for hiring applicants, the following minimum guidelines have been established. These guidelines are not allinclusive but are among the principal factors to be considered by the hiring authority of the Auburn Police Department in evaluating an applicant's candidacy. Candidates may be considered for disqualification for conduct, which is not specifically outlined in these guidelines. Circumstances surrounding certain events within an applicant's background, which may be considered disputable, will be subject to examination by the hiring authority.

The OPS assigned Lieutenant, who is trained in collecting required information, will conduct a background investigation of each candidate prior to appointment to probationary status, and include as a minimum:

a. Verification of qualifying credentials.

b. A review of any criminal/drivers record; and

c. Verification of at least three personal references.

2. It is more reliable to conduct the inquiry in person; however, telephone and mail inquiries can be made in lieu of personal contact interviews. The investigation should routinely involve an interview with candidate's family and with neighbors. A record of each candidate's background investigation will be maintained on file for at least five years if not employed. If the person is chosen for a position at the police department the background will be retained for the duration of the person’s employment.

3. During the background investigation, the candidate must either comply with, or not be deficient in any of the following areas:

a. Criminal History/Activity

b. Felony convictions - All applicants shall be subject to a check of their criminal history as recorded by Federal, State, County, City, Foreign, or other government bodies. No applicant shall have been convicted for a criminal offense classified as a felony, within his lifetime. Pleas of Nolo Contendere are considered a conviction.

c. Misdemeanor Convictions - Applicants who have been convicted of a misdemeanor offense within their lifetime may be deemed unacceptable. The nature of the offense(s) committed must have been associated with crimes denoting moral turpitude or disrespect for law enforcement authorities, or crimes against public order and safety, public morals and standards, sexual offenses, domestic violence, crimes against children, etc.

For the purpose of this section, violations of traffic laws are not included. Pleas of Nolo Contendere are considered a conviction.

4. Undetected Crimes - Applicants who have by self-admission, committed crimes against the State, or any other governing body which were never detected, shall be presumed to have committed the crime or act. The class or seriousness of the violation will be determined by the applicable Criminal Code of Georgia, which was in effect at the time of the commission of the act/crime, regardless of where the act was physically committed. This section will also apply if the crime was detected, but the applicant was never suspected, or probable cause did not exist for arrest.

5. Driver's License

a. Driver's License - Applicants shall have a valid driver's license issued by an acceptable governing authority. The license should have never been suspended or revoked for reasons other than cancellations for nonpayment of insurance premiums within the past 4 (four) years. Any driver's license suspension for moving violations or administrative reasons will be reviewed on case by case basis.

b. Driver's License Restrictions – An applicant's driver's license shall not contain restrictions which would hinder or restrict their ability to operate emergency vehicles in accordance with the policies of this Department and the laws of this State. Any restriction will be determined by a medical evaluation after the candidate is offered employment.

c. Assessed Points - The driver's license of applicants shall not have been assessed more than six (6) points within twentyfour (24) months preceding the date of the initiation of the applicants hiring process. In addition, the license shall not have been assessed more than ten (10) points within forty-eight (48) months preceding the date of the initiation of the applicants hiring process. For the purpose of this section, the points shall be computed by standards set forth by Georgia Code.

d. Driving Under the Influence - No applicant will be considered for employment if they have been convicted for the offense of Driving Under the Influence more than one time within his driving history. That conviction cannot have occurred within the five (5) year period prior to the initiation of

the hiring process. For the purpose of this section, a plea of Nolo Contendere is considered a conviction.

e. Prohibited Traffic Convictions - Applicants who have had within their driving history, convictions, or pleas of Nolo Contendere for the offenses of Hit and Run (or similar statute), Homicide by Vehicle, Fleeing/Attempting to Elude, or Habitual Violator will generally be excluded from employment. However, each offense will be reviewed on an individual basis, and an applicant still may be eligible for employment depending on the particular circumstances of the offense. In addition, police officer applicants must not have had a conviction of Reckless Driving or Racing within the four (4) year period preceding the date of the initiation of the applicant's hiring process. No applicant may have a driving history which reflects a recurring pattern of traffic violations, which may represent a perpetual disrespect for traffic laws.

6. ART-E1, D160, and D180 – each candidate will be required to complete psychological testing utilizing materials as mentioned below. This testing shall be administered by the OPS hiring coordinator and will consist of three psychological tests, which have been validated in public safety agencies. They are:

ART-E1 – This test measures intelligence, particularly non-verbal reasoning and common sense. The ART-E1 is less influenced by education and cultural background than are verbal IQ tests.

D160 & D80 – These tests measure personality and its malfunctioning. The D-160 considers personality factors much like the Sixteen Personality Factor (16PF) Questionnaire, a test which measures normal personality characteristics such as introversion, shyness, emotionality, behavioral control, etc. The D-80 considers emotional problems and disturbances. It yields scores on dimensions which relate to severe behavioral interference with public safety job performance, among others. The research literature regarding these instruments is quite extensive.

All categories of concern and any follow up questions relating to any of the categories will be noted on the background investigation final report.

7. Employment History

a. Termination - Applicants may not have been terminated for cause from any place of employment more than one time within the five-year period preceding the date of application for employment. Any applicant having a single termination for cause will not normally be considered for employment. However, the facts surrounding the termination will determine applicant's eligibility for employment, and the applicant's eligibility will not be based solely on a single termination for cause.

b. Stable Employment - Applicants should have a stable employment history. Past work performance should reflect the individual is, at least, an average employee, with no history of excessive tardiness or unexcused absences from work.

8. Financial Standing

a. The applicant must not have a pending garnishment or judgment which may cause undue hardship while employed with this agency. The Chief of Police may consider the applicant's overall credit history when considering eligibility for employment.

If employment is denied solely on the credit history report, the applicant will first be afforded the opportunity to explain any adverse credit history.

b. Lawsuits - Applicants who are the defendant in any pending lawsuit involving liability or damages will have their situation evaluated independently by the hiring authority. Divorces are not included in this section. However, garnishment of pay and failure to pay court-ordered child support, will be considered by the Chief of Police, and may result in that applicant not being eligible for employment.

9. Thefts

a. Felony Thefts - No applicant shall have ever been involved in a theft of a felonious nature. The standard for determining the class of the theft shall be the official code of Georgia Annotated, which was in effect at the time of the theft. This applies to both detected and undetected thefts.

b. Misdemeanor Thefts - No applicant shall have been convicted in more than one theft of a misdemeanor nature within his lifetime. No applicant can have committed a theft of any type within the preceding five (5) years of the initiation of the applicant's hiring process. The applicable official code of Georgia Annotated in effect at the time of the commission of the theft will be the determining factor of whether or not the theft was of a felony or misdemeanor nature.

10. Military History

a. Character of Discharge - Applicants who have served in the Armed Forces of the United States or of foreign governments, will not normally be considered with a discharge less than Honorable. However, the facts surrounding the discharge are to determine applicant's eligibility for employment, not the discharge status itself. Discharges upgraded to Honorable from another status are acceptable.

b. Disciplinary Actions while in the Military - The military records of applicants must not show a pattern of violations under the Uniform Code of Military Justice including punitive judgments or punishments, i.e. Article 15, Summary Court Martial, etc. Applicants must have never been convicted by a General or Special Court martial.

11. Gambling Habits

a. Commercial Gambling - Applicants must not have a history of involvement in commercial gambling, bookmaking, loan sharking, or related activities.

b. Gambling Debts - Applicants must not have current gambling debts owed to any agency, firm, organization, or person.

12. Drug Usage, Possession, or Distribution

a. Convictions for Drug Related Violations - No applicant may have, in his lifetime, any convictions for any type of drug use, possession, sale or involvement. A plea of Nolo Contendere will be considered a conviction. A conviction under the First Offender Act will not be a sole reason to deny employment. However, any information derived as to the causation, seriousness, or length of time since the conviction of the offense will be considered.

b. Illegal Drug Activity - No applicant may have ever been charged with felony possession of a controlled substance deemed illegal at the time of possession, regardless of the intent of disposition of the substance. For the purpose of this section, felony possession will be defined by the official code of Georgia Annotated in effect at the time of the possession, regardless of where the offense was committed.

c. Use of Marijuana - No applicant shall have used marijuana within a (5) year period immediately prior to the date of application. Although experimental usage of marijuana, prior to the age of twenty-one (21), will not be the sole reason for disqualifying a candidate, surrounding circumstances, along with other facts gathered by the investigator, will be considered to determine eligibility for employment. In addition, the applicant's history of use of marijuana shall not display a pattern of abuse as determined by the hiring authority. For the purpose of this section, the date of application shall mean the actual date the applicant originally applied for employment with the Auburn Police Department.

d. Other Drug Use - Applicants may not have a history of use, (defined as induction by any means into the body), of any substance defined as illegal by the official code of Georgia Annotated at the time of use. This is regardless of whether the user (applicant) induced the drug for the purpose of experimentation, "getting high", relieving pain, easing anxiety or depression, inducing sleep, increasing body mass or strength, or for any other reason, unless the drug was prescribed by a physician and intended for medicinal purposes.

e. Illegal Drug Sales and Distribution - Applicants who have a history of involvement in the selling, trading, distributing, growing, transporting, storing, manufacturing, preparing, or possession of any substance or drug considered as controlled or illegal in accordance with the official code of Georgia Annotated, (which was in effect at the time of the act), are unacceptable.

13. Upon completion of the background investigation, the Office of Professional Standards' Investigator shall make a determination if the candidate is qualified or unqualified and refer the applicant's file to the Chief of Police.

14. All applicants for non-sworn positions will complete the same hiring process with the exception of the Polygraph and Psychological Evaluation.

15. Review of Background Investigation by the Chief of Police

a. The Chief of Police will review the application and background investigation to determine if any disqualifying facts or traits have been revealed.

b. The qualified applicant shall be scheduled for an interview with the Chief of Police. After this interview, providing the applicant is not denied employment, he will be approved for further process. The OPS will then schedule a psychological examination and drug screen prior to appointment to probationary status or conditional offer. Results of these examinations and screenings are retained by OPS/CID consistent with the applicable Records Retention Schedule for local governments.

c. Background Investigations shall be maintained on file for a minimum of five (5) years if not employed. If the person is chosen for a position at the police department the background will be retained for the duration of the person's employment. The investigations will be filed in a secure location within the Office of Professional Standards. For those applicants selected for employment, the background investigation shall remain on file for the entire period of employment. The guidelines set forth as Hiring Standards by this agency are not to be considered conclusive. Each applicant's history/ circumstances will be considered after complete review of all information revealed during the background investigation. The Chief of Police has discretion to remove any candidate from the assessment/hiring process at any phase of consideration.

16. The Field Training Program is a continuation of the selection process. Based on the employees' prior training, and the needs and resources of the Department, the employee will be assigned to a Field Training Officer as soon as possible.

17. All sworn employees will be on probationary status for six months, initiating upon completion of the FTO program. At the conclusion of the probationary period, the officer must be rated satisfactory on the performance evaluation. An unsatisfactory rating may constitute grounds for dismissal, or an extension of probationary status. The work performance of probationary employees will be evaluated using valid, useful, and nondiscriminatory procedures, through quarterly performance evaluations. Performance reports contested by a probationary employee will be reviewed by their immediate supervisor. Results of the interview will be furnished to the Chief of Police.

F. Reapplication/Selection of Former Officers

Applicants who do not make a passing score on all phases of testing/evaluation may re-apply after 90 days to participate in the application process. An applicant may participate in the reapplication process two consecutive times. If the applicant still does not successfully pass all phases of the

testing process after the 180 days, he is not eligible to reapply until 12 months after their last assessment.

Any former Auburn Police Department officer, who resigned the department in good standing, may reapply for employment. Unless waived by the Chief of Police, the former officer must participate in all phases of the hiring process and background investigation.

A modified background investigation is required for former officers wishing to return within the one-year period. The background investigation will include the following steps that are described above:

1. Verification of qualifying credentials
2. A review of their criminal history and driver's history
3. Verification of at least three personal references
4. Employment history (since leaving the department)
5. POST history check
6. Review of personnel file

G. Selection Process for Current Civilian Employees

Any current Auburn Police Department employee, who applies for a sworn position must participate in the entire selection process.

A modified background investigation is required for the civilian employee prior to appointment to a sworn position. The background investigation will include the following steps that are described above:

1. Verification of qualifying credentials
2. A review of their criminal history and driver's history
3. Verification of at least three personal references
4. POST history check
5. Review of personnel file

H. Notification of Ineligibility

Applicants that are not approved for further consideration in the selection process will be notified in writing, either by a representative of the Chief of Police, or by Human Resources.

I. Position Control

In accordance with personnel guidelines, no position in the Auburn Police Department can be permanently filled unless there is a vacancy in that particular job classification. Permanent positions authorized in the current year's budget cannot be exceeded. Temporary positions may be created on an as needed basis, with the approval of the Chief of Police and the City Administrator.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 03-5**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/24/2018

Subject: Promotion/Appointment Procedures

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I. Purpose

The purpose of this policy is to establish a valid process identifying eligible candidates and procedures for the promotion/appointment process. The Promotional Procedures for the Auburn Police Department shall be applicable to all members of the Auburn Police Department.

II. Policy

It shall be the policy of the Auburn Police Department to promote all members according to the criteria, eligibility, and procedures, directed by the Chief of Police. It is the policy of the Auburn Police Department not to deny promotion on the basis of race, religion, color, national origin, ancestry/ethnicity, handicap, medical condition, pregnancy, disability, marital status, age, sexual orientation, or gender.

III. Administrative Responsibility

The Chief of Police shall have administrative responsibility for all matters relating to promotional procedures of the Police Department with the following exception:

A designated Lieutenant from the department shall administer all testing, and shall assist, at the direction of the Chief of Police, in developing criteria for promotion. The Chief of Police will make the final decision in all promotions based on the information compiled or;

A qualified outside promotional review source or other professional law enforcement agency may administer all testing and may assist, at the direction of the Chief of Police, in developing criteria for promotion. The Chief of Police will make the final decision in all promotions based on the information compiled.

IV. Definitions

A. Applicant Employees who assert that they are eligible for promotion or appointment to the rank of Police Corporal, Police Sergeant or Police Lieutenant.

B. Eligible Any applicant certified in writing by the Chief of Police to participate in the applicable promotional procedure.

C. Participant Any employee or non-employee who, upon being certified as eligible by the Chief of Police, and engages in any or all of the applicant procedures for the rank for which he has been certified as eligible.

D. Candidate Any participant whose name appears on the promotional list for the rank for which he is competing.

V. General Provisions

A. It shall be the policy of the Police Department to select only from among the best-qualified employees for promotion to positions of greater responsibility. Concurrently, it shall be the policy of the Auburn Police Department to administer promotional procedures, based on job related and nondiscriminatory criteria, which yield valid and reliable information on which to base promotional decisions, and to ensure rigorous and fair competition among all employees eligible for promotion.

B. Separate eligibility requirements, promotional procedures, promotional rosters, and other provisions relating to the ranks of Police Detective, Police Corporal, Police Sergeant or Police Lieutenant are specified herein.

C. In the event of a vacancy, each promotional rank shall have a separate promotional list, which shall have a duration or life of the lesser of twelve (12) months or the filling of the vacancy.

D. The Chief of Police shall fill each promotional vacancy within from a valid promotional list. Provided, however, that if a vacancy occurs within the life of a promotional roster, such vacancy or vacancies must be filled before the promotional list can lapse. If a vacancy occurs after the expiration of a roster and before the establishment of a new list, that vacancy must be filled within (15) fifteen working days after the new roster is established.

E. With respect to the promotional assessment results, candidates who personally participated may review their own scores and any summaries upon direct request to the Chief of Police or his designee.

All promotions shall be probationary, and no officer shall be permanently appointed to a rank until a six-month probation period is satisfactorily completed. During the probationary period, the Chief of Police may return a candidate to his previous rank without cause. The Chief of Police will conduct an oral interview with all candidates prior to placement onto probationary status.

The purpose of this interview should be to determine if the person being promoted or appointed has a true understanding of his new role.

G. Any candidate who declines a promotion for cause shall do so in writing to the Chief of Police, and may be considered at a future time

H. No promotion shall be made under this promotional procedure when a vacancy occurs in a non-budgeted position, except where the candidate for such position is occupying a police assignment level equal to or greater in salary than the permanent rank position that is vacant.

I. Other appeals The right of an employee to challenge any aspect of the administration of the promotional procedure which has a direct impact upon his promotional eligibility, is fundamental to any equitable system.

J. Availability of source material No announcement of the beginning of a Police Sergeant's or Police Lieutenant's promotional procedure can be made until sufficient reference is made to the source material from which written examination questions are to be drawn. It is the candidate's responsibility to secure the material.

K. The Lieutenant(s) assigned to oversee the promotional process, in consultation with the Chief of Police, will assign the predetermined numerical weight to the various phases of the promotional process and rank the candidates by numerical order. The Chief of Police shall promote/appoint from the top five in the band. When one candidate from the band is promoted, the next eligible candidate in order will be placed into the band and so on.

L. All phases in the promotional/appointment process will be documented and maintained by the promotional contest/s administrating lieutenant/s.

M. All promotion materials will be secured in a locked file cabinet under the control of the Chief of Police or his designee.

VI. Rules and Regulations

A. Promotional Announcements

The Chief of Police shall cause a written announcement of all promotional and appointment proceedings to be posted on the bulletin board of the Police Department. This announcement will include the following information:

1. A concise description of the vacancy;

2. The salary range and responsibilities of that position;

3. The necessary skills, knowledge and abilities;

4. The basic eligibility requirements for the position;

5. The cut-off date for declaring candidacy, and to whom and how candidacy should be declared; and

Each eligible candidate will be provided in writing a detailed description of the promotional process to include:

1. The expected duration of the entire process;

2. Format, length, and duration of any written examinations;

3. A summary of the purpose of the oral interview;

4. Cutoff scores on any written and/or oral examinations;

5. A description of the assessment process; and

6. The numerical weight assigned to each element of the process.

B. Promotional Potential

When evaluating a candidate for promotional potential, the following elements may be considered:

1. Past ability to supervise others, and/or informal leadership capabilities;

2. College degree, or a commitment to ongoing education;

3. Training level of the applicant;

4. Practical police experience in police skills needed to supervise subordinates;

5. A review of past disciplinary, performance evaluations, letters of recommendation, surveys, contact forms, etc.

C. Eligibility for Promotion/Appointment

1. Police Corporal Appointment - To be eligible for the position of Police Corporal, the applicant must have two years police experience with at least one of those years at Auburn Police Department. The applicant must also be able to successfully complete a Field Training Officer certification class.

2. Police Sergeant Promotion To be eligible to participate in the promotional procedure for Police Sergeant, the applicant must have two years of college, or show a commitment to higher education by the time the appointment is made and have a minimum of three years continuous service in law enforcement. The officer may not be on probationary status.

For purposes of computation of service, all applicants who will have completed the third year of such service on the date on which the written phase of the Sergeant's promotional procedure is given, shall be deemed to have met the length of service requirement.

3. Police Lieutenant Promotion To be eligible to participate in the promotional procedure for Police Lieutenant, the applicant must have a two-year degree, or show a commitment to higher education and have a minimum of 12 months service as a Police Sergeant, or in a greater rank. For purposes of computation of service, eligible candidates who will have completed the 12th month of such service on the date on which the written phase of the Lieutenant's promotional procedure is given shall be deemed to have met the length of service.

D. Appointment Procedures

The following are components of the Promotional process:

Written Examination

Multiple choice written examinations shall be administered consisting of 50 to 100 questions taken from the Georgia Criminal Code, Auburn Police Department Policy and Procedures Manual, the Code Enforcement Manual, and the city Policy Manual. Written examination scores will not be released to participants until the test has been analyzed and any appropriate adjustments by the CID Lieutenant. All adjustments arising out of the analysis of the examination shall be specified in a written report and shall be made available for review by participants.

Assessment Lab

The assessment process may include, but not limited to elements such as oral interviews, in-basket exercises, role playing, leaderless group exercises, presentations, etc.

Additionally, exercises to evaluate independent tasks that determine proficiency in areas such as delegation of duties, planning, coordinating, and exercising independent judgment may be administered.

Assessors will not be current or former employees of the Auburn Police Department.

Essay (at the discretion of the Chief of Police)

The topic of the essay will be why the candidate feels he/she is qualified for the position and how the department will benefit from their leadership skills and abilities. The essay will be 3-5 typed pages, Times New Roman, 12-point font, double spaced. Failure to follow these instructions will cause the essay to not be counted. Candidates will do their own work and certify they alone are responsible for the contents of the essay (excluding documented research material). Writing style may be compared to other written exercises.

The Chief of Police will evaluate the letter of intent, resume' and essay of each candidate for content, writing style, spelling, punctuation, etc., and may award up to twenty (20) points. Variations of the essay may become part of any promotional essay at the discretion of the Chief of Police which may include reduced essay requirements.

4. Promotional Review

A review of position specific documentation will be conducted of the applicant's work. This review will include but is not limited to the following:

a. Previous annual evaluations

b. Personnel file information

c. Training history information

d. Office of Professional Standards file information

e. Supervisor journal/documentation

f. Sick time usage

g. Disciplinary record if any

Education, Training, and Experience

Education

Some College (at least 45 qtr. hrs.)	5 Points
Associate Degree	10 Points
Bachelor's Degree	20 Points
Master's Degree	25 Points

Training

Intermediate Certificate	5 Points
Advanced Certificate	10 Points
Supervisor Certificate	10 Points
Management Certificate	10 Points
Carl Vinson Management Course's	10 Points
Command College	10 Points
FBI National Academy	10 Points

Law Enforcement Experience

2-3 Years	6 Points
4-5 Years	7 Points
6-7 Years	8 Points
8-9 Years	10 Points
10+ Years	13 Points
Military Experience	10 Points

E. Lateral Transfers

Lateral transfers are not considered promotions but do provide employees with opportunities to move into specialized positions or to shifts or divisions that may be more desired. Lateral transfers may be permitted provided that candidates are eligible for transfer and positions are available. Lateral transfers may be utilized for sworn and non- sworn positions at the specialist, managerial, administrative, and chief executive levels. When qualified personnel are available both within and outside the agency, the selection decision should favor agency employees.

Patrol Division Transfers

Candidates are eligible for lateral transfers in the Patrol Division among shifts if they are in non-probationary status and provided that they are currently in the same job class and a position is vacant.

All transfer requests will be reviewed in light of the department's need for equal distribution of experience on shifts. All requests for Patrol Division transfers should be made in writing to the Division Commander with copies to the effected Patrol Supervisors. The Patrol Supervisors affected by the request shall meet and make a recommendation regarding approval or denial of the request to the Division Commander.

Investigative, and Support Services Division Transfers.

Candidates are eligible for transfer into the Investigative Division and Support Services Division if they are in a non-probationary status and have two years of work experience as a sworn officer and are in the same job class or position that is vacant. Probationary status may be waived if the number of suitable candidates is not found.

E. Effects of Disciplinary Action

The Chief of Police shall review each candidate on a case-by-case basis and state his findings in writing in the event of removing a candidate from the process because of previous disciplinary action.

F. Retention Requirements

All documentation from the oral portion of the examinations will be maintained by the Chief of Police or designee. The documentation will be maintained in a secure location at the discretion of the Chief of Police. Testing instruments, questionnaires, and other promotional materials will be securely maintained collaboratively by the Chief of Police, and/or designated department members. Security of this material will be maintained within secured physical storage areas or within adequately password protected computer files.

G. Reapplication for Promotion

Any person that meets the criteria for promotion to the position he is seeking, may reapply and be reevaluated upon the next posting of an announcement for the position. This applies even if the candidate did not achieve the cut-off score.

H. Annual Review

The Chief of Police, or his designee, and Director of Human Resources shall annually review, evaluate, and recommend such changes as may be needed considering the totality of circumstances.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 03-9**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/24/2018

Subject: Planning and Research

I. Purpose

Planning and Research is a function of the Chief of Police and shall provide the Auburn Police Department with guidance and direction for existing and future operations within the Auburn Police Department. Employees assigned planning and research functions will accomplish these functions on a part time basis and have ready access to the Chief of Police. The Chief of Police shall ensure that assigned employees have access to resources (information, personnel, and material) needed to complete the assignment.

II. Policy and Procedure

Planning and research is important for developing, updating, and analyzing the future strategies in law enforcement for the police department. Planning and research shall be the source of information and the focal point for budget developments, forms control, strategic operational planning, and information management. Planning proposals shall emanate from the individual officers and/or from units within the Auburn Police Department.

A. Areas of Responsibility

Many areas of responsibility for the Planning and Research function to consider are:

1. Analysis, identification, and recommendation for new or replacement equipment and supplies;

2. Maintenance and distribution analysis and records for all office supplies, uniform items, and equipment;

3. Quality control and economic analysis for all major equipment (vehicles, lights, radios, desks, buildings, etc.);

4. Data compilation for special projects as directed by the Chief of Police;

5. Conduct studies and apply for grant monies available to law enforcement agencies;

6. Assist with grant management at the division level;

7. Monitor progress of Department goals and objectives;

8. Document maintenance and revisions;

9. Analysis and recommendations of efficiency and effectiveness of personnel with regard to integrity, training, morale, supervision, allocations; and

10. Liaison between Auburn Police Department and outside agencies to obtain data regarding procedural and equipment effectiveness for recommendation to the Chief of Police;

13. Research and conduct studies for implementation of new police technology and products;

14. Make recommendations for long term goals relating to service and departmental needs.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operation Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: Chapter 3-10

Effective Date: March 1, 2018 Revised: 05/01/2018

Review: 09/27/2018

Subject: Employee Performance Evaluation

Purpose: To establish criteria and procedures for the in-house performance evaluation of police department personnel; to inform employees how well they are performing their work; and how they can improve their work performance in adition to identifying areas of improvment.

Policy: It shall be the policy of the Auburn Police Department to improve individual performance by identifying and measuring strong and weak points of employees, recording evaluations in objective terms, encouraging officers in their work, and giving constructive counsel to them concerning their shortcomings.

Employee Performance Evaluation

On original appointment to the position of police officer, the field-training officer shall evaluate probationary personnel weekly for up to twelve weeks. The field training officer should point out strengths and weaknesses to the employee and direct him toward improvement. After twelve weeks, probationary personnel will be evaluated quarterly by their supervisor until the probation period is completed. Civilian personnel will be evaluated quarterly by their immediate supervisor. The supervisor shall complete an evaluation form at the end of the probation period. All monthly evaluations will be the responsibility of the Uniform Patrol Division Commander to whom the probationary employee is assigned. The evaluations will be forwarded to the Department Training Officer for filing in the employees training files.

1. Performance Evaluation Objectives

1.1. To allow for fair and impartial personnel decisions.

1.2. To maintain and improve performance.

1.3. To provide a medium for personnel counseling.

1.4. To facilitate proper decisions regarding probationary employees.

1.5. To identify training needs.

1.6. To provide a fair and objective means for recognition and measurement of individual performance in accordance with prescribed guidelines.

2. Procedures

2.1. A performance evaluation shall be completed annually on each regular employee by the employee's immediate supervisor and on approved evaluation form. It is the policy of this department to provide training to all supervisors concerning the evaluation of employees. The evaluation shall be based only on performance during the specific period listed on the evaluation form and for the specific assignment of the employee during the rating period.

2.2. New employees will be evaluated on at least a quarterly basis while on probationary status.

2.3. Performance evaluation reports shall be maintained in the personnel file of the employee. A copy of the evaluation will be given to the employee.

2.4. The Chief of Police, or his designee, shall make an annual review of the performance appraisal system to determine how well the system functions.

3. The Evaluation Process

3.1. It shall be the responsibility of each rating supervisor or field training officer to counsel each employee upon appointment of the following:

3.1.1. The result of the evaluation just completed

3.1.2. The level of performance expected.

3.1.3. Career counseling relative to such topics as advancement, specialization, or training appropriate for the employee's position.

3.1.4. Reinforcement of departmental values.

3.2. If, during the rating period for non-probationary personnel, the rating supervisor determines that an employee's performance is unsatisfactory, he shall submit a written notice to the employee. The notice shall contain the specific areas to be corrected and shall be given at least 90 days prior to the end of the rating period.

3.3. Field training officers shall refer to the Field Training Officer's Program Outline and Instruction Booklet for evaluation criteria, instructions for use of forms and other useful information.

3.4. Whenever a rating supervisor gives an employee an outstanding (5) or an unsatisfactory rating (below 3), he shall make a narrative comment on the evaluation form giving the specific reason(s) for the rating.

3.5. When the evaluation form is completed, the rater's supervisor shall review and sign the report. Any disagreement shall be resolved before the interview with the employee.

3.6. All supervisors that are raters shall be evaluated by the division commander regarding their ability to do proper performance evaluations. Factors included are:

- The fairness and impartiality of rating given to subordinates,
- Their participation in counseling and guidance for rated employees,
- The rater's ability to carry out their role in the performance evaluation process.

4. Police Evaluation Form

4.1. The Auburn Police Employee Performance Evaluation Form shall be used for all police department personnel. Performance measurement and rating definitions are included on this form and will be reviewed by all raters prior to use.

4.2. The rater shall complete the form in its entirety by placing a check mark by the box that most accurately corresponds with the level of performance related to the following topics:

4.2.1. Police Officer / Civilian Employee: Job Knowledge, Quality of Work, Quantity of Work, Reliability, Initiative and Creativity, Judgement, Cooperation, and Attendance.

4.2.2. Supervisor: Job Knowledge, Quality of Work, Quantity of Work, Reliability, Initiative and Creativity, Judgement, Cooperation, Attendance, Planning and Organization, Directing and Controlling, and Decision Making,

Each check box denotes a numerical score ranging from 1 through 5 and corresponds directly with a content description of the numbers value. Once a numerical value is assigned to each rating topic, an overall score is achieved by dividing the total numerical score by the number of rated topics (see 4.2.1 and 4.2.2).

4.3 As previously mentioned, whenever a rating supervisor / Field Training Officer gives an employee an outstanding (5) or an unsatisfactory rating (below 3), he shall make a narrative comment on the evaluation form giving the specific reason(s) for the rating. These comments are to be placed in the section marked, "Managerial comments" in the following manner:

4.3.1. For comments that convey superior performance (5), place this narrative in the section marked, "Noteworthy strong areas of present performance."

4.3.2. For comments that describe areas that need to be improved (below 3), place this narrative in the section marked, "Areas requiring improvement in job performance."

4.4. After the form has been completed, the rater will schedule a time where they can review the evaluation with the affected employee. A secure and quiet environment, free from distraction will be chosen for the review. Upon completion of the review, the rater will provide the employee a chance to provide verbal or written input on their evaluation in the space marked, "Employee comments."

4.5. If during the evaluation of an employee a developmental plan is formulated, this plan will be written under the appropriate comments section ("Developmental plan"). If no previous plan was implemented during the preceding evaluation, this section can be labeled with "N/A." A developmental plan is created for an employee who receives an unsatisfactory rating explaining what steps the employee must take to remedy the deficiency prior to the next evaluation period.

4.6. Once the evaluation is completed, both the author of the evaluation and employee will sign and date the form. A copy will be provided to the employee and the original placed in the employee's

personnel file. All employee evaluations will be reviewed by the Chief of Police before a final copy is placed in the employee's file.

Appendix A (Officers and Civilians)

Job Knowledge:

Distinguished (5) - expert in job, has thorough grasp of all phases of job

Commendable (4) - Very well informed, seldom requires assistance and instruction

Fully satisfactory (3) - satisfactory job knowledge, understands and performs most phases of job well, occasionally requires assistance or instruction

Needs improvement (2) - limited knowledge of job, further training required frequently requires assistance or instruction

Marginal (1) - lacks knowledge to perform job properly

Quality of work:

Distinguished (5) - highest quality possible, final job virtually perfect

Commendable (4) - quality above average with few errors and mistakes

Fully satisfactory (3) - quality very satisfactory, usually produces error free work

Needs improvement (2) - room for improvement, frequent errors, work requires checking

Marginal (1) - excessive errors and mistakes, very poor quality

Quantity of work:

Distinguished (5) - high volume producer, always does more than is expected or required

Commendable (4) - produces more than most, above average

Fully satisfactory (3) - handles a satisfactory volume of work, occasionally does mare than is required

Needs improvement (2) - barely acceptable, low output, below average

Marginal (1) - extremely low output, not acceptable

Reliability:

Distinguished (5) - highly persistent, always gets the job done on time

Commendable (4) - very reliable, above average, usually persists despite difficulties

Fully satisfactory (3) - usually gets the job done on time, works well under pressure

Needs improvement (2) - sometimes unreliable, will avoid responsibility, satisfied to do the bare minimum

Marginal (1) - usually unreliable, does not accept responsibility, gives up easily.

Initiative and creativity:

Distinguished (5) - displays unusual drive and perseverance, anticipates needed actions, frequently suggests better ways of doing things

Commendable (4) - self-starter, proceeds on own with little or no direction, progressive, makes some suggestions for improvement

Fully satisfactory (3) - very good performance, shows initiative in completing task

Needs improvement (2) - does not proceed on own, waits for direction, routine worker

Marginal (1) - lacks initiative, less than satisfactory performance

Judgement:

Distinguished (5) – uses exceptionally good judgement when analyzing facts and solving problems

Commendable (4) – above average judgement, thinking is very mature and sound

Fully satisfactory (3) – handles most situations very well and makes sound decisions under normal circumstances

Needs improvement (2) – uses questionable judgement at times, room for improvement

Marginal (1) - uses poor judgement when dealing with people and situations

Cooperation:

Distinguished (5) – extremely cooperative, stimulates teamwork and good attitude with others

Commendable (4) – goes out of the way to cooperate and get along

Fully satisfactory (3) – cooperative, gets along well with others

Needs improvement (2) – indifferent, makes little effort to cooperate or is disruptive to the overall group or department

Marginal (1) - negative and difficult to get along with

Attendance:

Distinguished (5) – always regular and prompt, perfect attendance, absent only in rare emergencies

Commendable (4) – very prompt and regular in attendance, above average, pre-planned absences

Fully satisfactory (3) – usually present and on time, normally pre-planned absences

Needs improvement (2) – lax in attendance and/or reporting on time, improvement needed to meet required standards

Marginal (1) - often absent without sufficient reason and/or frequently reports to work late or leaves early

Appendix B (Supervisors)

Job Knowledge:

Distinguished (5) - expert in job, has thorough grasp of all phases of job

Commendable (4) - Very well informed, seldom requires assistance and instruction

Fully satisfactory (3) - satisfactory job knowledge, understands and performs most phases of job well, occasionally requires assistance or instruction

Needs improvement (2) - limited knowledge of job, further training required frequently requires assistance or instruction

Marginal (1) - lacks knowledge to perform job properly

Quality of work:

Distinguished (5) - highest quality possible, final job virtually perfect

Commendable (4) - quality above average with few errors and mistakes

Fully satisfactory (3) - quality very satisfactory, usually produces error free work

Needs improvement (2) - room for improvement, frequent errors, work requires checking

Marginal (1) - excessive errors and mistakes, very poor quality

Quantity of work:

Distinguished (5) - high volume producer, always does more than is expected or required

Commendable (4) - produces more than most, above average

Fully satisfactory (3) - handles a satisfactory volume of work, occasionally does mare than is required

Needs improvement (2) - barely acceptable, low output, below average

Marginal (1) - extremely low output, not acceptable

Reliability:

Distinguished (5) - highly persistent, always gets the job done on time

Commendable (4) - very reliable, above average, usually persists despite difficulties

Fully satisfactory (3) - usually gets the job done on time, works well under pressure

Needs improvement (2) - sometimes unreliable, will avoid responsibility, satisfied to do the bare minimum

Marginal (1) - usually unreliable, does not accept responsibility, gives up easily.

Initiative and creativity:

Distinguished (5) - displays unusual drive and perseverance, anticipates needed actions, frequently suggests better ways of doing things

Commendable (4) - self-starter, proceeds on own with little or no direction, progressive, makes some suggestions for improvement

Fully satisfactory (3) - very good performance, shows initiative in completing task

Needs improvement (2) - does not proceed on own, waits for direction, routine worker

Marginal (1) - lacks initiative, less than satisfactory performance

Judgement:

Distinguished (5) – uses exceptionally good judgement when analyzing facts and solving problems

Commendable (4) – above average judgement, thinking is very mature and sound

Fully satisfactory (3) – handles most situations very well and makes sound decisions under normal circumstances

Needs improvement (2) – uses questionable judgement at times, room for improvement

Marginal (1) - uses poor judgement when dealing with people and situations

Cooperation:

Distinguished (5) – extremely cooperative, stimulates teamwork and good attitude with others

Commendable (4) – goes out of the way to cooperate and get along

Fully satisfactory (3) – cooperative, gets along well with others

Needs improvement (2) – indifferent, makes little effort to cooperate or is disruptive to the overall group or department

Marginal (1) - negative and difficult to get along with

Attendance:

Distinguished (5) – always regular and prompt, perfect attendance, absent only in rare emergencies

Commendable (4) – very prompt and regular in attendance, above average, pre-planned absences

Fully satisfactory (3) – usually present and on time, normally pre-planned absences

Needs improvement (2) – lax in attendance and/or reporting on time, improvement needed to meet required standards

Marginal (1) - often absent without sufficient reason and/or frequently reports to work late or leaves early

Planning and organizing:

Distinguished (5) – exceptionally good planning and organizing skills, conscientious

Commendable (4) – above average planning and organizing. Usually carries out assignments conscientiously

Fully satisfactory (3) – average planning and organizing. Occasionally requires assistance

Needs improvement (2) – room for improvement, frequently requires assistance

Marginal (1) - unacceptable planning and organizing skills

Directing and controlling:

Distinguished (5) – exceptional leader, others look up to this employee

Commendable (4) – above average, usually, but not always motivational

Fully satisfactory (3) – average, sometimes needs to be reminded of leadership role

Needs improvement (2) – needs to improve motivational and teamwork skills

Marginal (1) - unacceptable directing and controlling skills

Decision making:

Distinguished (5) – exceptional decision-making abilities. Decisions are made in a timely manner

Commendable (4) – above average decision-making abilities, usually makes sound and timely decisions

Fully satisfactory (3) – average, sometimes requires assistance in making decision

Needs improvement (2) – needs to improve decision making and/or timeliness of decision

Marginal (1) - unacceptable decisions and/or timeliness

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 04**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/24/2018

Subject: Training

I. Purpose

The purpose of this policy is to ensure that state and departmental training requirements are met, and to efficiently and effectively accomplish departmental tasks through better trained, more professional personnel.

II. Administration of the Training Program

A. Training Support

Support shall be made available to implement the training program. At a minimum this support shall include:

1. Training aids and resource materials.

2. Approved training related expenses.

3. Adequate manpower to allow scheduling of training.

B. Training Supervisor

The training function of the Department shall be coordinated through the Training Supervisor. The Training Supervisor shall have the responsibility and authority to carry out approved training functions. The Training Supervisor will ensure that all full-time instructors have attained instructor certification prior to taking on responsibilities as an instructor. He/she will ensure that the instructor training is constantly updated and meets the specific needs of the Department. All full-time instructors will be P.O.S.T certified. The Training Supervisor will make recommendations to the Chief of Police, via the Chain of Command, relating to the numbers of full-time and part-time instructors, and the types of instructor certifications needed to meet the goals of the Auburn Police Department. Activities assigned to this position also include:

1. Assessing training needs.

2. Implementing/coordinating training programs.

3. Developing and testing new training formats.

4. Scheduling training and notifying staff.

5. Conducting program evaluation/validation.

6. Maintaining training records.

7. Keeping apprised of, and scheduling training within the requirements for law enforcement personnel as set forth by Georgia Public Safety Training Center (G.P.S.T.C), applicable law, and departmental policy.

8. Using National, State, and Local resources in developing and providing staff training.

9. Developing and maintaining an in-service, in-house training program to address specific needs of the agency, and to ensure those skills requiring qualification and re-qualification are kept current.

10. Ensuring that training records remain current, complete, and accurate.

11. Providing a general orientation to new sworn personnel prior to duty assignment.

12. Providing a general orientation to new civilian personnel within the specified time noted herein.

13. Selecting appropriate personnel for instructor certification training.

14. The Training Supervisor shall place documentation of training successfully completed in each employee's file and update the computer database to reflect the training.

15. Maintain records of each in-service class instructed, to include:

a. Course content (lesson plans)

b. Name of agency attendees

c. Performance of individual attendees as measured by tests, if administered

C. Trainer Responsibilities

In addition to attending and successfully completing the Instructor Training Course at GPSTC, or an equivalent course at a location approved by the Training Supervisor, trainers shall be responsible for the following:

1. Researching and developing lesson plans to meet the training curriculum as assigned by the Training Supervisor. A lesson plan will be required for all training courses conducted by the agency, to include:

a. A statement of performance and job-related objectives.

b. The content of the training and specification of the appropriate instructional techniques.

c. Approval of all lesson plans by the Training Supervisor, prior to being used.

d. Identification of any tests and evaluation techniques used in the training process.

2. Ensure compliance with all GPSTC regulations and approved training, to include:

a. Attendance

b. Lesson plan format as taught and approved at the Georgia Public Safety Training Center.

c. Testing and/or a practical exercise for classes of a high liability nature, and/or to enhance the learning process as determined by the Training Supervisor.

d. Trainers will submit all new or revised lesson plans to the Training Supervisor for approval.

e. Giving requirements for all classes at the beginning of the class (i.e. testing requirement).

f. Attending various schools to maintain a high standard, and to keep abreast of changes in law, criminal procedures, etc.

This agency recognizes the sizeable investment made with sending officers to Instructor Training School and Specialized Training events. These events are designed to allow local instructors the opportunity to bring new teaching resources to this agency. Officers who are in an approved instructor status will be provided time necessary to draft lesson plans to be later utilized by the Auburn Police Department. Training literature developed by Department instructors, will constitute proprietary resources to this agency, and will be available as a training resource for future needs.

D. Trainee Responsibilities

Trainees shall be responsible for the following:

1. Reporting to training on the proper date and time assigned by the Training Supervisor or the trainee's supervisor.

2. Bringing all necessary equipment required in good operating condition for the class.

3. Remaining attentive in class and maintaining notes.

4. Meeting the required standard on all training courses or repeat the class and test at the direction of the Training Officer.

5. Complying with other GPSTC requirements pertaining to signing of rosters, C-12's, testing, etc.

6. Officers should forward a copy of their proof of successful course completion to the Department Training Officer so that his training record can be updated.

E. Validation of Training

Validation of departmental training programs shall be completed prior to allowing or mandating attendance of employees. Validity is typically established by meeting the following criteria:

1. The training programs shall be based on job related topics as deemed relevant by the Training Supervisor, in consult with the Chief of Police and other department members.

2. The content of training programs shall be clearly stated in written lesson plan format.

3. The student's ability to comprehend and learn shall be established through testing, which relies on the measurement of quantifiable performance objectives.

4. The instructor shall be qualified in terms of detailed subject knowledge and experience, as well as the ability to effectively deliver information.

F. Professional Development

Professional development is encouraged at all levels of the organization. Administrators, Managers, and Supervisors shall attend professional meetings, seminars and similar work-related activities. This will enable them to stay abreast of current management techniques, trends and litigation, which impact Department operations.

III. Employee Training

A. Basic Mandate Training

Georgia law (OCGA Sec. 35-8-9) mandates that before any person may act in the capacity of a police officer, he must first attend a state-operated, or other approved facility, and successfully complete the Basic Training course. The Auburn Police Department does not operate a police academy but may use any of the Georgia Public Safety Training Center's (G.P.S.T.C) Regional Police Academies at no cost to this agency. The GPSTC Regional Police Academy (Athens) should be used if circumstances permit.

1. The Chief of Police may authorize any instructor-certified Auburn Police officer to instruct at the Regional Police Academy as the need arises. The Auburn Police Department or officer assigned to instruct, will receive no compensation for instructing. The Auburn Police Department recognizes that the Police Academy operates under the direction and is under the control of state government agencies and allows officers to instruct using the methods and subject matter at the discretion and direction of the Police Academy Director. Liability for negligence on the part of any officer from the Auburn Police Department is assumed by the Police Academy.

B. Orientation Training

Orientation training shall provide new employees knowledge and understanding of the following:

l. Their job description.

2. Organizational structure and chain of command.

3. The agency's role, purpose, goals, policies and procedures, and rules and regulations.

4. Layout and organization of their jurisdictional area.

5. Legal basis and scope of authority.

6. Certification with department-issued weapons (sworn only).

Any pertinent information needed to perform job tasks.

8. Responsibilities and rights of employees.

9. Working conditions, rules and regulations.

10. Complaint procedures.

11. The Certification/Accreditation Process.

12. Interaction with persons suspected of suffering from mental illness.

All new full and part-time personnel will participate in a general orientation to familiarize them with the Department. Newly hired P.O.S.T certified or non-sworn personnel, will receive this Basic Orientation prior to, or within 30 days of employment. New employees attending the Academy will receive this training no later than 30 days following graduation from the Basic Academy. During orientation, each employee will become knowledgeable with the departmental policy and procedure manual.

C. Field Training Program (Patrol Officer)

The Department shall maintain a Field Training Program. The program shall include a formal selection and training process for Field Training Officers (FTO). Officers may be selected as an FTO, but will not be allowed to train recruit officers until the successful completion of a Field Training Course approved by the Training Officer and certified by P.O.S.T. In the even a certified FTO is not available to train, the Uniform Division Commander will appoint a Supervisor for this task until a certified FTO can be assigned:

1. The Field Training Program shall come under review of the Patrol Commander to ensure consistency and quality.

2. The designated FTO Coordinator, shall be responsible for the administration of the program and will make recommendations regarding training, forms, retention/termination, etc. to the Chief of Police.

3. The Field Training Program will be governed in accordance with the Field Training Manual, and any field training material approved by the Chief of Police, or his designee. The curriculum shall be based on tasks of the most frequent assignment associated duties of officers assigned to the patrol function. Evaluation techniques shall be utilized that measure competency in the required knowledge, skills, and abilities.

D. Training Program for Other Assignments

On the job training shall also be required for the following positions:

1. Lieutenants
2. Sergeants
3. Detectives
4. Support Clerks
5. Administrative Assistants/Secretaries
6. Code Enforcement personnel

Trainers should be selected that possess a good attitude toward their job and the Police Department, extensive experience in the tasks they are assigned, and an employee that is good with interacting with people. The trainer shall update the Patrol Commander concerning the progress of the trainee and inform the Patrol Commander immediately if a problem arises. The Patrol Commander shall make a recommendation to the Chief of Police, to terminate or continue the training for new employees; or extend the training, or transfer existing employees, based on the employee's response to training.

E. In-Service Training

In-service training shall provide employees with continuous and ongoing instruction designed to enhance, refresh, and update job-related knowledge, skills, and abilities. Any sworn officer not receiving the minimum twenty (20) hours of training as required by OCGA 35-8-21 during any calendar year will be terminated, unless a waiver is submitted to and approved by P.O.S.T. It is the responsibility of the officer to review their training record to ensure that the required number of annual training hours is obtained. The Training Unit Supervisor will review the records at the end of each calendar year and report any officers who fail to obtain the minimum required training. Failure to achieve the minimum requirements will result in the officer being removed from enforcement duties per P.O.S.T requirements. The Training Supervisor shall ensure that in-service training is scheduled for non-sworn employees. The non-sworn employee positions requiring in-service training are Support clerks, secretaries.

F. Roll-Call Training

The Patrol Commander and Training Supervisor shall establish and develop a roll call training program for the Department. The goal of this training is to keep officers apprised of changes in the law, policy, procedure, and other Departmental matters.

G. Advanced/Specialized Training

All employees at all levels of the organization may apply for advanced/specialized training using the Departmental Training Request Form. Requests shall be submitted through the Chain of Command for approval. If a request is denied, an explanation shall be provided to the requesting officer.

As employees are promoted, or transferred to other units within the Department, the employee shall receive training that is necessary for the position. The following training will be provided to Police Department personnel:

1. Development and/or enhancement of the skills, knowledge and abilities particular to the specialization.

2. Management, administration, supervision, personnel policies, and support services of the function or component.

3. Supervised on-the-job training.

Personnel completing advanced/specialized training may be reassigned to meet Departmental needs as specified by the Chief of Police. Application of, and participation in, advanced/specialized training is voluntary; however, certain specialized assignments require specialized training for the performance of assigned duties. Personnel unwilling to attend such training shall be denied reassignment. The following positions and functions require the described specialized training:

1. Crime Scene Technician – Patrol officers and detectives assigned to this position (serving in this capacity) will receive training in the processing of crime scenes for latent prints and DNA evidence and training in photography.

2. Child Abuse Investigator – training that addresses interviewing and report writing techniques, dealing with child victims of child abuse, dealing with child victims of physical neglect and abuse, familiarity with the use of anatomical correct dolls/drawings, and the use of taping and recording devices.

3. D.A.R.E. – Officers assigned to this position must complete the initial D.A.R.E. certification training course (80 hours) as authorized by D.A.R.E. America. D.A.R.E. officers will receive on-going training as deemed necessary by the D.A.R.E./SRO Unit Coordinator on topics relating to their specialized assignment.

4. SRO – Officers assigned to this position must complete the Basic School Resource Officer Certification Course as offered through G.P.S.T.C and recognized by P.O.S.T. within twelve months of appointment. SRO officers will receive on-going training as deemed necessary by the D.A.R.E./SRO Unit Coordinator on topics relating to their specialized assignment.

5. Field training Officer – Assigned Field Training Officers will complete a Field Training Course approved by the Training Supervisor and certified by P.O.S.T.

6. Bike Patrol Officer - Officers will be required to meet standards and training set forth by GPSTC bicycle officer course and successfully pass said course.

7. General Instructor – P.O.S.T certified instructor course.

Internal Investigator – Training in conducting internal investigations and background investigations for applicants.

Accreditation/Certification Manager - shall receive specialized Accreditation and Certification Manager training within one year of being appointed to the position.

10. Traffic Officer – Must successfully complete training in Advanced Traffic Laws, Radar certification, Intoxilyzer operation, and Standardized Field Sobriety Testing.

All advanced/specialized training will be assigned and/or approved based on the following criteria, in order:

1. Needs of Department - Will the training help the Department meet its goals?

2. Request of officers.

Auburn Police Management personnel reserve the right to assign or re-assign officers to attend training as deemed necessary. Advanced/specialized training will not be in lieu of in-service training.

H. Remedial Training

Remedial training is intended to correct a specific deficiency, which is usually identified either by testing, routine observation of work product, during training, by a supervisor evaluating an employee during routine job performance, or other evaluation methods.

Agency management and supervisors who recognize that a particular employee needs remedial training should arrange to schedule training for the employee as soon as possible.

Remedial training for firearms qualification is specified later in this policy.

The time table under which remedial training will be provided will be determined based on the type of deficiency and any recommendations made by supervisory personnel.

Students will be advised of the consequences of their failure to participate in remedial training or their failure to meet the minimum requirements of testing for the course.

All supervisory personnel should recognize and utilize the effectiveness of Remedial Training in the disciplinary process. The need for Remedial Training is best reflected in the performance evaluation system. All Remedial Training should be completed within the twelve (12) month period of

performance evaluation. The criteria which should be utilized to determine the need for Remedial Training should be as follows:

The officer displays a lack of knowledge in a specific area of required police activity.

The officer displays a lack of skill in a specific area of required police activity.

The officer displays a lack of ability in a specific area of required police activity.

The officer displays a high level of interest in a particular area of required police activity; but lacks the basic knowledge necessary for improvements in that area.

Each and every sworn and certified officer of the Auburn Police Department is required to qualify in certain critical skills, such as the proper use of their service pistol and the safe operation of their emergency vehicle. Other frequently utilized skills are report writing, interpersonal communication, resolving of conflicts, new statutory law and legal updates and decision making. Whenever the officer displays that he is lacking any of the above skills then it is imperative that corrective action be taken. Such corrective action should involve remedial training.

IV. Training Attendance and Documentation

Frequently changing laws and community profiles create a need for constant updating. Recent court action has served to emphasize this and reinforce the need for training of law enforcement personnel. When the failure to train reflects a "deliberate" or "conscious" choice by the law enforcement agency or the local government, the basic requirement for liability under Title 42 Section 1983 may be established.

For reference see City of Canton, Ohio v. Harris 57 U.S.L.W. 4270. (February 28, 1989).

Mere access to training alone is insufficient; training must be utilized. No training program can be successful without the support of the department and the participation of its employees. In order to ensure the participation of Departmental employees, the following procedures shall be followed.

A. Scheduling of In-Service Training

Scheduling and notification of training shall be completed on a regular and predictable basis, which allows instructors and students to plan and prepare properly. Notification of classes shall be in writing and shall be forwarded in the following manner:

1. All notifications shall originate from the Training Supervisor. Any employee conducting training must schedule the training through the Training Supervisor. Documentation of training conducted by any employee shall be forwarded to the Training Supervisor to ensure proper processing. Training notices will be disseminated to all supervisory personnel and placed on a designated “training” bulletin board within the Police Department.

2. All personnel will be notified on proper dress for in-service training.

The Training Supervisor will submit a four-month in-service training plan in January, May, and September of each year. The Training Supervisor will ensure that policy and statutory mandated training, as well as those topics needed based on the job task analysis, are included in the training plan.

B. Failure to Attend Training

In the event an employee, through their own actions, cannot attend a training class, either in-house or out of house, the following procedure shall be followed:

1. The employee shall submit written communication through the chain of command to the Chief of Police, advising the reasons for his absence prior to the requested date of absence.

2. The Training Supervisor shall compile a list of those employees who have failed to attend training, and forward this list to the Chief of Police, Section Commanders, and supervisory personnel within seven days of the last makeup date if one is scheduled.

3. Employees failing to attend training or failing to attend training on their assigned training date without good cause, shall be subject to disciplinary action.

C. High Liability Training

To ensure that certain topics of a high liability nature and/or topics necessary to the effective operation of the Auburn Police Department are addressed through training, certain topics will be mandatory for all sworn officers. Those topics will include the following:

1. Policies on the use of force

2. Legal updates

3. Firearms

4. All agency issued or approved lethal weapons

5. Sexual Harassment

6. Victim/Witness rights and responsibilities

7. Vehicle Pursuits

8. Juvenile procedures and processing

9. Ethics

10. All Hazard Plan
11. Special Operations/SWAT
12. Bias Based Profiling
13. Search and seizure
14. Transportation and temporary detention of prisoners
15. Domestic violence/employee
16. Constitutional and Legal limitations on the Use of Deadly Force
17. Off Duty Conduct
18. Property/evidence
19. Selection and hiring
20. Citizens complaints/OPS
21. Dealing with the mentally ill or persons with diminished capacity

All the above topics must be addressed through in-service training or roll-call training at least once per year. Other topics of this nature may be later identified through a job task analysis survey.

To ensure civilian and part-time employees receive the appropriate pre-service and in-service training regarding Departmental procedures, and other areas that would likely impact the employee's assignment, certain topics are mandatory annually for civilian employees. These topics include:

1. Sexual Harassment
2. Ethics
3. Victim/Witness responsibilities
4. Domestic violence/employee
5. Off duty conduct
6. Citizen complaints/OPS
7. Educational and Promotional Opportunities

8. Dealing with the mentally ill or persons with diminished capacity

D. Student Reimbursement

Students attending training programs in or outside the agency's service area will be reimbursed for approved out-of-pocket expenses associated with training and travel in accordance with the city's policy.

E. In-Service Training Records

Comprehensive training records shall be maintained which document:

1. Class Roster

2. Course content and performance objectives (lesson plans)

3. Testing and/or practical exercise instrument (include copy of test instrument)

The Training Supervisor shall maintain these records for all Department initiated classes. The Training Supervisor shall also verify that the same information is maintained by all training institutions employees attend. In the event this information is not maintained, the Training Supervisor shall initiate necessary steps to obtain it.

Training records shall be released only to Departmental personnel with a legitimate need to know, the Georgia Peace Officers' Training Council, the employee, and law enforcement agencies conducting pre-employment investigations may view or receive copies of records.

Any other release shall be with subpoena, signed release form, or upon order of the Chief of Police. Upon release to anyone outside the agency, a memo shall be sent the employee notifying him of this action.

V. Weapons Training

Auburn Police Department personnel will not be assigned to positions requiring the carrying of a weapon, enforcing the law, or making arrests until the successful completion of P.O.S.T Basic Mandate training. In addition to the certification, annually all employees who carry less lethal or lethal weapons will receive in-service training on the agency's use of force policies.

The issuance and instruction on these policies will be documented by the Training Officer. Only officers that demonstrate their proficiency in the use of agency issued weapons will be allowed to carry these weapons on or off duty or while working off duty.

For the purposes of this chapter, weapons will include handguns, long guns, chemical sprays, chemical munitions, impact weapons, and other weapons that are authorized for use by sworn officers.

A. Responsibilities of the Training Supervisor

The Training Supervisor shall be responsible for implementing firearms qualification programs, classroom instruction and remedial training for department personnel. The Training Supervisor shall ensure that all weapons proficiency training is conducted by a certified weapons instructor. The Training Supervisor will also insure that all weapons proficiency training is documented.

B. Failure to Qualify with Agency Weapons

1. Weapons training shall consist of both classroom and practical exercises as determined by the Training Supervisor. The Training Supervisor will determine minimum qualifying criteria and develop cognitive and/or physical skills testing.

2. Any Officer that fails to meet the minimum qualifying criteria with an issued weapon, other than a Department issued handgun, shall have that weapon taken from him by his immediate supervisor, upon written recommendation from the Training Supervisor.

a. Officers may be relieved from enforcement duties until which time remedial training can be obtained from the Auburn Police Department Training Division, or from some other source with the approval of the Training Supervisor.

b. If an officer fails to demonstrate proficiency with an agency issued weapon, other than a Department issued handgun, the weapon will not be returned, and the officer is subject to disciplinary action.

3. Any officer off probationary status that fails to meet minimum qualifying criteria with any Department issued handgun, shall be placed in remedial training.

For remedial training he shall be given opportunities to practice at an approved Firearms Training Facility, or department firing range and must meet the minimum qualifying standard within 14 days at the direction of a P.O.S.T certified Firearms Instructor assigned by the Training Officer.

4. Failure to qualify at the end of the 14-day period can result in the officer being terminated at the discretion of the Chief of Police.

5. Officers failing to qualify with the shotgun shall not be issued a shotgun and may face disciplinary action. Any officer failing to qualify with a secondary weapon will not be authorized to carry that weapon.

6. Primary Weapon - qualification with the primary weapon will be conducted upon issuance, and then annually using any currently accepted P.O.S.T qualification course and target.

The primary weapon is the weapon issued by the Department and intended for primary use by the officer. The primary weapon will be carried when on duty.

7. Secondary Weapons - qualification with secondary weapons will be conducted before authorization to carry and annually afterwards. The 'Request to Carry a Firearm Not Issued' form will be completed upon qualification, with range officer signing and putting a pass/fail score on the form. The form will then be forwarded to the Chief of Police for final approval.

a. The secondary weapon is a weapon approved for use while on duty as a back-up, or while working in an extra duty capacity. When working in uniform, officers must carry the primary weapon. For types and specifications of firearms approved for carry see Chapter 10 III (K) Secondary Firearms.

Any weapon that is carried as the primary weapon, at any time, must be used by the officer for all the above training. All firearms training will be documented in accordance with P.O.S.T Standards. The Department reserves the right to exceed minimum standards set by P.O.S.T. All officers will be held to the higher standard. (Reference: Canton v. Harris and PoPow v. Margate)

C. Firearms Training

Firearms training and qualification shall consist of the following:

1. Classroom instruction in firearms safety and preventive maintenance

2. Classroom instruction in the legal aspects of firearms use and deadly force

3. Approved range practice and qualification with the issued/authorized weapon(s)

4. Approved range practice and qualification with shotgun (if applicable)

Supplemental classroom instruction or practical exercises will be conducted throughout the calendar year to include:

1. Shooting in limited light conditions

2. Judgmental shooting

3. Tactical exercises

D. Other Weapon Training

The Training Supervisor shall ensure that all agency personnel authorized to carry weapons are required to receive annual in-service training on the agency's Response to Aggression/Resistance policies and demonstrate proficiency with all approved lethal weapons and electronic control weapons that the employee is authorized to use. In-service training for other less lethal weapons and weaponless control techniques should occur at least biennially. All proficiency training must be monitored by a certified Weapons, Tactics, or Taser Instructor. The training and proficiency must be

documented. Any officers who are unable to qualify with an authorized weapon will receive remedial training, in which they must demonstrate proficiency. If the officer is involved in an administrative position they may continue their normal duties but will not be allowed to carry their departmental issued weapon until they demonstrate proficiency. If, after remedial training, the employee still fails to qualify with any weapon other than a departmental issued firearm (such as TASER, baton, pepper spray, etc.) the said weapon will be taken from the employee until they are able to demonstrate proficiency.

The Training Supervisor shall also ensure that a lesson plan is written and updated which contains, at a minimum, the following information:

1. A minimum passing score, or other successfully completed criteria as established by the training officer.

2. Statutory and case law concerning the use of each weapon

3. Departmental policy concerning the use, care, and carrying of the weapon

4. Departmental policy on the Response to Aggression/Resistance

5. Recognized safe handling practices for the weapon

E. Firing Range Use and Rules

1. Officers reporting to the range will be directed to unload and reload weapons under the direction of a Range Officer. Under no circumstances should anyone attempt to load or unload any weapon in the parking lot or in any vehicle.

2. Range Officers may inspect any weapon for safety, cleanliness, and proper operation, before allowing the weapon on the firing line.

3. Ear and eye protection must be worn at all times while on the firing line.

4. Only shooters and instructors are allowed on the firing line.

5. All ammunition and weapons must be approved by the Range Officer.

6. Shoulder and cross-draw holsters are prohibited.

7. Metal reactive targets are not to be shot any closer than 10 yards with handguns, 15 yards with shotguns.

8. Shotgun slugs and metal piercing ammunition are prohibited when using metal targets.

9. All courses and methods of fire must be approved by the Training Supervisor.

10. Each shooter is responsible for clean-up of his firing position, surrounding area, and returning all range equipment to its proper storage area.

11. Dry firing will be allowed only at the direction of a Range Officer.

12. Commands coming from the range control area will be followed.

13. Loaded weapons will not be left unattended on the firing line.

14. Weapons will be kept in the holster at all times unless otherwise directed by the Range Officer.

15. Fingers will be kept out of the trigger guard of all weapons until the weapon is on target and the shooter is ready to fire.

16. No one will be allowed forward of the firing line or allowed to pick up items near the firing line until the line is declared safe by the Range Officer.

17. Firing at objects that are not designated as targets is prohibited.

18. Range Officers will check and clear all weapons before shooters move from the firing line.

19. Drug and alcohol use is prohibited while on the range and any time prior to reporting to the range if the use might cause impairment.

20. No talking is allowed on the firing line except when conversing with a Range Officer.

21. Any questions regarding range safety, operation of equipment, and general procedures should be directed toward the Range Officer.

22. All decisions and or orders given by the Range Officer, while on the range, are final.

23. Any violation of these rules by any Auburn Police Department (APD) employee will result in disciplinary action. A violation by any non APD employees may result in removal of the offender from the range.

24. The Training Supervisor may allow other agencies to use the firearms facility. Before approval is granted, the Training Supervisor will ensure the requesting agency signs a memorandum of understanding that:

a. The agency will follow the range guidelines

b. That a certified firearms instructor will be present while the agency is conducting firearms training

c. The requesting agency is responsible for cleaning up and securing the firearms facility when training is completed

d. The agency is responsible for any damage done to the facility or any equipment within the facility, other than what might be done in the regular course of firearms training. The agreement, once signed by the agency representative, the Training Supervisor, and the Chief of Police, will remain in effect as long as the signing individual is employed at the requesting agency.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operation Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 04-01**

Effective Date: May 25, 2018 Revised: 05/25/2018

Review: 09/27/2018

Subject: Field Training Program

Purpose: To establish a program for the training and evaluation of newly sworn personnel after the completion of the basic peace officer training required by the State of Georgia.

Policy: It is the policy of the Auburn Police Department to hire and train the best-qualified candidates, and to use a fair and impartial system for the evaluation of the candidates.

1. General

1.1. All entrylevel police officers will, upon completion of the Basic Mandate Program provided by P.O.S.T, participate in the Field Training Program that is provided by the department. Officers will not be allowed to carry a weapon or be placed in a position where they are likely to be required to make an arrest until the completion of the P.O.S.T. Mandate program and they take the Department's Official Oath of Office.

1.2. New personnel will be issued copies of the City of Auburn's Personnel Manual and the Auburn Police Department's Administrative and Operations Manuals, and receive training on them, prior to field training.

2. Selection of Field Training Officers

2.1. Officers with a minimum of three (3) years' service as a certified law enforcement officer and two (2) years continuous service with the Auburn Police Department, after the conclusion of their probationary period, will be eligible for consideration as Field Training Officer candidates. The Division Commanders will review all eligible officers and submit their recommendations to the Chief of Police, based upon a review of the officer's personnel record and past work performance. The Chief of Police will select the new F.T.O. after consultation with the Division Commanders.

2.2. The F.T.O. will receive and successfully complete F.T.O. training and regular inservice training as required by P.O.S.T. as offered by the training academy.

Field Training Program

3. Field Training Program

3.1. The Field Training Program includes a curriculum that is based on the most frequent tasks performed by police officers, and on the study of general law applicable to the officer. The program uses evaluation techniques designed to measure the recruit's competency in required skills, knowledge, and abilities.

3.2. All entry-level police officers shall receive orientation regarding the agency's role, purpose, goals and objectives, policies and procedures. The officer must successfully complete the Georgia POST Council Basic Mandate Training Program prior to any routine assignment as a police officer, prior to carrying a firearm, prior to wearing a uniform and prior to participating in the Field Training Program.

3.3. The F.T.O. will evaluate the officer each day and forward copies of the evaluation to the Division Commander and Department's Training Officer. The Department's Training Officer will maintain a copy in the employee's training records

3.4. The Auburn Police Department normally uses a twelve (12) week Field Training program, broken down as follows:

3.4.1 Classroom activities, learning policies and procedures under the supervision

Of the Department Training Officer

3.4.2 Ontheroad training with an F.T.O. assigned by the Patrol Division Commander.

3.5. Officers who are hired by the Auburn Police Department must complete this training prior to being released on their own as a regular Patrol Officer. Officers hired with prior Police experience, may, based on the recommendation of the Department Training Officer, Field Training Officer and Division (Patrol) Commander be released earlier from the Field Training Program than the required twelve weeks but must complete a minimum of four weeks of the Field Training Program.

3.6. The shift supervisor for each week will also turn in an evaluation to the Division Commander and Training Officer at the end of each week, reflective of the recruit's performance.

Field Training Program

The evaluation form is reflective of the duties an officer is required to perform on a routine basis. The F.T.O. will rate the recruit on his performance of these activities, with an evaluation of 1 (poor) to 5 (excellent).

3.7. Though the Field Training Program is a twelve-week program, the Field Training Officer may make a request to the Department's Training Officer to have an officer's fields training extended for a period of up to four weeks for any reason(s). If, after that extension, the recruit officer still needs more time on Field Training, the Department Training Officer may under the direction of the Division Commander make any of the following decisions:

3.7.1. Extend the Field Training for two more weeks;

3.7.2. Assign a new Field Training Officer to the recruit;

3.7.3. Terminate Field Training;

3.7.4. As directed by the Chief of Police.

3.8. A recruit is on a six-month probationary (probationary period begins the date the employee is sworn in) status and may be terminated at any point during the six (6) month probationary period. The Chief of Police, with consideration of the F.T.O. reports and the Division Commander recommendations, will decide whether the recruit has passed or failed the Field Training Program.

3.9. Field Training Officers are under direct supervision of the onduty Watch Commander/Shift Supervisor for regular patrol assignments and the Department's Training Officer for training issues. The Division Commander is responsible for the direction of the F.T.O. program, and the F.T.O.'s related duties and activities.

3.10. Our F.T.O. program is run in-house and does not involve the Academy. The Academy staff is available to answer questions from Field Training Officers as necessary.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 05**
Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/27/2018

Subject: Conduct

I. Purpose

To define acceptable and unacceptable standards of conduct for employees of the Auburn Police Department, to include Internet-based restrictions, to discourage the type of behavior that would have the potential to have a negative impact on the public trust of Departmental employees or compromise the integrity of the Auburn Police Department. There has been no attempt to describe behavior that is all-inclusive, but rather to set guidelines for employees to exercise appropriate discretion governing both on and off-duty conduct.

II. Definition

Lawful Order - Any order of an employee requiring the performance of certain duties provided it is not prescribed by law, departmental rules, and regulations.

Internet-based – Any computer programs that have originated from an Internet provider.

III. Rules and Regulations

A. General

1. Oath of Honor - Honor, Integrity, and Respect is never betrayed. I will always hold myself and others accountable for having the courage to do the right thing.

2. Commendations - The Department expects a very high level of professional conduct from all employees; however, members of the Department frequently perform their duties in a manner

exceeding the highest standards of the Department. When this occurs, a letter to the Chief of Police should be submitted, and the appropriate recognition should follow.

B. Standards of Conduct

1. Violation of Law - The violation or attempted violation by an employee of any Federal, State, County, or Municipal Law is prohibited.

2. Insubordination - The failure or refusal, by an officer or other employee, to obey a lawful order directed by a superior officer. This will include orders relayed from a superior officer by an officer of the same or lesser rank. Insubordination also includes criticism of superior officers and Department operations, when such criticism serves to impair the operation of the Department; disrupts harmony among co-workers and/or maintenance of discipline by supervisors; and produces inefficiency, dissension and/or chaos. In those instances when an employee receives a conflicting order from his superior, the responsibility for the order shall lie with the superior officer. Employees who are given an otherwise proper order, which is in conflict with a previous order, regulation, directive, or manual, shall respectively inform the superior officer issuing the order of the conflict.

If the superior officer issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility shall be on the superior officer. Employees shall obey the conflicting order and shall not be held responsible for disobedience of the order previously issued. Employees shall not obey any order which they reasonably believe would require them to commit any illegal act. If in doubt as to the legality of the order, employees shall request the issuing officer to clarify the order or confer with the highest authority.

3. Possession or Use of Alcohol - Employees shall not purchase, possess, use, or be under the influence of, or have the odor on their person, of an alcoholic beverage while in uniform, on duty, or in a city owned vehicle, except as required in the line of his official duties.

4. Employees shall abide by the provision of City of Auburn Personnel Policy Manual, Section 1.11 and the City's Drug Free Workplace Policy outlined in Section 9 of the Personnel Manual.

5. Payment of Debts - Employees are expected to meet their civil monetary liabilities. In addition, employees are not to establish any financial relationships that present a conflict of interest or compromises the image of the Department.

6. Prohibited Association, Frequenting - Except as required for performance of their duties, employees of the Department are prohibited from frequenting places that may compromise the officer's ability to perform his or her duties or the Department's image. In addition, except for members of the officer's immediate family (parents, spouse and children), employees shall not associate with persons or organizations which would be detrimental to the performance of the officer's duties or to the image of the Department. This includes persons who are known to have been convicted of a felony within the last five (5) years or who are under criminal investigation or

indictment, or who have an open and notorious reputation in the community for felonious activity, drug use, prostitution or gang activity.

a. Subversive Organizations - No officer or employee shall knowingly become a member of, or be connected to, any subversive organization, as defined by the U.S. Department of Justice, except when necessary in the performance of duty, and then only under the direction of the Chief of Police.

b. Allegiance to Organizations – Members of the Department shall refrain from joining or affiliating with any organization, association, or group, whose constitution or bylaws in any matter exacts allegiance which would prevent a full performance of duty.

7. Public Criticism - Complaints regarding Departmental operations should be resolved through internal grievance procedures. Under no circumstances shall an employee of the Department publicly criticize the Department's policies, operations, or staff in a defamatory, obscene, unlawful, or untruthful manner. Criticism that tends to impair the operation of the Department by reducing organizational efficiency and discipline is also prohibited.

8. Political Activity – Officers shall be permitted to; (1) register and vote in any election; (2) express opinions as individuals privately and publicly on political issues and candidates; (3) attend political conventions, rallies, fundraising functions and similar political gatherings; (4) actively engage in any nonpartisan political functions; (5) sign political petitions as individuals; (6) make financial contributions to political organizations; (7) serve as election judges or clerks or in a similar position to perform nonpartisan duties as prescribed by the state or local laws; (8) hold membership in a political party and participate in its function to the extent consistent with the law and consistent with this section; (9) otherwise participate fully in public affairs, except as provided by law, to the extent that such endeavors do not impair the neutral and efficient performance of official duties or create real or apparent conflicts of interest.

Officers, while engaged in the duties of their office, are prohibited from; (1) using their official capacity to influence, interfere with or affect the results of an election; (2) assuming active roles in the management, organization, or financial activities of partisan political clubs, campaigns, or parties; (3) serving as officers of partisan political parties or clubs; (4) soliciting votes in support of, or in opposition to, any partisan candidates; (5) serving as delegates to a political party convention; (6) endorsing or opposing a partisan candidate for public office in a political advertisement, broadcast, or campaign literature; (7) initiating or circulating a partisan nominating petition; (8) organizing, selling tickets to, or actively participating in a fund-raising function for a partisan political party or candidate;

9. Professional Image - Employees of the Department are to work diligently to maintain a professional image. Any behavior that would reflect negatively on the Department, or would violate the public trust, is prohibited.

a. Use of cellular phones- Employees shall abide by the provisions of Chapter 19 of this Policy.

10. Unauthorized Persons in Vehicles - Persons who are not government personnel, prisoners, or on official (authorized) business, (with the exception of the provisions outlined in Chapter 12-2 & 16-10), are not permitted to ride in Department vehicles, unless the proper "Ride Along" forms have been submitted and approved by the Chief of Police.

11. Altering Records - Stealing, altering, forging or tampering with any police record, report, or citation is prohibited. The removal of any record, card, report, letter, document, or other official file from the Department, except by process of law, or as directed by the Chief of Police, or a superior, is prohibited. Additionally, the obtaining or duplicating, or attempted obtaining, or duplication, of any information from Departmental files, sources, or reports, other than that which one is properly entitled in accordance with one's duties or assignments, is prohibited.

12. Absences from Work - Employees shall abide by the provisions of City of Auburn Personnel Policy Manual Section 6 regarding attendance, absences and leave.

13. Residence Telephone and Address - The Department is to maintain a listing of each employee's address and telephone number. It is the responsibility of each employee to maintain a home or cellular telephone, and to notify the Division Commander, who in turn, will notify the Office of the Chief, of any changes in address or telephone number.

14. Accepting Gifts - Any business establishment that offers discounts for Police Department employees, the officer/employee must always offer to pay full price for the item(s) received. If the establishment insists upon providing discounts as a business policy, the officer/employee must leave the equivalent of half the amount of the full price of the consumable item(s) as a gratuity or charitable contribution.

15. On and Off Duty Conduct - Engaging in conduct on or offduty which adversely affects the morale or efficiency of the Department or has a tendency to destroy the confidence and respect of the public for the Department is prohibited.

16. Job Related Gains - Buying, receiving, or selling anything of value from, or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case, is prohibited, except as may be specifically authorized by the Chief of Police.

17. Solicitation of Assistance - Employees are not to solicit anyone to intercede with City/County or Department officials regarding Department promotions, assignments, or disciplinary proceedings.

18. Abandonment of Duty Assignment - Employees are not to leave their duty assignment, unless properly relieved or dismissed by a superior officer.

19. Internal Investigations - Employees are to cooperate with all internal investigations, by answering questions truthfully and accurately, responding to lawful orders, presenting materials, and making statements.

20. Participation in Civil Matters - Employees are not to give any deposition, affidavit, or appear as a witness in a civil matter stemming from their official duties, without a proper judicial summons, and notice to the Chief of Police.

21. Leaving Municipal Limits - Employees are not to go beyond the city limits while on duty, unless in the performance of their duties, or upon the direct order or permission of a superior.

22. Use of Private Vehicles - Employees are not to use private vehicles or equipment for official purposes, unless directed and authorized to do so by a superior officer.

23. Conformance to Law - Employees shall obey all laws of the United States, and of any state and local jurisdiction in which the employees are present. An arrest for the violation of any law shall be prima facie evidence of a violation of this section. Findings and disciplinary action by the Department under charges for violation of this section shall be independent of any proceedings under criminal law.

24. Violation of Rules - Employees shall not commit any other acts, or omit any other acts, which constitute a violation of any of the rules, regulations, directives, orders, or policies of the Department, whether stated in this Operations Manual or elsewhere. Ignorance of the rules, regulations, directives, orders, or policies shall not be considered as a justification for any such violations. Employees shall be responsible for their own acts, and they shall not shift to others the burden of responsibility for executing, or failing to execute, a lawful order or police duty.

25. Reporting Violation of Laws, Ordinances, Rules or Orders - Officers and employees, knowing that they, or other employees, are in violation of laws, ordinances, rules, or orders of the Department, shall report same in writing to the Chief of Police through official channels. If the officer or employee believes the information is of such gravity that it must be brought to the immediate attention of the Chief of Police, the official channels may be bypassed.

26. Visiting Prohibited Establishments - Employees shall not knowingly visit, enter, or frequent a house of prostitution, gambling house, or establishment, wherein the laws of the United States, the State, or local jurisdiction are regularly violated, except in the performance of duty, or while acting under proper and specific orders from a superior officer.

27. Abuse of Position - Officers are prohibited from using their official position, official identification cards or badges; (a) for personal or financial gain, (b) for obtaining privileges not otherwise available to them, except in the performance of duty, or for avoiding consequences of illegal acts. Officers may not lend their identification cards or badges to another person or permit them to be photographed or reproduced without approval of the Chief of Police. Officers shall not permit or authorize the use of their names, photographs, or official titles, which identify them as officers, in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief of Police.

28. Endorsements and Referrals - Employees shall not recommend or suggest in any manner, except in transaction of personal business, the employment or procurement of a product, professional service, or commercial service, (such as an attorney, ambulance service, towing service, bondsman, mortician, etc.). In the case of ambulance or towing service, when such service is necessary, and the person needing the service is unable or unwilling to procure it, or request assistance, employees shall proceed in accordance with Departmental procedures regarding the respective services.

29. Sleeping on Duty - Employees shall remain awake while on duty. If unable to do so, they shall report to their superior officers, who shall determine the proper course of action.

30. Neglect on Duty - Employees shall not read, play games, watch television or movies, or otherwise engage in entertainment while on duty, except as may be required in the performance of duty. They shall not engage in any activities or personal business, which could cause them to neglect, or be inattentive to duty.

31. Use of Department Telephones - Members of the Department shall refrain from using city telephones for long distance calls, unless authorized to do so, and shall minimize calls of a general nature. The use of directory assistance (telephone information) is not allowed, unless all other means of finding a telephone number is exhausted. The use of directory assistance (telephone information) for personal calls is not allowed.

32. Fictitious Illness or Injury Reports - Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive, or attempt to deceive, any official of the Department, as to the condition of their health.

33. Incompetence and Unsatisfactory Performance - Employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Employees shall perform their duties in a manner which will tend to establish and maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Incompetence may be demonstrated by a lack of knowledge of the application of laws required to be enforced, or required procedures within an employee's current assignment; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the employee's rank, grade, or position; the failure to take appropriate action on the occasion of a crime, disorder, or other conditions deserving police attention; absence without leave; or unnecessary absence from the assigned patrol during a tour of duty. In addition to other indications of incompetence, or repeated poor evaluations, or a written record of repeated infractions of the rules, regulations, manuals, or directives.

34. Immoral Conduct - Any employee who engages in such activities or methods of conduct as described below is guilty of immoral conduct when the conduct clearly creates a negative impact on the morale or operations of the department or when that conduct has caused a direct loss of general

confidence in the department by the public at large. Such violations of rules will be disciplined either under Immoral Conduct, Conduct Unbecoming an Officer or under other appropriate specific rule(s) applicable. Typical instances of immoral conduct include, but are not limited to:

a. Committing an indecent act with a minor;

b. Adultery;

c. Driving under the Influence;

d. Fighting; and

e. Domestic Violence.

35. Interfering with Radio Communication - An employee will not willfully or intentionally interfere with radio communications, except in case of an emergency.

36. Participating in Demonstrations - No member of the Police Department will participate in any demonstration while on duty, or in the uniform of the Auburn Police Department.

37. Intervention - Employees shall not interfere with cases being handled by other employees of the Department, or by any other governmental agency unless:

a. Ordered to intervene by a superior officer; or,

b. The intervening officer believes, beyond a reasonable doubt, that a manifest of injustice would result from failure to act.

Employees shall not undertake any investigation or other official action which is not a part of their regular duties, without obtaining permission from their superior officer, unless the exigency of the situation requires immediate police action.

38. Labor Activities - Employees may join a union, but nothing shall compel the Department to recognize, or to engage in collective bargaining with any such union. Employees shall not engage in any strike. A strike action includes the concerted failure to report for duty, willful absence from one's position, taking unauthorized holidays, sickness unsubstantiated by a physician's statement, the stoppage of work, or the abstinence, in whole or part, from the full faithful and proper performance of the duties of employment, for the purpose of inducing, influencing, or coercing a change in conditions, compensation, rights, privileges, or obligations of employment.

39. Mistreatment of Prisoners - An officer who lawfully acts within the scope of his authority does not deprive a person of their civil liberties. However, when an officer exceeds his authority by unreasonable use of force or negligent conduct which results in injury to an arrestee, he violates the sanctity of the law which he is sworn to uphold and is subject to disciplinary action.

40. Misuse of Firearms - Due to the extreme dangers involved, officers shall not use or handle weapons in a careless or imprudent manner. Typical instances of misuse of firearms include but are not limited to:

a. Pointing a weapon at a fellow officer;

b. Firing plastic ammunition in the station during horseplay;

c. Negligent shooting of another; or

d. Drawing a weapon in a public place, except for inspection or official use.

41. Departmental Reports, Truthfulness - Employees shall submit all necessary reports on time. Reports submitted by employees shall be truthful and complete, and no employee shall knowingly enter, or cause to be entered, any inaccurate, false, or improper information.

42. Dissemination of Information - Employees shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended. Employees shall not divulge the identity of persons giving confidential information, except as authorized by proper authority, in the performance of police duties. Personnel may not give out any information on city employees, to include, but not limited to, residence address and telephone numbers, without authorization from a superior officer.

43. Care of Departmental Buildings - Members or employees shall not mar, mark, or deface any surface in any Departmental building. No material shall be affixed in any way to any Departmental equipment, without specific consent from a Division Commander.

44. Notices - Members and employees shall not mar, mark, alter, or deface any posted notice of the Department. Notices or announcements shall not be posted on bulletin boards without permission of a supervisor. Notices or postings of a derogatory nature are strictly prohibited.

45. Manuals - All members and employees who are issued manuals, are responsible for their maintenance, and will make appropriate changes or inserts as required. Employees are also responsible for knowing the content of the manual.

46. Surrender of Departmental Property - Members and employees are required to surrender all Departmental property in their possession upon separation from the Department. Failure to return non-expendable items may cause the person to reimburse the Department for the fair market value of the article(s).

47. Court Attendance - An officer's attendance in court is mandatory when he has cases scheduled. When an officer is not available for court, (vacation, sick, etc.) it is his responsibility to notify the appropriate court clerk and have his case continued. Officers under subpoena to appear in more than one court, shall notify the appropriate court clerk of the conflict and make prior

arrangements. Officers that fail to report to any court appearance, after being subpoenaed, or a city docket posted, shall be held accountable and face sanctions under the standard operating procedures, and by authority of said court.

48. Conduct Unbecoming an Officer - An officer must, at all times on and off duty, conduct himself in a manner which does not bring discredit to himself, the Department, or the City. Conduct unbecoming an officer shall include that conduct:

a. Which adversely affects the morale or efficiency of the Department; or that

b. which tends to destroy public respect for employees and confidence in the Department.

To sustain conduct unbecoming an officer, it is not necessary that the alleged conduct be criminal in character, nor that it be proved beyond a reasonable doubt.

Typical examples of conduct unbecoming an officer includes, but are not limited to:

a. Speeding;

b. Profane language in public;

c. Knowing and intentional associating with known felons, drug dealers and gang members (excepting only the officer's immediate family members);

d. Ticket fixing;

e. Misappropriation of Departmental property;

f. Removal of Departmental records without authorization;

g. Failure to cooperate with an internal investigation; and/or

h. Unauthorized personal web pages and other Internet-based postings.

49. Medical or Forensic Examination - Upon order of the Chief of Police, or his designee, employees shall submit to any medical, ballistics, chemical, polygraph, or other tests, photographs, or lineups. All procedures carried out shall be specifically directed, and narrowly related, to a particular investigation being conducted by the Department.

50. Testimony - Upon the order of the Chief of Police, or his designee, employees shall truthfully answer all questions specifically directed, and narrowly related, to the scope of employment and operations of the Department, which may be asked of them.

51. Financial Disclosure - Employees shall submit financial disclosure and responsibility statements in a prescribed manner, if required by the Chief of Police or outside investigatory agency

in connection with a complaint in which this information is material to the investigation. These statements are to be maintained by the Chief and shall not be available for public disclosure.

52. Respect for National Colors/Anthem - An officer, when in uniform, will salute the Colors as they pass in parade, ceremonies, or other occasions. The salute will begin when the Colors are at a 45-degree angle approaching the officer and shall end when the Colors are at a 45-degree angle past the officer. An officer will stand at attention when the National Anthem is played and will face the direction from which the music is coming, except when the Colors are displayed with the playing of the Anthem, at which time, the officer will face the Colors and salute. The only exception will be when an officer's duty assignment is of such nature that it requires the officer's full and direct attention.

53. Issued Department Equipment - Employees assume all responsibility for issued equipment. If equipment is stolen, or lost, or damaged while under an employee's control, he will be personally liable for its repair or replacement. If equipment is damaged through no fault of the employee in the course of duty, the employee will not be liable for its repair or replacement.

54. Loyalty - An officer must be faithful to his oath of office, the principles of professional police service, and the objectives of the Auburn Police Department, in the discharge of his duty. He must not allow personal motives to govern his decisions and conduct.

a. Security of Departmental business- Members and employees shall not reveal police information outside the Department, except as may be authorized by Departmental regulations, or as may be required by law or competent authority.

b. Interference with justice- No member or employee of the Department, shall take, or be concerned directly or indirectly, in making or negotiating any compromise, or other arrangement, between a criminal and the person who has suffered his act. They shall in no way seek to obtain any continuance or dismissal of any trial or traffic citation, in court out of friendship for the defendant, and no employee shall approach any judge, official board member, or another employee, to obtain clemency for persons to be tried by himself, or other employees. They shall not otherwise attempt to interfere with the cause of justice.

c. Compromising criminal cases- Members and employees shall not interfere with the proper administration of criminal justice, nor attempt to interrupt legal process, nor participate in, or be concerned, with any activity which might interfere with the process of law.

55. Requests for Assistance - When any person applies for assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon.

56. Reporting for Duty - Employees shall report for duty at the time and place required by assignment of orders and shall be physically and mentally fit to perform their duties. Officers are

subject to call when off duty and must respond as directed, by a superior officer, to ensure the continued operation of the Police Department. They shall be properly equipped and cognizant of information required for the proper performance of duty, so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to appear under this section.

57. Providing Assistance to the Public - Sworn officers and employees of the Department should become familiar with the physical layout of their jurisdiction, and be prepared, at all times, to answer questions about the location of prominent places. Officers and employees should be able to give directions to citizens in a clear, concise, and polite manner.

58. Respect for Persons - The Department can only provide adequate services when its employees cooperate with each other fully, and when citizens have a feeling of respect toward the Department. Therefore, all officers and employees shall:

a. Never speak derogatorily of the race, color, gender, nationality, or religion of any person.

b. Avoid any political or religious discussions with the public, other employees, or members that are likely to arouse strong emotional reactions, or cause dissension.

c. Officers and employees should be careful that they do not interfere with the activities or business of citizens by contacting them anymore than is necessary to perform their duties.

d. Officers and employees shall completely avoid the use of profane language or menacing gestures toward other employees and the public.

e. Officers and employees should always endeavor to provide citizens with information requested, and any refusals must be both necessary and polite, with the reason for refusal if the circumstances or time permits.

f. All officers shall keep in mind that when making an arrest, or issuing a traffic citation, the other person's attitude will often depend on the respect and fairness that the officer displays toward the citizen. In these critical situations, the officer should not attempt to be humorous.

g. Officers and employees should strive to create a loyal working attitude. With this purpose in mind, employees should avoid statements which could lower morale and diminish public respect.

59. Identification of Officer - Officers and employees shall provide their name and employee number, in a respectful manner, as a means of identifying themselves, when requested by a member of the public. Except when impractical or unfeasible, or where the identity is obvious, the assigned officers shall identify themselves by displaying badges and identification cards before taking police action. Officers shall carry their badges and identification cards on their person at all times, while engaged in law enforcement activities, except when impractical or dangerous to their safety, or to an investigation. They shall furnish their name and employee number to any person requesting that

information, except when the withholding of such information is necessary for the performance of police duties, as authorized by proper authority.

60. Employee Fraternization - Based upon considerations of public policy, and the necessity for quasi-military-type discipline and respect, it will be misconduct justifying discharge, for employees of different ranks to socialize in situations detrimental to the discipline and order of the Department.

Employees of similar or equal ranks will be subject to misconduct justifying discharge, if their relationship tends to impair the employee's job performance, operation of the Department, or the public's perception of the Police Department.

61. Discipline - Employees shall abide by the provisions of the City of Auburn Personnel Policy Manual, Section 8 and Auburn Police Department Operations Manual Chapter 5-1 regarding discipline.

62. Appeals/Grievance – The Chief of Police will coordinate and maintain secure records relating to the formal grievance process when such grievances are resolved within the Police Department.

63. An officer will not use his/her authority as a police officer to abuse, oppress, harass, or persecute any person(s).

C. VACATION/SICK TIME REQUIREMENTS

A. Vacation:

1. In order to properly manage the workload demands of the department employees are required to schedule their vacation time with their supervisors.

2. All vacation requests must be submitted in writing at least 15 days in advanced and approved by the employee's immediate supervisor.

3. Officers having the most seniority will have preference over officers with less time with the department.

4. Vacation will not apply to temporary positions.

5. Annual leave is an earned benefit of employment with the City of Auburn and the department will make every effort to accommodate all reasonable requests. However, adjustments in leave dates and, occasionally, denial of leave for the period requested may be necessitated by the operational needs of the department.

6. Employees serving a probationary period on an original appointment shall earn and accrue vacation as set forth in these policies. Such employees shall not be granted vacation during the probationary period.

B. Sick

1. New employees may accrue but may not take sick leave until after 6 months of employment.

2. An employee shall immediately notify his immediate supervisor no later than one hour prior to the employee's scheduled time to report to duty of his/her intention to use sick time.

3. If an employee's immediate supervisor cannot be contacted then the employee must notify the next higher-level supervisor.

4. Any employee utilizing sick leave in excess of three consecutive days will be required to submit a verification of illness signed by an appropriate medical practitioner.

5. Any employee of this department who falsely reports an illness or injury or otherwise deceives or attempts to deceive any official of this department as to the condition of their health shall be subject to disciplinary action.

IV. Internet Restrictions

A. General

The Auburn Police Department recognizes that its employees have the right to create, maintain and participate in personal web pages and other Internet-based sites and postings. However, the Department also recognizes its obligation in establishing standards of conduct relating to this activity, as to ensure no reduction in public confidence and respect for the Department. As such, the Department shall impose restrictions and oversight, when direct or indirect reference to the Police Department, or its employees, is made within these forums.

B. Restrictions

Employees, who have personal web pages or other types of Internet postings which can be accessed by the public, must, upon request associated with an investigation, complaint or inquiry, provide the Chief of Police or outside investigatory agency with a Web Page Notification Form listing the name of the website and provide the Chief of Police or other investigatory agency with the clearance/ability to access all portions of the site or sites. Employees shall not identify themselves directly or indirectly as an employee of the Auburn Police Department, without prior Departmental approval. While on duty, employees will not access any such personal web pages, public chat room forums, or other types of Internet postings, unless the access is job-related and pre-approved by the employee's immediate supervisor. This restriction applies to the use of agency, personal, or third-party owned computers.

Photographs or other depictions of Departmental uniforms, badges, patches, or agency vehicles, shall not be used on personal employee Internet postings without prior Departmental approval.

Employees wishing to use references to, or photographs/depictions noted above, must first receive written supervisory approval, which is forwarded through the chain of command for final review and authorization by the Chief of Police.

1. Approval Process

The employee seeking approval to use references to the Auburn Police Department on their personal web pages or sites shall follow the below prescribed approval process:

a. Describe the proposed reference to the Department and the intended purpose;

b. Provide a list and graphic of any photographs, artwork, etc. to be used within the web page;

c. Provide a printed layout of the entire proposed web page, posting or site;

d. Provide thorough documentation of the proposed posting site location within the Internet (specified access route) and any access and/or password requirements for viewing by others; and

e. In memo form, submit the above detailed information with a request for approval to the Chief of Police via the employee's supervisory chain-of-command. The request, accompanied with a written supervisory recommendation for approval, must be submitted to the Chief of Police.

The employee will receive, in memo form, an approval or denial of the request.

C. Limitations

No sexual, nude, violent, racial, ethnically derogatory material, comments, pictures, artwork, video, or other reference may be posted along with any agency approved reference. Previously approved web pages, sites or postings shall not be modified in any format without a documented review and approval as outlined above.

Employees shall not post any material on the Internet that brings discredit to, or may adversely affect the efficiency, professionalism, or integrity of the Department. The above specified procedures, approval process and limitations, shall also apply to web pages, other Internet-based sites and postings, that are owned and/or managed by third persons, when any Department member encourages and/or condones that information and/or images regarding the officer or references to the Police Department will be contained within these pages, sites or postings.

Employees should consider the possible adverse consequences of Internet postings, such as future employment, cross-examination in criminal cases, and public, as well as private, embarrassment.

The Chief of Police may randomly access every approved web page, site, or posting, for affirmation of no changes in the postings from the format as previously approved.

The review of personal websites/pages shall be constrained only to the content which is viewable over the web, this includes discussion threads, "wall" postings, information sections, "about me" sections and such; there will be no departmental review of "private" material such as email, electronic messages or private chat messages which are not viewable on the employee's home page.

The process and restrictions described in this policy shall be retroactive for any currently existing sites created by any employee or third party.

_____

Christopher Hodge Date

Chief of Police

City of Auburn Police Department

Web Page Notification Form

I currently have the following internet web page accounts.

_____

_____

_____

_____

_____

I have read and understand the APD policy that addresses personal web pages. I have listed above all my current accounts and I understand that it is my responsibility to inform APD if I join/open any new accounts or web pages. I also agree to make myself available to APD, when requested, to log on to any of my accounts and allow an APD representative to view any/or all accounts.

Employee: _____ Date: _____

Witness: _____ Date: _____

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 05-1**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/28/2018

Subject: Office of Professional Standards

I. Purpose

The purpose of this policy is to provide guidelines and procedures for the prompt and just investigation and disposition of complaints made against Departmental employees.

II. Policy

This policy establishes an Office of Professional Standards (OPS) within the Auburn Police Department. It is the policy of the Auburn Police Department to investigate all credible complaints against the Department or its employees, to include anonymous complaints, in a manner that will assure the community a prompt corrective action when a police employee conducts themselves improperly, while also protecting the Department and its employees from unwarranted criticism pursuant to discharge of official duties.

All employees in the Police Department shall be instructed in and have access to a copy of the OPS policy.

III. Administration

The OPS Supervisor shall be designated APD lieutenant(s) or other designated individual as appointed by the Chief of Police. This person/s shall be responsible and accountable for conducting all internal investigations of the Auburn Police Department as directed by the Chief of Police. The OPS Supervisor shall report directly to the Chief of Police concerning the progress and findings of such investigations.

In cases where conflict of interest may be present, the Chief of Police shall appoint an officer or outside agency to act as an investigator for any internal investigation. This investigator or agency shall report directly to the Chief of Police on a daily basis for supervision and support.

The functions of the OPS shall be:

1. Recording, registering, and controlling the investigation of all complaints against the agency or any employees;

2. Supervising and controlling the investigation of alleged misconduct by employees within the agency;

3. Maintaining the confidentiality of the aforementioned complaint records;

4. Administrative control and documentation of all procedures; and

5. Make available to the public, information concerning the procedures for filing a complaint against the agency or its employee.

This is accomplished by placing informational brochures complaint procedures in the front lobby of the Police Department, and by passing this information to citizens at neighborhood watch meetings and the Citizen's Police Academy.

All files, documents, information, and other administrative records accumulated during the course of the investigation, shall be stored in locked filing cabinets maintained by the members of OPS. Only the Chief of Police or OPS employee shall have unaccompanied access to the files. Such records shall remain on file according to the above guidelines for sixty-nine (69) years.

A. Complaint Processing

A written record of all complaints against the Auburn Police Department or its employees shall be maintained, regardless of the nature or reasonableness of the complaint. The following types of incidents shall be referred to OPS for review and screening:

1. Incidents in which the completion of a Response to Aggression/Resistance report is required;

2. Vehicle pursuits; and

3. Incidents involving off-duty misconduct.

On a monthly basis, the OPS Supervisor will submit a Response to Aggression/Resistance review to the Chief of Police, containing all response to aggression/resistance incidents and findings.

The following type incidents shall be referred to OPS for investigation:

1. Complaints involving allegations of civil rights violations, or involving allegations that an employee has used racial or ethnic epithets;

2. Incidents involving allegations of criminal or unethical activity;

3. Incidents involving Police Department command level supervisors;

4. Allegations of negligence or neglect of duty resulting in bodily injury or death;

5. Complaints involving allegations of unlawful or improper manipulation of, or tampering with the promotional, evaluation, or disciplinary process;

6. Complaints involving allegations of abusive conduct by a supervisor directed toward a subordinate;

7. Incidents of officer involved shootings and accidental discharges;

8. Other incidents as directed by the Chief of Police and;

9. Workplace harassment complaints.

Note: Where appropriate, and with the approval of the Chief of Police, the OPS supervisor may refer certain matters back to the appropriate division supervisor for investigation and disposition.

When a complaint is made, the Chief of Police must be notified by OPS. This information may be passed either verbally or in writing. All complaints listed above that require investigation, must be brought to the attention of the Chief of Police immediately. Other complaints may be brought to the attention of the Chief of Police at a later time.

B. Complaint Investigation

Any Police Department employee contacted by a citizen wanting to make a complaint against a police department employee shall immediately provide the citizen with a complaint form and complaint brochure. The employee should offer to contact a supervisor to facilitate taking the complaint if the citizen is agreeable to that process. If a supervisor responds, it shall be the responsibility of the supervisor taking the complaint to ensure that a copy of the Citizen's Complaint Form is provided to the complainant. This procedure does not apply to anonymous complaints. Complaints made over the telephone shall be accepted by any employee. In the event that the employee cannot immediately locate a supervisor or if the complainant indicates that they will not wait for a supervisor to be contacted, then the employee shall make a written record of the complaint, to include anonymous complaints, and forward it to OPS, and the supervisor on duty. The employee should attempt to obtain as much information as possible from the complainant, in order for a follow-up investigation to be completed. Employees receiving telephone complaints should offer to mail or fax a complaint form to the complainant; however, if the complainant refuses the offer, or to complete a complaint form, the employee shall detail the nature of the complaint on the standard complaint form and forward it to the OPS and shift supervisor. At no time should any complaint be refused to be accepted by any employee. Any supervisor taking a complaint from a citizen will sign the Citizen Complaint Form and give the complainant a copy as a receipt that the complaint was received.

1. The complainant shall receive periodic follow-up contacts by the person responsible for the investigation. The complainant shall be informed of Departmental procedures that are to be followed during the course of the investigation.

2. The Chief of Police shall receive from OPS, a status report during the course of the investigation, every seven (7) calendar days. Unless the nature of the case dictates otherwise, every

attempt will be made to complete any internal investigation within thirty (30) days. This thirty (30) day limit shall be considered a goal, as the integrity and conduct of the entire Department is involved. An extension(s) may be granted by the Chief of Police concerning those cases where extenuating circumstances exist.

3. Whenever an officer or employee becomes the subject of an OPS investigation, prior to being interviewed, OPS shall provide the employee with notice of the allegation(s) and of the employee's rights and responsibilities relative to the investigation.

4. Upon receipt of the formal investigation report in its final form, the Chief of Police shall, within fifteen (15) days, review and provide written notification to the employee in question of the outcome and/or result of the investigation, and any action that will follow, unless extraordinary circumstances dictate otherwise.

5. Upon receipt of the formal investigative report in its final form, the Chief of Police shall within fifteen (15) days, review and provide notification to the complainant that said complaint has been reviewed, and that appropriate action has been taken, unless extraordinary circumstances dictate otherwise.

6. The Chief of Police may, at any time, request an outside agency, (such as the Georgia Bureau of Investigations, etc.), to conduct an investigation on a complaint regarding police misconduct.

C. Supervisor's Responsibilities

Complaints involving minor traffic violations, minor violations of Departmental rules and regulations, discourtesy to the public, etc., shall be handled by the employee's own supervisor, without referring the matter for internal investigation unless there is a need for more information to be gathered by an investigative employee.

1. All complaints will be documented on a Citizen's Complaint Form or in a memorandum by the supervisor receiving the complaint. The original copy will be forwarded immediately to OPS and a copy retained by the supervisor. Once the supervisor has completed his investigation, all statements and supporting documents will be forwarded to the appropriate lieutenant or division commander for review. The supervisor reviewing the findings will approve by signing and dating the document or reassigning for follow up investigation. Upon final review within the appropriate division the complaint will be forwarded to OPS for review and record retention. The OPS supervisor will forward a copy of the complaint and the findings to the Chief of Police. The supervisor's investigation will be completed within five (5) working days. All investigations completed by a supervisory employee will be maintained in a secure file by OPS in the same manner as those investigation conducted by OPS.

2. In the event a supervisor feels the complaint should be forwarded to OPS for further investigation, he will document the justification for such an investigation in a memorandum to the Chief of Police.

D. Operational Procedures

Upon a reasonable cause standard, and with the express authorization of the Chief of Police, at the agency's expense, an internal, non-criminal investigation may entail the following procedures, of which an officer or employee may be required to submit:

1. Any medical or laboratory examinations at the expense of the Department;

2. Participate in a line-up;

3. Produce financial disclosure statements;

4. Be photographed; and

5. A polygraph examination.

6. The above actions will only be taken when necessary, and when they are material to a particular OPS investigation conducted by this Department. An employee will not be allowed legal representation during an internal investigation.

E. Conclusion of Fact

All investigations shall have a finding of fact at the conclusion. The findings of fact shall include one of the following:

1. Unfounded: The evidence tends to disprove the allegation of misconduct.

2. Not Sustained/Insufficient Evidence: There is insufficient evidence, either to prove or disprove the allegation of misconduct.

3. Sustained/Improper Conduct: The evidence supports the allegation of misconduct.

4. Exonerated/Proper Conduct: The evidence tends to support factual occurrence, but conduct does not appear improper.

5. Misconduct: Not alleged in the complaint but disclosed by investigation.

6. Conduct may be improper; however, there is no violation of law or policy as it exists at the time of the incident. The incident may be reviewed for possible implementation of policy to govern future incidents of a similar nature.

F. Employee Suspension Pending Investigation

Whenever an internal investigation is conducted upon an employee of the Auburn Police Department, the Chief of Police may at his discretion, place said employee, on administrative leave pending the final outcome of the internal investigation.

1. It is the policy of this Department that the said administrative leave will be with full pay and benefits, until such time as a "findings of fact" can be made in reference to the internal investigation.

2. After the completion of the internal investigation in which a finding of fact has been concluded to substantiate that the employee in question acted within the legal scope of his authority, and violated no Departmental policy or criminal law, then said employee shall be immediately re-instated into his previous position, with no adverse action applying.

3. No employee will be suspended without pay unless such suspension is accompanied with a formal letter of disciplinary notice, notification of the employee's due process rights, and the method of appeal as outlined in the City of Auburn personnel manual, section 8.

IV. Disciplinary Process

All members of the Auburn Police Department are members of a team working together with a primary objective of serving the community. Employees who fail to follow the necessary rules and regulations, do a disservice to all members of the Department. It is the policy of the Auburn Police Department to administer discipline in fairness to the employee and the Department, and in accordance with the City of Auburn Employee Policy.

A. Responsibility of the Management in the Disciplinary Process

Supervisors at all levels of the Auburn Police Department are responsible for the administration of discipline. Generally speaking, the first line supervisor has the greatest opportunity to identify disciplinary needs and to take corrective action.

This Department recognizes three broad categories of discipline; positive, corrective, and punitive discipline. All supervisors and commanding officers may utilize all categories to the extent the policy allows. Limitations on the various levels of management are specifically withheld by policy.

B. Positive Discipline

Positive discipline is designed to stimulate the morale of the employee. Rewards, such as, time off with pay, awards, and letters of commendation are positive forms of discipline. The supervisor wishing to recognize an employee may complete a favorable contact form describing the action of the employee and forward the favorable contact to the Chief of Police via the Chain of Command.

1. Letter of Commendation: May be presented to employees for their performance in any of the following instances:

a. Employee's action results in the arrest of persons for major felonies.

b. Employee's action results in the rescue of citizen(s) from personal injury/ death.

c. Employee's action results in the rescue of another officer from personal injury/death.

d. Employee has demonstrated personal involvement in police/community programs.

The employee's supervisor shall submit a written request for a Commendation to be issued. Requests will be made to the Chief of Police describing the incident, the employee's performance, and reasons why a Commendation is recommended.

2. Time Off with Pay: The Chief may authorize time off with pay to an employee who has devoted extra time for special or exemplary projects.

C. Corrective Discipline

Corrective discipline is progressive and includes training and counseling. This discipline is appropriate in those cases involving minor duty infractions that can be corrected through proper counseling or training.

1. Counseling: A supervisor should use counseling as a function of discipline in cases involving infractions. Criteria used to determine the necessity of counseling, as opposed to other discipline may include:

a. Employee's past work record (including disciplinary record, attendance, job performance, evaluations, etc.).

b. Employee's attitude (toward work place, supervisors and other employees).

c. The severity of the offense in relation to Department guidelines governing offenses.

Supervisors who utilize counseling as a form of discipline, shall document the conditions that prompted the counseling session and the corrective action expected. Results should be forwarded to the Watch Commander or next level of supervision for review.

2. Training: A supervisor should use training as a function of discipline in those areas involving minor infractions, usually of a procedural nature in Departmental policy. Examples of areas that training may be used as a function of discipline include, radio procedures, firearms qualifications, and report writing, etc. Criteria used to determine necessity of training, as opposed to other forms discipline include:

a. The effectiveness of training in a particular area to improve productivity;

b. The ability of the employee to respond to re-training in specific areas; and

c. The employee's work performance record, to include, attendance, disciplinary records, etc.

Supervisors who utilize training as a form of discipline, should document the employee's shortcomings, deficiencies, or lack of expertise, and either take immediate steps to retrain in deficient areas, or schedule that employee for training.

Documentation shall be forwarded to the Watch Commander or next level of supervision for review.

D. Punitive Discipline

1. Verbal Reprimand: A verbal warning or indication of disapproval concerning a specific act, infraction, or violation of a policy or procedure, that is usually given by the immediate supervisor, and is noted for the record but does not become part of an employee's Employee file.

2. Written Reprimand: A written statement concerning a specific act, infraction of a policy or procedure that is made part of the employee's Employee file.

3. Suspension: The placing of an employee on leave without pay status for a specified time, not to exceed 30 days, for a specific infraction, act or violation of a policy or procedure, with the approval of the Chief of Police.

4. Administrative Leave Status: Investigation of Charges or Trial: The placing of an employee on administrative leave with pay pending investigation of charges and/or trial for job-related offenses.

5. Demotion: The movement of an employee from one position or class to another, with a lower grade level assignment.

6. Dismissal: The removal of an employee from City service for cause.

7. An immediate or higher-level supervisor is delegated the authority to immediately relieve an employee from duty, if the retention of such employee will cause or continue a disruption of the work force, and, within one work day, shall submit a recommendation for appropriate disciplinary action to the Chief of Police.

8. Any supervisor may immediately suspend any employee for the balance of the work day under any of the following conditions:

a. Employee is intoxicated;

b. Gross insubordination or misconduct;

c. Any violation of criminal law;

d. Gross negligence involving potential loss of life;

e. Any violation of Departmental rules and regulations that would submit the violating employee to immediate dismissal.

9. Any supervisor may recommend termination, under conditions that warrant termination, although the Chief of Police is the only authority within the Auburn Police Department authorized to terminate employees.

10. In all cases of dismissal, the following information will be provided the affected employee:

a. a statement citing the reason for termination;

b. the effective date of the termination;

c. a statement as to the status of fringe, and retirement benefits (supplied by Human Resources); and

d. a statement as to the content of the employee's employment record relating to dismissal.

E. Initiation of the Disciplinary Process

Corrective and punitive disciplinary action against an employee shall be initiated promptly, when it is evident that such action is necessary to maintain an orderly and productive work environment. Except in cases of theft or serious violation of policy, code of conduct, oath of office, honesty or procedure that creates a health or safety risk, disciplinary actions may be progressive in severity. The severity of the action shall be determined after consideration of the nature and gravity of the offense, its relationship to the employee's assigned duties and responsibilities, the employee's work record and other relevant factors. Supervisors who suspend an employee under any of the conditions listed above must notify their supervisor immediately, who in turn must advise the Chief of Police.

F. Disciplinary Records

Official disciplinary records are those documents involving any and all actions taken against an employee that involve any property interest loss subsequent to the disciplinary action. These disciplinary records are maintained in the Human Resources Department and retained securely therein consistent with the Georgia Records Retention Schedule. These records are also duplicated in internal management personnel files securely maintained within the Office of the Chief of Police. These files are maintained as a managerial reference for the Chief of Police and will be maintained therein for a minimum period of three years, unless otherwise specifically authorized by the Chief of Police. After such time the employee may submit a written request to the Chief of Police for consideration of removal of disciplinary actions from the file regarding written reprimands, suspensions, and chargeable accidents. If the request is approved, the disciplinary record shall be removed from the employee's file and destroyed by shredding or burning. All reports pertaining to OPS investigations shall be maintained permanently in a separate file.

_____

Christopher Hodge Date

Chief of Police

AUBURN POLICE DEPARTMENT CITIZENS COMPLAINT FORM

COMPLAINANTS NAME: _____

ADDRESS: _____

HOME PHONE: _____ WORK PHONE: _____

DOB: _____ SEX: _____

INCIDENT LOCATION: _____

INCIDENT DATE & TIME: _____

NAME(S) OF OFFICER(S) INVOLVED: _____

Please write a narrative of your complaint below:

_____

_____

_____

_____

_____

(continue narrative on next page)

WITNESS: List Name, Address and Phone Number

_____ _____ _____

_____ _____ _____

I swear or affirm the facts outlined in this complaint are true and accurate to the best of my knowledge. PLEASE NOTE: ANY PERSON WHO KNOWINGLY AND WILLINGLY MAKES A COMPLAINT OF A FICTITIOUS NATURE IS SUBJECT TO CRIMINAL PROSECUTION.

_____ _____

Signature of Complainant Date/Time of Complaint

_____

Signature of Agency Representative

SUPERVISOR DOCUMENTING COMPLAINT MUST FORWARD ORIGINAL COPY TO OFFICE OF PROFESSIONAL STANDARDS AND ALSO PROVIDE A COPY TO THE COMPLAINANT

(Page 1 of 2)

Case No: _____ Date: _____ Time:_____

(Leave blank)

Statement of: _____

_____

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Under penalty of law the above statement is true to the best of my belief and knowledge.

Signature: _____ Officer Witness: _____

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 05-2**
Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 09/28/2018

Subject: Out Side Employment

_____

I. Purpose

The nature of law enforcement requires Departmental employees to have the ability to work irregular duty schedules, which are subject to change in meeting manpower needs. Additionally, it is necessary that an employee have adequate rest to be alert during his tour of duty. For these reasons, and because certain occupations inherently conflict with an employee's primary responsibility to the Department, the Department may impose conditions on outside employment, or may prohibit it altogether. Determination of the degree of limitation will be based upon the interest of the Department in furthering professionalism, protecting the reputation of the employee and the Department, and ensuring that the Department receives full and faithful service in return for employment.

II. Definitions

Off-Duty Employment – secondary or outside employment wherein the use of law enforcement powers is not anticipated. Off-duty employment requirement applies to sworn and civilian employees.

Extra-Duty Employment – secondary or outside employment wherein the actual or potential use of law enforcement powers is anticipated. Extra-duty employment requirement applies to only sworn employees.

Outside Employment – when the term outside employment is used in this policy, it is referring to both off-duty and extra-duty employment.

III. Policy

The Department allows employees to engage in outside employment, if such outside employment does not interfere in any way with the performance of their duties and responsibilities as employees of the Auburn Police Department. In addition, the outside employment shall not involve employees in any conflict of interest between this Department and the outside employment. The employee will not engage in any outside employment which may raise the question of honesty, respect, integrity or loyalty to the department or to the laws which they are sworn to uphold. It is the purpose of this procedure to set forth guidelines, conditions and restrictions relating to outside employment.

IV. Rules and Regulations

A. Applications for Off-Duty Employment

All employees wishing to be considered for off-duty employment must complete the outside employment applications. The Outside Employment Application must first be approved by the employee's immediate supervisor. Off-duty jobs are monitored by the approving Division Commander or his designee to ensure that none conflicts with the guidelines of this policy or any current city ordinances and to ensure that the job opportunities are evenly distributed. No employee will be allowed to work a new off-duty job until the Division commander has verified that the job is not in conflict with the guidelines of this policy or any current city ordinances and has signed the Outside Employment Application Form verifying that this verification has been completed. All requests for off-duty employment must be approved by the Chief of Police. Civilian employees requesting consideration for outside employment are not authorized to use city issued equipment under any circumstances. An outside employment application form will be submitted for all outside employment, along with a signed workman's compensation waiver, agreeing to hold the City of Auburn harmless for any injury or liability incurred by any employee working an off-duty job. Non-sworn employees and sworn employees working off-duty employment in which Department issued equipment is not used, must also complete the application. The Chief of Police retains the authority to approve or to disapprove all applications for off-duty employment (O.C.G.A. 16-10-3). The Chief reserves the right to require any employee to discontinue any off-duty employment, if the employment constitutes a conflict of interest, or would tend to bring discredit to the agency or create a conflict that would impair the Employee's ability to perform his duties.

B. Applications for Extra-Duty Employment

Sworn employees who qualify for consideration for extra-duty employment must submit an Outside Employment Application. The application must first be approved by the officer's immediate supervisor. No officer will be allowed to work a new extra-duty job until the Division commander has verified that the job is not in conflict with the guidelines of this policy or any current city ordinances and signed the Outside Employment Application verifying that this check has been completed. The request will then be forwarded to the Patrol Commander or his designee for consideration. An outside employment application form will be submitted for all extra-duty employment, to include a signed workman's compensation waiver agreeing to hold the City of

Auburn harmless for any injury or liability incurred by any employee working an extra-duty job. The application shall contain a summary explaining the nature of the employment duties. Extra-duty jobs are monitored and assigned by the approving Division Commander or his designee. All requests for extra-duty employment must be approved by the Chief of Police. The Chief of Police retains the authority to approve or to disapprove all applications for outside employment (O.C.G.A. 16-10-3).

C. Supervision

The Patrol Commander or his designee, will have responsibility for the coordination of all extra-duty employment which utilizes sworn officers and Department issued equipment. All requests for extra-duty employment which involves the use of Department-owned property, must be referred to the Patrol Commander's designee, or in his absence, the Patrol Supervisor on duty.

Any employee engaged in outside employment shall conduct himself in an appropriate manner. Any conduct during outside employment which, if occurred during duty status hours would result in disciplinary action, could result in termination of the outside employment by the Department.

D. Accountability

All outside employment jobs are subject to being investigated. If it is determined that an outside employment job at any location is not appropriate, the Chief of Police will be notified.

E. Records

1. Officers taking enforcement action, while engaged in extra-duty employment, will contact Barrow (or respective county) County 911 by radio or telephone, and request that an on-duty officer meet with them. The on-duty officer will complete an incident report, evidence report, (if applicable), and process the arrest, (if applicable). The off-duty officer will be provided with the case number for the incident they are reporting. The off-duty officer will be required to complete a detailed supplemental report during their next assigned work date. If a Response to Resistance/Aggression Report is needed, the on-duty officer will complete the incident report, but the off-duty officer will be responsible for completing the Response to Resistance/Aggression Report before the end of their current shift.

2. Any incident wherein the officer is required to utilize his police authority will be reported to the Shift Commander in the form of a memo, referencing the applicable case number, and all appropriate reports completed.

3. The office of the Chief of Police will file all outside employment forms in the employee's personnel file.

F. Department Equipment

If any employee is engaged in extra-duty employment the entire uniform will be properly worn unless alternative attire is approved by the Chief of Police. The portable radio will be carried also. Civilian employees shall not wear the Departmental uniform while engaged in off-duty employment. Bike uniforms, golf shirts, and T-shirts are not permitted for extra-duty employment. Issued equipment will be utilized according to Departmental Policy and Procedures.

2. Officers may only use Departmental vehicles to travel to and from extra-duty employment and during such employment, when such extra-duty employment is a traffic related detail, or one located within the city limits of Auburn and is beneficial to the city to have the additional vehicle(s) visible as a deterrent to crime. Older (spare) vehicles will be utilized on traffic related details to prevent wear on the newer assigned vehicles. Officers will be responsible for replacing fuel utilized during the extra-duty employment (full fuel tank at end of detail) at their own expense. The use of a Department vehicle for extra-duty employment must be approved in advance by the Chief of Police on the Outside Employment application form.

3. Participation in outside employment does not relieve an employee of the responsibility to respond to call back as provided by Departmental emergency mobilization procedures or on-call/command responsibilities.

G. Outside Employment Hours

1. Employees will not allow outside employment to interfere in any way with their scheduled duties. No employee will be allowed to work more than 16 hours per day, including regular shift work, and no more than 36 hours in a week on an outside job.

2. An employee may use compensatory, holiday, or vacation time to exceed the thirty-six-hour per week limitation. Outside employment worked on these days will not count toward the thirty-six (36) hour per week maximum limitation.

H. Work Prohibition

The Auburn Police Department reserves the right to prohibit its employees from engaging in outside employment that might bring criticism or embarrassment to the Department. The following list of outside employment prohibitions is not intended to be all-inclusive but will serve as a guideline to supervisors when approving/disapproving work permits. Employees shall not engage in any employment or business involving:

1. Other Law Enforcement Agencies

2. Bail bondsmen

3. Investigative work for insurance agencies

4. Private guard companies

5. Collection agencies, collection of delinquent bills or repossession of any property

6. Attorneys

7. Testifying as an expert witness in any civil or criminal matter, pending against Auburn Police Department

8. Security at a nude dancing facility

I. Special Rules for Businesses Selling Alcoholic Beverages

1. Employment at any bar, lounge, or package store selling alcoholic beverages, either for takeout or on premises consumption, will be restricted to policing the parking lots for the purpose of serving as a deterrent to thefts, property damage, arguments, fights, open container violations, disorderly conduct, or other violations, and providing traffic control.

2. Employees will not routinely patrol the interior of such establishments or act as a "bouncer" for the establishment. Employees will enter the lounge or bar area only to enforce the law or prevent a violation thereof. Employees may, however, station themselves at the entry door, lobby, or foyer, etc., in order to prevent or control any activities cited in paragraph 1.

3. Employees will be limited to checking the identification of persons who appear, or are suspected, to be under age when they have purchased or are attempting to purchase alcoholic beverages. Any checking of identification for entry purposes will be the function of the management.

4. Under no circumstances will an employee be allowed to loiter in the lounge or bar area of such establishments before, during, or after their extra job duties, while in uniform.

5. All employees should be mindful of the fact that while in public view, in an establishment which serves alcoholic beverages, their actions are under close scrutiny by both patrons and employees of the establishment. Each employee should insure that not only do their actions conform to the Rules and Regulations of the Department, but also that the actions of the establishment's management, employees, and patrons conform to applicable State Law and City Ordinances.

J. Injuries

If an officer or other person is injured during any police-related incident during extra-duty employment, patrol commander will be summoned to the scene. The on-duty supervisor will ensure that all required documentation is completed and determine if the Chief of Police requires notification.

If an officer is injured while working an extra-duty job the following will be completed:

1. Incident report titled "Extra-Duty Employment Injury."

2. All necessary workman's compensation forms from extra-duty employer.

3. When an officer is clearly acting within the scope of a Police Officer, then they are protected by the indemnification Policy of the City of Auburn.

K. Injury Review

Each incident where an officer is injured while working an extra-duty job will be reviewed on its own merit. This review will ascertain if the officer was working in an approved extra-duty capacity and actively performing a police function. The Chief of Police will make this review and forward his findings to the Human Resources Coordinator for the City of Auburn.

L. Denial and/or Revocation

1. Applications for outside employment that do not meet the requirements of these regulations will be denied. If an application is denied, or is later revoked, immediate notification of the employee's Division/Unit Commander will occur.

2. Approval may be denied where it appears the outside employment is, in the opinion of the Chief of Police, likely to:

a. Render the officer(s) unavailable during an emergency

b. Physically or mentally exhaust the employee to the point that their performance may be affected

c. Require that any special consideration be given to scheduling of the employee's regular duty hours, which is detrimental to the Department

d. Bring the Department into disrepute, or impair the operation or efficiency of the Department or employee

e. Involve the use of Department records

3. Officers will not be authorized to work outside jobs until they have successfully completed their F.T.O. program and exit interview with the Chief of Police. Civilian probationary employees must complete their probationary period before being considered for outside employment, unless they have a specific need, prior to completing this period. If such a situation exists, they must make a written request, documenting the need, and submit it to their immediate supervisor, who will then make a recommendation to be reviewed by the Chief of Police for approval or denial.

4. Permission to engage in outside employment shall be suspended whenever the employee:

a. Is placed on light duty by a physician

b. Is suspended from duty

c. Has applied for, or is receiving workman's compensation benefits

d. Is on military leave

e. Is scheduled for official duty such as training, court, or special event

f. Is out sick. This restriction remains in effect until the employee completes his next scheduled shift

g. An officer may be denied extra-duty employment if he fails to report to extra-duty as scheduled by a supervisor designated by the Patrol Commander designee; is derelict in his duty; or rejects an offer to work extra-duty twice in one year. The Patrol Commander designee has wide discretion in deciding if the officer's rejection is for legitimate reasons

5. Permission to engage in extra-duty employment shall also be suspended when an employee receives an annual evaluation, which is below standard or if there is a pattern of sick leave abuse.

M. Availability of extra-duty employment

The patrol commander or his designee shall post any requests for off-duty employment as received by the agency in the form of a memorandum/sign-up sheet. The availability of any off-duty employment is distributed on a first-come, first-served basis.

_____

Christopher Hodge Date

Chief of Police

AUBURN POLICE DEPARTMENT

OUTSIDE EMPLOYMENT APPLICATION FORM

Date_____

Employee's Name_____I.D.#_____

Current Assignment_____

Name of outside employer_____

Address of outside employer_____

_____

City of Auburn
Police Department
A Community Oriented Law Enforcement Agency
Chris Hodge
Chief of Police

Name of outside Supervisor_____

Nature of employment duties_____

_____

YES NO I anticipate the use of my authority as a Sworn Officer during this outside Employment.

YES NO I will be using the Auburn Police Department uniform and/or equipment during hours of outside employment.

YES NO I request the use of an Auburn Police Department marked police vehicle during the hours of THIS outside employment.

Estimated number of hours per week_____ I under stand that I may not work more than Thirty-six (36) hours of outside employment in a given week or at any time that would conflict with or possibly impact my normal duty hours.

YES NO I will be covered by my Outside Employer's Worker's Compensation Insurance during my outside employment. (If your answer is " yes" you must submit with this request a Workman's Compensation Agreement which must be signed and notarized by the Outside Employer.)

(If your answer above is "no", you must complete a Waiver of Workman's Compensation Insurance for the City of Auburn which must be signed and witnessed.)

WAIVER

I, Officer_____, will be employed by _____.

I agree to hold the City of Auburn and its Worker's Compensation Insurance harmless for any injury or liabilities incurred by me by reason of my Off-Duty/Extra-Duty Employment.

_____ _____

Employee Date Approving Supervisor Date

I_____ have verified that the employment opportunity being requested is not in violation of Departmental Policy or any current City Ordinances.

_____ _____

Division commander Date

Approval/Disapproval

Unit #_____ is authorized for THIS extra-duty employment.

_____ _____

Division Commander Date Chief of Police Date

Approval/Disapproval Approval/Disapproval

AUBURN POLICE DEPARTMENT

REQUEST FOR APPROVAL FOR OUTSIDE

EMPLOYMENT

I, _____, hereby make this request for outside employment by filing this request and the attached outside employment form to be submitted for the use of the Auburn Police Department.

This request is made with the express understanding that I have read and will comply with requirements of Policy # 5-2, "Outside Employment". I further understand that I remain responsible for compliance with all orders while engaged in outside employment.

Nothing contained in this request will affect my obligation to the Auburn Police Department to be available for emergency service: nor will I accept this employment or any other employment without the express written consent of the Chief of Police.

I certify that my outside employment will not conflict with my oath of office as a peace officer in the State of Georgia.

I understand that O.C.G.A. 16-10-3 requires that, prior to accepting outside employment with a private person, firm or corporation, I must secure the written permission of the Chief of Police.

Nothing in this request for outside employment will be construed to render the City of Auburn liable for my conduct while engaged in outside employment.

Pursuant to Policy #5, Page 5-8, Paragraph 12, this permit is revoked during periods of sick leave use until the employee has returned to work and completed a full scheduled day of duty.

Submitted this_____Day of_____ 20___.

_____

Signature of Employee

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 05-3**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/01/2018

Subject: Workplace Harassment

I. Purpose

SEXUAL HARASSMENT AND ILLEGAL DISCRIMINATION

Federal Statute Summarized

Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits employment discrimination based on race, color, religion, sex, or national origin;

the Equal Pay Act of 1963 (EPA), which protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination;

the Age Discrimination in Employment Act of 1967 (ADEA), which protects individuals who are 40 years of age or older;

Title I and Title V of the Americans with Disabilities Act of 1990 (ADA), which prohibit employment discrimination against qualified individuals with disabilities in the private sector, and in state and local governments;

Sections 501 and 505 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified individuals with disabilities who work in the federal government; and

The Civil Rights Act of 1991, which, among other things, provides monetary damages in cases of intentional employment discrimination.

II. POLICY

A. It is the Auburn Police Department's policy to maintain a professional working environment for all employees, free of any form of unlawful discrimination or sexual harassment. Harassment or discrimination based on an individual's race, color, religion, sex, national origin, age, disability, marital status, sexual orientation, or veteran status is illegal and will not be tolerated. It should be

understood that a claim of sexual harassment may bypass the normal grievance procedure and that the claim can be expressed privately to the appointing authority.

This policy applies to all employees, vendors, service representatives, and other doing business with the Auburn Police Department.

We are all responsible for maintaining a work environment free of sexual harassment and other forms of impermissible discrimination. Your cooperation in preventing this type of conduct is essential. Any action which creates an offensive or hostile work environment such as:

Definitions/ Prohibited Conduct

No supervisor shall threaten or insinuate, with explicitly or implicitly, that an employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development is endangered.

Verbal abuse and sexual, ethnic or racial slurs will not be tolerated.

Any verbal, visual or physical conduct that belittles or demeans any individual on the basis of race, color, religion, sex, national origin, age, disability, marital status, sexual orientation, or veteran status is unacceptable conduct.

B. OTHER UNACCEPTABLE CONDUCT

1. Other unacceptable conduct, whether committed by supervisory or non-supervisory personnel, includes:

Unwelcome sexual remarks, advances, and propositions;

Unwelcome touching or other physical contact;

Unwelcome or repeated requests for dates or other social engagements;

Graphic verbal comments about an individual's body;

Sexually degrading words used to describe an individual;

The display of sexually suggestive objects or pictures in the workplace;

Threatening or profane language towards others;

Using voice or e-mail or facsimile for the transmission of sexually suggestive, discriminatory or otherwise inappropriate material;

Jokes or pranks or other conduct which are offensive or unprofessional.

IV Reporting Procedures

A. REPORTING ALLEGATIONS OF SEXUAL HARASSEMNT OR OTHER IMPERMISSIBLE DISCRIMINATION

Any employee who believes that the actions or words of a supervisor, manager or fellow employee constitute sexual harassment or discrimination must bring the problem to the supervisor's attention immediately. If the supervisor is the subject of the complaint, then the employee must continue to the next highest person in the chain of command.

You should also promptly advise your supervisor if you are ever harassed or discriminated against at work by a vendor, service representative or others doing business with the Auburn Police Department, so that appropriate action may be taken.

If you believe you have been sexually harassed or discriminated against, you should immediately report such complaints to your immediate supervisor or to the Professional Standards Officer. If the complaint involves someone in your direct line of supervision, then you should inform another supervisor or the next level supervisor in the chain of command of the complaint. Supervisors receiving complaints of sexual harassment or other impermissible discrimination should immediately inform the Chief of Police or his designee.

B. DISPARATE TREATMENT

Disparate treatment is discrimination in the workplace when a person is treated differently because of a protected class, i.e. race, age or sex. Supervisors must avoid this behavior.

C. REASONABLE ACCOMODATIONS

Under the ADA section of Title VII, reasonable accommodations are when the employer takes measures to ensure that the qualified disabled individual can still be able to perform the job. An employee is considered "qualified" when he/she can fulfill the task description for the position he/she holds or the position for which he/she applies.

D. RETALIATION

No employee who brings a complaint in good faith will suffer an adverse employment action because of reporting a claim of alleged sexual harassment or other form of illegal discrimination, even if the investigation produces insufficient evidence to support the complaint and even if the charges cannot be proven.

a. There will be no retaliation against any other individual who participates in the

investigation of a complaint.

b. Retaliation is a serious violation of this policy and should be reported immediately. If

you believe you have been retaliated against, report this to the Chief of Police

immediately.

c. Any person found to have retaliated against another individual for reporting harassment

or providing information concerning an act of harassment will be subject to the same

disciplinary action provided for harassment offenders.

E. INVESTIGATION

Each complaint of sexual harassment or illegal discrimination will be investigated promptly, thoroughly, impartially, and in the most discreet manner possible.

Supervisors have a duty to investigate allegations of sexual harassment or other impermissible discrimination and to take immediate and appropriate corrective action. If necessary, the supervisor may request the Chief of Police initiate an internal investigation

F. SUPERVISOR RESPONSIBILITIES

Supervisors who allow sexual harassment or unlawful discrimination to continue or fail to take appropriate corrective action upon becoming aware, may be considered a party to the offense, even though they may not have engaged in such behavior.

Supervisors who fail to respond appropriately to allegations of sexual harassment or illegal discrimination will be subject corrective action and/or disciplinary action, including discharge.

G. EDUCATION

The Auburn Police Department shall make affirmative efforts to educate and sensitize its employees regarding conduct that constitutes sexual harassment or other impermissible discrimination, and to inform them that it is prohibited.

To that end, the Auburn Police Department shall:

communicate and distribute this policy to all employees, with the affirmation that it constitutes agency policy and

conduct training and education programs to ensure that supervisors and employees clearly understand that sexual harassment or other illegal discrimination in the workplace is illegal and will not be tolerated.

H. RECOGNIZING POTENTIAL SEXUAL HARASSMENT

Harassing behavior may include, but is not limited to the following:

(1). Unwelcome verbal remarks:

Referring to an adult as “girl”, “hunk”, “doll”, “baby”, or “honey”;

Whistling at someone, cat calls’ making sexually-based comments about a person’s body;

Making sexual comments or innuendos’;

Turning work discussions to sexual topics;

Telling sexual jokes or stories;

Asking about sexual fantasies, preferences, or history, personal questions about social or sexual life;

Making sexually-based comments;

Repeatedly asking someone out or trying to date a person who is not interested in dating;

Making kissing sounds, howling, and smacking lips;

Telling lies or spreading rumors about a person’s personal sex life;

(2) Unwelcome Non-verbal conduct:

Looking a person “up and down” in a sexually-suggestive manner;

Staring at some sexually-suggestive manner;

Blocking a person’s path so that the person must touch you;

Following a person

Giving gifts of a personal or intimate nature;

Displaying sexually suggestive pictures or drawings;

Making facial expressions such as winking, throwing kisses, or licking lips;

Making sexual gestures with hands or through body movements.

(3) Unwelcome Physical Conduct

Giving a massage around the neck or shoulder;

Touching the person's clothing, hair or body;

Hanging around a person;

Hugging, kissing, patting or stroking;

Touching or rubbing oneself sexually around another person;

Standing close or brushing up against another person

I. TO DETERMINE IF YOUR BEHAVIOR IS UNWANTED

Ask yourself:

Would I want any of those behaviors to appear on the evening news?

Is there equal power between me and the person that I'm interacting with?

Would I behave the same way if the person I'm in a relationship with were standing next to me?

Would I want someone else to act this way toward a person I'm in a relationship with?

Is there equal initiation and participation between me and the person I'm interacting with?

WHY SOME PEOPLE HESITATE TO REPORT

Sexual harassment and rape have remarkably similar effect upon their victims, particularly in those cases where the perpetrator is known to the victim. Thus, like rape, sexual harassment is not overly reported; it is more likely under-reported.

Often recipients of sexual harassment are very embarrassed and don't want to talk about it with anyone.

They fear that if they talk about it, nothing will be done, or the complaint won't be taken seriously.

They fear reprisal from the harasser, especially if that person is their boss or a representative of management.

They may be concerned about being labeled a trouble maker, especially if they are new to the job.

They are afraid of being told that they "asked for it."

They are afraid of being fired, demoted, not promoted, or transferred.

They blame themselves.

They are told they "should be flattered".

They are afraid of being blamed or laughed at.

They may fear for their personal safety.

V. Discipline

Any employee, supervisor, or manager who engages in conduct which violates the harassment policy will be subject to appropriate disciplinary action, which may include reassignment, suspension, demotion, up to and including termination.

B. Managers and/or supervisors who allow workplace harassment to continue or fail to take corrective action upon becoming aware of the harassment may be considered a party to the offense, and subject to the same type of disciplinary actions or one who engaged in the behavior, even though they may not have engaged in the behavior.

_____

Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 05-4**
Effective Date: May 1, 2018
Revised: 01/05/2018

Review: 10/01/2018

Subject: Grievance Process

_____

I. Purpose

The purpose of the policy is to ensure a consistent method that employees covered by this policy may use to have their problems or complaints considered in a timely fashion, fairly and without fear of interference, restraint, coercion, or retaliation.

The following policy and procedures serve as a tool to assist employees and managers to resolve problems within the workplace. The procedure is listed in paragraph E below.

II. Policy

It is the policy of the Auburn Police Department to ensure prompt and fair response to employee grievances. This is accomplished by creating an orderly procedure that will provide a means of communication between supervisors and employees and uniformity in processing a grievance or appeal.

III. Definition

A grievance is a formal statement of complaint, generally against an authority figure.

A. What is Grievable?

The improper application of personnel policies, procedures, rules and regulations, and ordinances and statutes.

Acts of reprisal because of the use of the grievance procedure or of participation in the grievance of another employee.

Complaints of discrimination based on race, color, creed, political affiliation, age, handicap, national origin, or sex. Intimidation because of failure to participate in political activities.

III. Procedure for filing Grievances based on Unlawful Discrimination:

Any employee who has reason to believe that employment, promotion, training, or transfer was denied the employee; or, that demotion, reduction in force or termination of employment was forced upon the employee because of age, sex, race, color, national origin, religion, creed, political affiliation or handicapping condition (disability), except where specific age or sex requirements constitute a bona fide occupational qualification necessary to proper and efficient administration, or where specific physical or mental abilities are necessary to perform the essential functions of the job, alleging unlawful discrimination, shall have the right to appeal through the departmental grievance procedure within the timeframe established or may appeal directly to the State.

1. Nature of the grievance

An employee's grievance shall include the following:

a. Specifically, factually, and clearly detail the allegation and the harm

done.

b. State that the harm arose from an act, commission, or omission that

directly affects the employee's working conditions or employment relationship.

c. Define a grievable matter that is within departmental control.

d. State the relief sought that is within the department's power to grant.

2. First management step

a. The employee shall identify the grievance orally to the immediate supervisor in an informal meeting within 10 calendar days after the event or action which is the basis for the grievance. A grievance alleging discrimination or retaliation by the immediate supervisor may be initiated with the next-level supervisor.

b. The supervisor shall give an oral response to the employee within five work days following the meeting.

c. If a resolution is not reached at this point, the employee shall submit a memorandum to the supervisor which outlines the information listed under "A" above within five work days after receipt of the oral response.

d. The supervisor, in turn, shall give the employee a written response within five (5) work days of receipt of the employee's memorandum.

3. Second management step

a. If the employee cannot achieve resolution of the grievance during the first management step, and the status of the complaint as grievable has not been decided, then the employee should ask the supervisor to present the employee's memorandum to the Chief of Police. The grievance must be submitted to the Chief of Police within five work days following receipt of the supervisor's reply.

b. Upon receipt of the memorandum the Chief of Police shall meet with the employee, the supervisor, and appropriate witnesses.

c. The Chief of Police shall give the employee a second-step response in writing within five work days following the date of the meeting.

d. If the employee desires the presence of legal counsel, the Chief of Police may have legal counsel present as well.

e. The Chief of Police shall decide whether the issue is grievable.

f. If the issue is not grievable, the employee shall be advised that he or she may file a formal appeal to the Judge of the Municipal Court. The Judge's decision is final. The employee must file an appeal with the City Administrator within ten (10) work days of being notified that the grievance is not a valid grievance. The Chief of Police shall transmit to the City Administrator a copy of the decision by the Chief, concerning the matter. The Judge shall hear the appeal within 30 calendar days of the receipt of such records. The Judge's decision shall be rendered within 30 calendar days of the conclusion of the hearing.

IV. Excluded

1. Probationary employees.

a. An employee who has voluntarily resigned may not have access to the grievance procedure after the effective date of the resignation. An employee who has been removed shall not have access to the grievance procedure but can file an appeal when the dismissal resulted from a formal discipline or unsatisfactory job performance. This grievance must be filed within 10 calendar days of the dismissal date. Any grievance initiated by a permanent employee before voluntary separation from the department may continue to be processed through the grievance procedure.

V. Grievance Records

Grievance records will be maintained by the office of the Chief of Police. Only those persons directly involved with the grievance or who has a need to know shall be granted access to such records.

VI. Appeal

Should the employee disagree with the decision of the Chief of Police, he or she has the right to request a review of the matter with the Judge of the Municipal Court, whose decision shall be conclusive on all grievance matters. A request for such review must be made in writing, signed by the employee, and filed with the City Administrator within ten (10) days of the date the employee receives notice of the Chief of Police's decision on the grievance.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operation Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 06**

Effective Date: March 1, 2018 Revised: 03/01/2018

Review: 10/01/2018

Subject: Personnel Early Warning System

Purpose: To offer appropriate intervention strategies to employees identified at-risk through the department's Personnel Early Warning System.

Policy: It shall be the policy of the Auburn Police Department to actively monitor all employees' conduct and provide appropriate intervention, as necessary, for the benefit of the employee and the Department. Furthermore, it shall be the policy of the Department to assist supervisors in the identification of employees with potential performance-related problems.

1. Discussion

The Auburn Police Department has a responsibility to its employees and the community to develop and demonstrate a positive approach to identifying and assisting any police employee whose performance indicates the possibility of job stress or other job-related problems. These symptoms may be exhibited by:

1.1. Field performance by the employee that is likely to indicate a tendency to use unnecessary or unreasonable force.

1.2. Over - aggressiveness that may create risk of unnecessary injuries or equipment abuse.

1.3. Personal techniques or habits that tend to increase the severity of field contacts or arrest situations.

1.4. Work habits that seriously affect job performance.

2. Early Identification System

The department's Early Identification System (EIS) is designed to help identify at-risk employees at an early stage.

1.1. No system can guarantee it will positively identify all employees who need special assistance. There are certain performance indicators that, when used in a systematic way, may alert both supervisors and employees to the possibility of a problem.

Personnel Early Warning System

Often, time, location and person observing the incident or relative frequency separate the specific events. This system is designed to capture critical tasks and incidents over a period of time to highlight the performance of certain employees.

1.2. This system is not intended to produce conclusions regarding any individual employee's performance. It is simply a tool for supervisors and managers to identify employees who need assistance, at an early stage, and ensure that reasonable assistance can be provided and tailored to the individual employee.

1.3. This system is designed to capture essential information and identify those employees who must then be contacted by their immediate supervisor. It requires the supervisor to counsel with, and if

warranted, recommend remedial approaches to assist the employee. Some of these remedial resources include:

1.3.1. Additional counseling;

1.3.2. Supervised observation periods in the field;

1.3.3. Peer counseling;

1.3.4. Remedial training;

1.3.5. Psychological services;

1.3.6. Substance abuse counseling; and

1.3.7. Temporary assignment change.

3. Criteria for Early Warning System

The criteria used for this system are those events that have the potential to produce negative results, erode community confidence, result in injury or death, or generate potential liability. The following events will be used as a basis for this system.

3.1. Complaints alleging misconduct.

3.2. Use of force reports.

3.3. Firearms discharge.

3.4. Vehicular pursuits.

Personnel Early Warning System

3.5. Official vehicle traffic accidents.

3.6. Criminal complaints filed against an agency employee.

3.7. Civil lawsuit filed against an employee.

4. Internal Affairs as the Monitoring Agent

The Criminal Investigations Division Commander will maintain all Personnel Early Warning System files to include the original notification, review and supplemental recommendations. These files will be maintained separately from the employee's personnel or medical file. The Criminal Investigations Division Commander will also be responsible for updating the Chief of Police as needed, and the preparation and transmittal of the System's semi-annual reports.

5. Reporting Formats

5.1. Reports will be prepared by Internal Affairs indicating individual employees who have accumulated the number of incidents outlined below for the applicable period of time.

5.2. Internal Affairs will monitor the following specified department records and make written notification when one or more of the following situations exist.

5.3. The reports are essential to identify any employee who may warrant attention, but fails to accumulate the required number of incidents within the designated period of time, yet accumulates a significant number of such incidents over a longer period.

5.4. The semi-annual report will identify employees who generate the following during a six (6) month period:

5.4.1. Three (3) or more use of force reports;

5.4.2. Two (2) or more vehicular pursuits;

5.4.3. One (1) or more firearm discharges;

5.4.4. Two (2) or more complaints of misconduct;

5.4.5. One (1) or more civil lawsuits or criminal complaint filings;

Personnel Early Warning System

5.4.6. Two (2) or more of any combination of the selected early identification system criteria.

5.5. An Early Warning System review will be initiated upon written notification by an employee's supervisor that any of the following conditions exist:

5.5.1. Two or more chargeable accidents in city vehicles with a six-month period;

5.5.2. Any act or threat of violence against another employee(s);

5.5.3. A discernable pattern of abuse of leave or tardiness;

5.5.4. More than one unexcused absence within a six-month period;

5.5.5. Any allegation of domestic violence involving the employee, whether as victim or aggressor;

5.5.6. Behavior by an employee that is so unusual or inappropriate that it disrupts normal working conditions or creates an unsafe work environment;

5.5.7. Any apparent indication that an employee is being mentally or physically abused (i.e. bruises, significant behavioral changes, excessive sleepiness, etc.); or

5.5.8. An employee's involvement in an emotionally or physically traumatic incident that appears to be detrimentally affecting the employee's performance.

5.6. Any member of an employee's supervisory/management chain-of-command may make the notification. The notification will be in writing and addressed to the employee's Division Commander with a copy to Internal Affairs and the Chief of Police.

5.7. Internal Affairs will conduct an annual review of the Personnel Warning System and submit a report to the Chief of Police. The report will include an analysis of the reviews conducted that year to determine if the system is appropriately identifying individuals in need of intervention. A review of IA's conducted that year will be made to determine if there were cases investigated which could or should have been prevented by early intervention.

Personnel Early Warning System

5.8. Suggested improvements to the Early Warning System will be included in the report based on the reviews and analyses and will identify any employee who during the previous twelve (12) months generated the following:

5.8.1. Four (4) or more use of force reports;

5.8.2. Three (3) or more vehicle pursuits;

5.8.3. One (1) or more firearm discharges;

5.8.4. Three (3) or more complaints of misconduct;

5.8.5. One (1) or more civil lawsuits or criminal complaints filings; or

5.8.6. Four (4) or more of any combination of the selected early identification criteria.

5.9. For each employee identified in either the semi-annual or annual report, Internal Affairs will provide a report listing the employee's name, assignment, and a listing of the specific number and type(s) of incidents that were used to identify the individual employee. This report will be forwarded to the unit of assignment of the identified employee. Internal Affairs will assign a return due date of two (2) calendar weeks and ensure that the required response is returned within that period of time or that an approved extension request is made and maintained on file.

6. Responsibility of the Employee's Unit of Assignment

6.1. When a division commander receives a report from Internal Affairs on one of his employees, the commander will assign the employee's immediate supervisor to meet with the employee and discuss the contents of the report. The supervisor may contact Internal Affairs for a more complete understanding of the specific incidents involved.

6.2. It is extremely important that all persons recognize that this is not meant to be a disciplinary process. This is a supervisory notification of a potential personnel performance problem. It is a systematic process to alert the division commander and the employee to a condition that necessitates concern and attention. The Early Identification System is designed to be a resource to assist supervisors in their primary function of personnel development and guidance.

6.3. The supervisor shall prepare a written report outlining the meeting and any recommended actions.

Personnel Early Warning System

The employee will have an opportunity to review the supervisor's completed report and, if desired, can note on the report or prepare a supplemental report expressing his/her agreement or disagreement or add personal comments.

7. Approval of Supervisory Action

The completed supervisory report and any reports of the employee will be forwarded to Internal Affairs through the normal chain of command. Each level within the command chain must indicate agreement or disagreement with the recommended action of the immediate supervisor. The Chief of Police will be the final authority on the action to be taken. Internal Affairs will be responsible for verifying that the recommended action is implemented. Internal Affairs will store these reports in a separate and secure file.

8. Availability and Use of Supervisory Counseling Reports

The completed supervisory counseling reports or the absence of any such notices should be used by supervisors in other personnel decisions such as recommended disciplinary actions, subsequent Early Identification System, counseling notices, performance evaluations, and assignment changes.

9. CONSTRUCTION AND INTERPRETATION

Nothing in this section shall be construed to create any contract of employment; to change the "at will" nature of the employment relationship between each officer and the City: or to entitle any person to any disciplinary action or progressive action or number of incidents prior to disciplinary action being taken.

Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 07**
Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/01/2018

Subject: Mobile Data Computers

I. Purpose

In order to ensure proper usage of the Mobile Data Computers being issued to officers, employees, and members of the department, this policy will outline the guidelines for proper operation, maintenance and punitive concerns with regard to damage and proper use of hardware, software and network operations.

II. Policy:

It is the policy of the Auburn Police Department that the use of a departmentally issued Mobile Data Computer be used in compliance with all applicable Federal regulations and State of Georgia statutes. The mobile data computer is an essential component to the reporting process as it accelerates the proficiency, timeliness and accuracy of departmentally generated reports. The Mobile Data System is not designed, nor is it intended, to replace voice communications transmissions.

III. Procedures:

A. Internet access is restricted to work related purposes only. Any employee abusing internet access by accessing inappropriate sites or downloading inappropriate or personal material may be subject to disciplinary action and/or loss of internet access.

B. All communications and information accessible by this device should be considered confidential.

C. Mobile Data Computers while in the car must be securely mounted/locked in the mounting bracket. When outside of the vehicle, they shall be safely secured and maintained at all times.

D. No software of any kind may be loaded onto the computer without prior approval.

E. No software may be removed, modified, or copied from the computer. All computers should be rebooted and connected to the VPN each workday of the assigned officer. This process is necessary to facilitate the wireless installation of system operating programs or updates and the antivirus program as managed by the City of Auburn's IT Department. The current program is designed to detect and quarantine any virus or malicious program that may be imported via the use of jump drives, memory devices, or other data media that are not issued by the IT Department.

F. No information will be obtained for the personal gain of the user. Any such attempt shall result in disciplinary action and potential criminal prosecution.

G. All personnel operating a Mobile Data Computer will be issued a password. Personnel are responsible for maintaining security of their passwords. Sharing of passwords is prohibited unless otherwise approval is granted by the Chief of Police or his designee.

H. All laptops and accompanying hardware assigned to personnel for mobile purposes are the property of the Auburn Police Department. They are intended for official work only.

I. None of the computer settings can be changed, including passwords.

J. The phone air cards are only to be used with the assigned laptops, and definitely not for personal use. The laptops will be checked periodically for viruses, spy ware, condition, and use history. Anything suspicious or mishandling found, will be reported to the Patrol Commander. Disciplinary action may result.

K. Any computer related problems, including loss or theft of equipment, will be reported to the officer's immediate supervisor immediately. Any lost, stolen, or damaged equipment will be documented in an incident report.

L. When the vehicle is in motion, officers shall limit use of the Mobile Data Computer to the following:

1. Single keystroke operations

2. Vehicle registration/stolen checks – only when traffic/ weather conditions are favorable.

M. The user of the Mobile Data Computer can send text messages to a single unit, multiple units and system wide. These text messages shall be limited to duty related issues. Under no circumstances shall an officer/employee using the Mobile Data Computer broadcast jokes, sexual comments, racial comments, provocative or suggestive comments, or any language that creates an intimidating, hostile or offensive work environment of any kind.

N. All messages sent via the Mobile Data Computer are recorded and subject to open records discovery. Mobile Data Computer text messages will be reviewed randomly by the system

administrator to assure proper content. The content of all transmissions over the (MDC) system shall comply with the same requirements as with voice radio transmissions. Officers will still notify the 911 Communications Center of all traffic stops using voice communications transmission.

O. All Mobile Data Computers assigned to officers who are GCIC/NCIC certified must be securely stored when not in use. If the MDC is mounted in an assigned vehicle the vehicle must remain locked when not occupied. If the officer takes the MDT home and removes it from the vehicle, it must be securely stored in a manner that would prevent unauthorized persons from access to this terminal. Under no circumstances will an officer allow family members or acquaintances access to their MDC. The MDC may be used while the officer is working an extra duty job, but only for official law enforcement purposes.

P. All GCIC/NCIC queries that indicate a positive hit, such as wanted person, stolen article, domestic violence or missing person, should be confirmed to assure that the proper interpretation of the hit is valid and is confirmed through NCIC/GCIC procedures. The officer should not act solely on the information obtained through the Mobile Data Computer until it is confirmed by the NCIC/GCIC operator on duty. Since the Mobile Data Computers are considered an extension of the main agency terminals in the Auburn Police Department, all positive hits obtained from these terminals must be confirmed through the main NCIC/GCIC operator on duty, which would be the Support clerk.

Q. Requests for hit confirmation should occur using voice communications.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 07-1**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/02/2018

Subject: On-Officer Body Camera

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I. PURPOSE

Police body worn cameras remain an effective tool in recording the day to day activities of all sworn employees with the Auburn Police Department. Research shows that police body cameras improve police accountability and lower reports of police misconduct. Police body cameras also provide visual and audio data that can independently verify events and be used as evidence in civil and criminal courts. In addition, body worn cameras also protect police officers against false accusations of misconduct and offer transparency and accountability to the public. Lastly, video recorded from police body cameras can be used to train new and existing officers on how to perform during difficult encounters with the public. This policy will establish operational and submission guidelines for the use and care of the department's "On-Officer" Body Cameras (OBC).

II. DEFINITIONS

On-Officer Body Camera

The only approved on-officer body camera authorized by the Auburn Police Department is the TASER AXON Flex and the Sentry 360-BW-GW25.

The on-officer body camera is an audio/video recording system worn and used by officers to document police related incidents.

Any other video cameras used by officers for law enforcement purposes will:

Be approved by the Chief of Police or Division Commander.

Adhere to protocols outlined in Evidentiary Recordings.

Operation Mode Definitions

Normal (Buffering) Mode: The on-officer body camera continuously loops video recording for up to 30 seconds before recording is started by officer. Records video only (no audio) while buffering.

ETM: Evidence Transfer Manager. Docking station that uploads data and recharges the AXON Flex system.

III. GENERAL GUIDELINES

Operational Guidelines

The on-officer body camera and battery pack will be signed out by the officer each day.

Officers will inspect the on-officer body camera for any physical damage and ensure the device is in working order at the beginning of the shift.

Prior to going into service with an on-officer body camera, officers will ensure they are wearing an authorized uniform, clearly identifying them as an Auburn Police Officer, unless otherwise authorized by the Chief of Police or Division Commander or his designee.

Officers will make every effort to place the on-officer body camera in the Record Mode as soon as practical during a given situation.

On-officer body camera recordings will be used for official Department purposes only.

On-officer body cameras will only be worn in a manner authorized by the Chief of Police.

Current approved mounts are:

Oakley Flak Jacket glasses with approved lenses.

Headband manufactured by TASER.

Authorized ball cap with proper mount.

Sentry 360 vest-mounted saddle

User Guidelines

Officers will make every effort to activate the on-officer camera to record the following event(s), if practical:

Traffic stops and citizen contacts.

Impaired driver investigations.

Vehicle pursuits and failure to yield incidents.

Accident scenes.

All calls for service.

Transportation of any prisoner(s) or citizens for any reason.

Any time an officer feels it is appropriate to record.

All searches (Persons, Vehicles, Structures, etc.)

Statements made by subjects, victims, and witnesses.

Advising an individual of his/her Miranda rights.

During interrogations/interviews.

Other legitimate law enforcement contacts.

Once on, officers will continue to record until the completion of the event, or they have left the scene, except in instances outlined in this order.

Additional arriving units to a scene assigned an on-officer body camera will begin recording as soon as practical and continue to record until the completion of the event, or they have left the scene (this includes recording of statements.).

Officers may use media captured via the on-officer body camera to assist with the investigation and completion of reports.

Officers may use media captured via the on-officer body camera for training purposes, with proper authorization from the appropriate division commander or his designee

Restrictions

In accordance with Recording Protocols, members shall not make surreptitious recordings of conversations with other Department members except:

When necessary, in a criminal investigation; or

Unless approved by Chief of Police or his designee

The on-officer body camera will not be intentionally activated to record conversation(s) of fellow employees with or without their knowledge during routine, non-enforcement related activities.

Members will advise other Department members and/or other criminal justice personnel (prosecutors, judges, or other law enforcement personnel) when an on-officer body camera is recording.

Do not record:

During employee breaks.

Report writing.

Discussing a case with other officers.

During other administrative functions.

During general discussions with employees.

The on-officer body camera will not be activated in places where a reasonable expectation of privacy exists, such as dressing rooms or restrooms.

Members shall not record confidential informants or undercover officers.

Officers will not allow citizens to review the recordings unless approved by the Patrol Commander.

Members accessing, copying or releasing of on-officer body camera recordings for other than official law enforcement purposes without authorization by the Chief of Police are prohibited and subject to disciplinary action.

Dissemination of information will be:

For criminal justice purposes only.

For training purposes only when approved by the Chief of Police or Division Commander.

Officers shall not make copies of any on-officer body camera recording for their personal use.

IV. STORAGE, DOCUMENTATION & RETENTION GUIDELINES

Media Storage/Evidentiary Value

All on-officer body camera recordings shall be retained and considered as Evidence.

At the end of the shift, officers shall place the Axon Flex camera and battery pack into the docking station called an Evidence Transfer Manager (ETM) to transfer data into .

Do not remove the camera from docking station (ETM) until data is uploaded and the battery is fully charged.

This clears the camera memory from existing data.

The uploaded data is considered Evidence.

Once data is uploaded into in its entirety, officers will tag the segments of evidentiary value and label with case number or event number.

Evidentiary copies of on-officer body camera digital media can be copied at with authorization from the Chief of Police.

Do not erase, alter or tamper with any video or collected data.

Members requesting a file to be deleted will submit a memo of explanation to their Division Commander.

The affected Division Commander will make a determination and forward the memo to the Chief of Police to complete the request through .

The memos will be retained by the Division Commander and the Chief of Police.

Evidence transfer procedures for the Sentry 360 body cameras is outlined in General Order #01-2017.

Documentation & Reporting

When the on-officer body camera is used in any investigation or during a police contact, this fact will be documented on any citation/warning and/or report prepared regarding the contact as required per policy.

When preparing an Incident Report, Supplemental Report, Citation Report, or Field Interview (FI) Card in connection with an investigation or police event, the following details of the recording should be included in that report/contact card:

An indication that a recording was made.

The date and time of the recording.

The person(s) recorded.

The reason for the recording (i.e.: traffic stop, criminal investigation, field contact, etc.)

Video recordings are intended to supplement Departmental reports. Submitted reports are still required to comprehensively capture the totality of the event.

Retention & Public Release

On-officer body camera recordings captured as part of a Department member's duties shall be the property of the Auburn Police Department and be considered a record of the Auburn Police Department.

The release of information requested through a public records request will be subject to the same statutory exemptions from disclosure as any other Department records.

Prior to releasing any on-officer body camera recordings, Records personnel will ensure proper redaction is completed.

Recordings not attached to a case or investigation will be purged per schedule determined by Georgia Retention Laws.

Care and Equipment

On-officer body cameras will be signed out at the beginning of shift until such time each officer is issued a camera.

A record of the inventory will be maintained by the Division Commander.

Only officers who have completed the approved training will be assigned an on-officer body camera.

Officers are responsible for the proper care of all Department property and/or equipment assigned to them as per policy.

Officers will immediately report any loss of, or damage to, any part of the on-officer body camera equipment through the proper chain of command.

Inspection and Audit

Supervisors will conduct random reviews of on-officer body camera recordings.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 07-1**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/02/2018

Subject: On-Officer Body Camera

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I. PURPOSE

To establish operational and submission guidelines for the "On-Officer" Body Camera (OBC.)

II. DEFINITIONS

On-Officer Body Camera

The only approved on-officer body camera authorized by the Auburn Police Department is the TASER AXON Flex and the Sentry 360-BW-GW25.

The on-officer body camera is an audio/video recording system worn and used by officers to document police related incidents.

Any other video cameras used by officers for law enforcement purposes will:

Be approved by the Chief of Police or Division Commander.

Adhere to protocols outlined in Evidentiary Recordings.

Operation Mode Definitions

Normal (Buffering) Mode: The on-officer body camera continuously loops video recording for up to 30 seconds before recording is started by officer. Records video only (no audio) while buffering.

ETM: Evidence Transfer Manager. Docking station that uploads data and recharges the AXON Flex system.

III. GENERAL GUIDELINES

Operational Guidelines

The on-officer body camera and battery pack will be signed out by the officer each day.

Officers will inspect the on-officer body camera for any physical damage and ensure the device is in working order at the beginning of the shift.

Prior to going into service with an on-officer body camera, officers will ensure they are wearing an authorized uniform, clearly identifying them as an Auburn Police Officer, unless otherwise authorized by the Chief of Police or Division Commander or his designee.

Officers will make every effort to place the on-officer body camera in the Record Mode as soon as practical during a given situation.

On-officer body camera recordings will be used for official Department purposes only.

On-officer body cameras will only be worn in a manner authorized by the Chief of Police.

Current approved mounts are:

Oakley Flak Jacket glasses with approved lenses.

Headband manufactured by TASER.

Authorized ball cap with proper mount.

Sentry 360 vest-mounted saddle

User Guidelines

Officers will make every effort to activate the on-officer camera to record the following event(s), if practical:

Traffic stops and citizen contacts.

Impaired driver investigations.

Vehicle pursuits and failure to yield incidents.

Accident scenes.

All calls for service.

Transportation of any prisoner(s) or citizens for any reason.

Any time an officer feels it is appropriate to record.

All searches (Persons, Vehicles, Structures, etc.)

Statements made by subjects, victims, and witnesses.

Advising an individual of his/her Miranda rights.

During interrogations/interviews.

Other legitimate law enforcement contacts.

Once on, officers will continue to record until the completion of the event, or they have left the scene, except in instances outlined in this order.

Additional arriving units to a scene assigned an on-officer body camera will begin recording as soon as practical and continue to record until the completion of the event, or they have left the scene (this includes recording of statements.).

Officers may use media captured via the on-officer body camera to assist with the investigation and completion of reports.

Officers may use media captured via the on-officer body camera for training purposes, with proper authorization from the appropriate division commander or his designee

Restrictions

In accordance with Recording Protocols, members shall not make surreptitious recordings of conversations with other Department members except:

When necessary in a criminal investigation; or

Unless approved by Chief of Police or his designee

The on-officer body camera will not be intentionally activated to record conversation(s) of fellow employees with or without their knowledge during routine, non-enforcement related activities.

Members will advise other Department members and/or other criminal justice personnel (prosecutors, judges, or other law enforcement personnel) when an on-officer body camera is recording.

Do not record:

During employee breaks.

Report writing.

Discussing a case with other officers.

During other administrative functions.

During general discussions with employees.

The on-officer body camera will not be activated in places where a reasonable expectation of privacy exists, such as dressing rooms or restrooms.

Members shall not record confidential informants or undercover officers.

Officers will not allow citizens to review the recordings unless approved by the Patrol Commander.

Members accessing, copying or releasing of on-officer body camera recordings for other than official law enforcement purposes without authorization by the Chief of Police are prohibited and subject to disciplinary action.

Dissemination of information will be:

For criminal justice purposes only.

For training purposes only when approved by the Chief of Police or Division Commander.

Officers shall not make copies of any on-officer body camera recording for their personal use.

IV. STORAGE, DOCUMENTATION & RETENTION GUIDELINES

Media Storage/Evidentiary Value

All on-officer body camera recordings shall be retained and considered as Evidence.

At the end of the shift, officers shall place the Axon Flex camera and battery pack into the docking station called an Evidence Transfer Manager (ETM) to transfer data into .

Do not remove the camera from docking station (ETM) until data is uploaded and the battery is fully charged.

This clears the camera memory from existing data.

The uploaded data is considered Evidence.

Once data is uploaded into in its entirety, officers will tag the segments of evidentiary value and label with case number or event number.

Evidentiary copies of on-officer body camera digital media can be copied at with authorization from the Chief of Police.

Do not erase, alter or tamper with any video or collected data.

Members requesting a file to be deleted will submit a memo of explanation to their Division Commander.

The affected Division Commander will make a determination and forward the memo to the Chief of Police to complete the request through .

The memos will be retained by the Division Commander and the Chief of Police.

Evidence transfer procedures for the Sentry 360 body cameras is outlined in General Order #01-2017.

Documentation & Reporting

When the on-officer body camera is used in any investigation or during a police contact, this fact will be documented on any citation/warning and/or report prepared regarding the contact as required per policy.

When preparing an Incident Report, Supplemental Report, Citation Report, or Field Interview (FI) Card in connection with an investigation or police event, the following details of the recording should be included in that report/contact card:

An indication that a recording was made.

The date and time of the recording.

The person(s) recorded.

The reason for the recording (i.e.: traffic stop, criminal investigation, field contact, etc.)

Video recordings are intended to supplement Departmental reports. Submitted reports are still required to comprehensively capture the totality of the event.

Retention & Public Release

On-officer body camera recordings captured as part of a Department member's duties shall be the property of the Auburn Police Department and be considered a record of the Auburn Police Department.

The release of information requested through a public records request will be subject to the same statutory exemptions from disclosure as any other Department records.

Prior to releasing any on-officer body camera recordings, Records personnel will ensure proper redaction is completed.

Recordings not attached to a case or investigation will be purged per schedule determined by Georgia Retention Laws.

Care and Equipment

On-officer body cameras will be signed out at the beginning of shift until such time each officer is issued a camera.

A record of the inventory will be maintained by the Division Commander.

Only officers who have completed the approved training will be assigned an on-officer body camera.

Officers are responsible for the proper care of all Department property and/or equipment assigned to them as per policy.

Officers will immediately report any loss of, or damage to, any part of the on-officer body camera equipment through the proper chain of command.

Inspection and Audit

Supervisors will conduct random reviews of on-officer body camera recordings.

Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 07-2**
Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/03/2018

Subject: NCIC/GCIC Operational Policy

I. Purpose:

The purpose of this policy is to ensure compliance with all GCIC rules and regulations so that no improper usage of this network will occur. This policy mandates strict adherence to all GCIC policies and periodic reviews will be completed to ensure ongoing conformance with evolving (GCIC) policy. This policy will expound on procedures and guidelines necessary for the uniform operation and access of the network and will restrict the use of criminal justice information obtained through the network for purposes authorized by law. This policy does not take the place of any established directives listed in the GCIC and NCIC Manuals.

II. Scope:

The policy applies to agency personnel, contractors, consultants, temporary staff, and other workers at the agency, including all personnel affiliated with GCIC and third parties. This policy applies to all equipment and software that is owned or leased by the agency.

III. Acronyms/Definitions:

NCIC – National Crime Information Center

GCIC – Georgia Crime Information Center

CJIS – Criminal Justice Information System

TAC – Terminal Agency Coordinator

CJI – Criminal Justice Information

UCR – Uniform Crime Reporting

CCH – Computerized Criminal History

Agency Head – Chief of Police

VPN – Virtual Private Network

SSL – Server Socket Layer

S&I – Security and Integrity

CBT - Computer Based Training

Hit – positive response to an inquiry (confirmation given through a "routine" or "urgent" response)

Hit Confirmation – Advise the requesting agency the information is accurate, current, and valid

Denied Hit – the record is no longer valid or does not match the information on file

Locate Message – Sent by the recovering or apprehending agency after receiving a positive hit confirmation

Detainer – Official notice that an individual is wanted by another agency and should not be released without notifying that agency

Validations – confirming the validity and accuracy of record entry

GTA – Georgia Technology Authority

LASO – Local Agency Security Officer

GBI – Georgia Bureau of Investigation

Hot Files – Restricted and non-restricted file record entries

IDPS – Intrusion Detection and Prevention System

ITSC – Information Technology Subcontractor

BCEC – Barrow County Emergency Communications

BCSO – Barrow County Sheriff's Office

IV. Rules and Regulations Pertaining to GCIC for:

Acceptable use/access of GCIC – While the agency's network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the agency systems remains the property of the agency. Because of the need to protect the agency's network, management cannot guarantee the confidentiality of information stored on any network device belonging to the agency.

Employees are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of Internet/Intranet systems. In the absence of such policies, employees should consult their supervisor or management.

Any information that a user considers sensitive or vulnerable should be encrypted. For security and network maintenance purposes, authorized individuals within the agency may monitor equipment, systems and network traffic at any time, per agency policies. The agency reserves the right to audit the network and systems on a periodic basis to ensure compliance with this policy.

Regarding information on the CJIS Network, employees should take all necessary steps to prevent unauthorized access to this information. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. All personal computers, laptops, and workstations should be secured with password protected screen savers with an automatic activation feature, set at ten minutes or less, or by logging off (control-alt-delete) when the computer is unattended. Because information contained on portable computers is especially vulnerable, special care should be exercised. All devices used by employees that are connected to the agency Internet/Intranet, whether owned by the employee or the agency, shall be continually executing approved virus-scanning software with a current database. Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, e-mail bombs, or Trojan horse code.

The following activities are, in general, prohibited. Under no circumstances is an employee of the agency authorized to engage in any activity that is illegal under local, state, or federal law utilizing the agency owned resources. The list below is by no means exhaustive but attempts to provide a frame work for activities which fall into the category of unacceptable use. The following activities are strictly prohibited, with no exceptions:

Unauthorized access, copying, or dissemination of GCIC information

Installation of any copyrighted software for which the agency or end user does not have an active license

Installation of any software without preapproval and virus scan

Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, logic bombs, etc.)

Revealing your account password to others or allowing use of your account by others

Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties

Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty

Circumventing user authentication or security of any host, network, or account

Interfering with or denying service to any user other than the employee's host

Using any program/script/command or sending messages of any kind, with the intent to interfere with or disable a user's terminal session, via any means, locally or via the Internet/Intranet

Providing information about GCIC to parties outside the agency

Accessing data to which the individual has no legitimate right to access.

Enabling unauthorized individuals to access data

Disclosing data in a way that violates applicable policy, procedures, or relevant regulations or law

Inappropriately modifying or destroying data

Inadequately protecting restricted data

Any violation of this policy may result in network removal, access revocation, corrective or disciplinary action, civil or criminal prosecution, and termination of employment.

Appointment of a Terminal Agency Coordinator (TAC) - The Terminal Agency Coordinator, or TAC, is appointed by the Agency Head. The TAC is certified within 90 days of appointment via official notification to the Director of GCIC. For the purposes of this policy, the TAC will serve as direct liaison to the GBI on all things pertaining to GCIC access and operation. The TAC will also serve as the Local Agency Security Officer, or LASO, unless other direction is given by the Agency Head. The primary duties for the agency TAC are as follows:

Assist the Agency Head and agency in complying with GCIC and NCIC polices, rules, and regulations.

Complete TAC Training and refresher course (as set forth in the GCIC Policy Manual).

Notify GCIC of any changes

Maintain CJIS Related material

Administer training programs for CJIS Network Operations

Retain and securely store all Hot Files

Ensure all User agreements are obtained and current

Ensure proper handling of hit confirmations

Proper placement of detainers

Ensure timely, accurate and complete validation procedures

Implementation of CJIS Policy and Procedures

CJIS Network Audit preparation

Ensure all GCIC entries are correct

The TAC will "clear" or "cancel" entries as needed

The Agency Head can also appoint an assistant Terminal Agency

Coordinator should he deem the order to be in the best

interest of the department. The Assistant TAC will obtain

the same level of training as the primary TAC and will assume

primary TAC duties in the absence of the primary.

GCIC Terminal Location – The GCIC access terminal is located in the Support Services Division of the department. The Support Services Division is responsible for maintaining security in and around the GCIC Terminal.

In order to access the GCIC terminal, authorized individuals must come through the front door to the lobby and show appropriate identification. If the individual is employed by our agency, they are allowed through a locked door from the lobby into the interior hallway. This hallway leads to the Support Services Division which is secured by a locked door with a sign that specifies "Authorized Personnel Only." This door is closed at all times to limit access to those who have proper permissions. All other personnel must be escorted to gain entry to Support Services so that maximum security can be maintained.

The GCIC terminal is located in the southwest corner of the Support Services Office and can only be viewed by authorized personnel.

Network Topology – This department utilizes an Information Technology Subcontractor (ITSC) for all web-based services currently in use. As such, the network topology is available in the User Agreement that exists between this department and the IT Subcontractor.

Proper Protection/Disposal of Media - When no longer usable, hard drives, diskettes, tape cartridges, CDs, ribbons, hard copies, print-outs, and other similar items used to process, store and/or transmit CJI and other sensitive data shall be properly disposed of in accordance with measures established by the agency. Physical media (print-outs and other physical media) shall be disposed of by one of the following methods:

Shredding using agency issued shredders

Placed in locked shredding bins until agency personnel can properly dispose of the media

Incineration using agency incinerators or witnessed by agency personnel onsite at agency or at contractor incineration site, if conducted by non-authorized personnel

Electronic media (hard-drives, tape cartridge, CDs, printer ribbons, flash drives, printer and copier hard-drives, etc.) shall be disposed of by overwriting or other methods approved by the Agency Head to adequately sanitize these devices (to also include degaussing and/or destruction of device platters so that information cannot be extracted). In the event that existing computer terminals have to be replaced, the department will not release any item used to transmit or store GCIC information until the device has been properly purged.

Physical Security and Man Made/Natural Disaster – In the event of a man-made or natural disaster, the Agency Head or designee and/or the Local Agency Security Officer (LASO) shall have the responsibility of ensuring that GCIC materials and records maintained by the agency are not in danger of being damaged or destroyed. In the event that the materials or records are not secure, or have been damaged or destroyed, the affected agency personnel shall make immediate notification to the Agency Head or designee and/or LASO to inform of the situation.

If necessary, personnel shall be stationed in the area to secure GCIC materials and records. The Agency head, designee and/or LASO shall be responsible for taking necessary steps to ensure that all materials and records are secure on-site or that the materials and records are moved to another secure location. The J.D. Withers Building has been designated as the secondary location. GCIC operations can continue due to the existing user agreement in place with the Barrow County Sheriff's Department.

Disciplinary Actions – Agencies are subject to GCIC administrative sanctions for violations of the laws governing the operation of the CJIS network, the GCIC Council Rules, GCIC CJIS Security Policy, or CJIS network policies published by GCIC.

Sanctions for CJIS network terminal agencies may include, but are not limited to:

Purging of Hot Files records entered into GCIC

Restricting CJIS network access

Suspension/revocation of the agency's terminal access to the CJIS network

Criminal prosecution by the State of Georgia and/or GCIC

The Department takes infractions of this policy seriously. Any unauthorized access to NCIC/GCIC could result in suspension or revocation of network access which would drastically affect law enforcement operations. As such, any employee found to be in violation of any of the provisions set forth in this policy is subject to disciplinary action up to and including termination. Disciplinary actions for violations of this policy may include one or more of the following:

Documented verbal counseling

Written reprimand

Additional training

Loss of position

Suspension

Loss of employment

Punitive actions for the involved employee does not follow the traditional model of progressive discipline. Due to the sensitive nature of the information being accessed, serious violations, even if it is the employee's first infraction, could lead to termination. The final disposition of any incident involving violations of this policy rests with the Agency Head.

Security Incident Handling – For the purposes of this policy, a Security Incident shall refer to any event that involves the malicious and/or intentional attack/event on any computer system utilized by this department. Attacks/events could include but are not limited to:

An act that results in a system crash

Any act that results in the loss or theft of data or the inability to secure data access points

Any action or event that results in department personnel being unable to access web servers or other computer-based systems due to the installation of any malware, computerized virus, or other hostile software

Any other attack/event that involves the unauthorized alteration of device configurations without the permission of the Agency Head or his/her designee

Theft of physical IT asset including computers, storage devices, printers, etc.

Damage to physical IT assets including computers, storage devices, printers, etc.

Misuse of services, information, or assets

An attempt at unauthorized access.

Reports of unusual system behavior or intrusion detection alarms

This department outsources all information technology (IT) services to a Subcontractor. The current IT Subcontractor, CPAK, Inc., ensures via contractual agreement that all systems are equipped with the proper Intrusion Detection and Prevention Systems (IDPS), 128-bit encryption on all access features, and firewall and anti-virus services. The ITSC is accessible 24/7 and the main technician for the ITSC has completed the appropriate GCIC awareness statements. All computer and server equipment is provided by the ITSC and will be purged of all sensitive and proprietary information pursuant to this policy.

In the event of a security incident, the Agency Head and agency TAC are notified immediately. The ITSC is also notified and begins immediately to address any existing issues. The ITSC, Agency Head, and department TAC work collectively to ensure all data and data access points are secure. Should a compromise of any kind occur, the ITSC will take the appropriate steps and immediately institute a temporary fix to halt the breach. The ITSC will begin collecting forensic data and relay these findings to the Agency Head and the department TAC. The ITSC will also implement a permanent fix and complete an after-action report for the Agency Head. In any security incident the primary focus, after safeguarding employees, is protecting sensitive and proprietary data. The final decision to conduct a criminal investigation into a security incident lies with the Agency Head.

Service Agreements – This department has a network service agreement with the Barrow County Emergency Communications center (BCEC). In this agreement BCEC aids this department with criminal justice and public safety information processing and communication through record inquiries and message transmittals in keeping with GCIC standards. BCEC shall restrict access to criminal justice information, including criminal histories, to authorized employees of criminal justice agencies that have executed user agreements with GCIC.

The Barrow County Sheriff's Office (BCSO) currently provides full GCIC services to this department in the event of failure the department terminal. By separate agreement, BCEC provides full GCIC services in the event of failure of the BCSO terminal. In the event that the BCSO terminal were to fail at the same time as the department terminal, BCEC would provide full GCIC services. All service agreements shall be signed and agreed upon by all agencies involved and written documentation will be kept on file.

User Account Access – Validation and Removal - All accounts shall be reviewed at least annually by the terminal agency coordinator (TAC)or designee to ensure that access and account privileges commensurate with job functions, need-to-know, and employment status on systems that contain Criminal Justice Information. The TAC may also conduct periodic reviews.

The TAC or designee must disable all new accounts that have not been accessed within 30 days of creation. Accounts of individuals on extended leave (more than 30 days) should be disabled. (Note: Exceptions can be made in cases where uninterrupted access to IT resources is required. In those instances, the individual going on extended leave must have a manager-approved request from the designated account administrator or assistant.) The TAC or designee must be notified if a user's information system usage or need-to-know changes (i.e., the employee is terminated, transferred, etc.).

The TAC or designee will remove or disable all access accounts for separated or terminated employees immediately following separation from the agency. Primary responsibility for account management belongs to the Terminal Agency Coordinator (TAC). The TAC or designee shall modify user accounts in response to events like name changes, accounting changes, or permission changes. The TAC will also periodically review existing accounts for validity, and-Cooperate fully with an audit review.

Commercial Dissemination - All employees are required to follow the policies, rules and procedures set forth by GCIC, NCIC, FBI CJIS Security Policy, and the laws of the State of Georgia. The commercial dissemination of GCIC/NCIC non-restricted files, formally known as hot files, is prohibited.

Retention of Juvenile Record Entries – Retention of Juvenile Records will be in accordance with established GCIC policy as put forth in the GCIC Policy Manual. Missing and wanted juveniles are converted to a Missing/Wanted Adult record on their 18th birthday unless cleared or canceled prior to conversion. Once cleared or canceled, this department will archive these types of records for a maximum period of three years (beginning at the year end of the document origin), per department record retention policy. All archived documents are secured in a secured department file room.

Mobile Data Terminals – This department employs mobile data terminals to POST certified Law Enforcement Officers who are also GCIC certified. A separate policy has been constructed to address this issue and should be referenced for further explanation (Auburn Police Department Policy Manual: chapter 7 – "Use of Mobile Data Terminals").

Entering Wanted/Stolen information – Upon determination by law enforcement officers/court officials that a wanted person should be arrested, that identifiable property is reported as stolen, or an adult/juvenile is reported missing by a parent, guardian, or next of kin, a record will be entered into GCIC within 12 hours of reporting to officials. If the missing/wanted person is less than 21 years of age, the record will be entered within 2 hours after enough information is obtained to complete the entry.

All information must match the warrant/initial report upon entry. Accuracy and completeness will be achieved using the definitions provided in GCIC Policy Manual 2.7.2 and 2.7.3. Additional information will be added as it becomes available during investigations and validations.

Second checks will be conducted on each entry by an additional terminal operator to ensure accuracy and completeness. Documents used to enter information, such as original arrest warrants, copies of protection orders, initial missing person/stolen article reports, etc. will be retained on site in the agency's case files until record entries are removed from GCIC/NCIC files. All entries will be complete and concise. Any errors uncovered through a second check will be documented. Repeated errors may result in disciplinary action against personnel assigned to enter pertinent information.

Hit Process and Detainers - Terminal operators are available 24 hours a day to respond to hit confirmations on all records. In the event the terminal will not be manned, the terminal is transferred to the Barrow County Sheriff's Office per written agreement.

Upon receipt of a hit confirmation request for ORI GA0070200, the terminal operator will check the warrant/record to confirm if it is active and valid. In the event of hit confirmation requests on wanted persons, the operator will check for pick up limits. Upon confirmation of the validity of the record, the terminal operator will furnish a substantive response within the designated time frame. A positive or negative confirmation or notice of the specific amount of time necessary to confirm or reject will be provided through a hit confirmation response.

There are two levels of priority: Urgent and Routine. Priority one: Urgent – The response will be provided within 10 minutes of receipt of the confirmation request. All fields will be filled in completely and correctly. Priority two: Routine – The response will be provided within 1 hour of receipt of the confirmation request. All fields will be filled in completely and correctly. If more time is required, a "Pending" response will be provided giving the time frame for confirmation. All responses are determined by the files on site, in the office of the GCIC terminal.

A detainer is placed on an individual who is wanted by responding agency and should not be released or discharged without notifying that agency. A detainer also permits a wanted person record to remain active in NCIC/GCIC while the subject is being held in another jurisdiction.

Validation Procedures - Validations are conducted monthly by GA0070200 to confirm that all GCIC entry records are complete, accurate, and still outstanding or active. Upon receiving online notification from GCIC, validations are accomplished by reviewing the entry and current supporting

documents. The Department TAC notifies and confirms in writing with courts to ensure all warrants are valid and active. Investigations is notified in writing to review CID files and document any recent consultation with all appropriate complainants, victims, prosecutors, courts, nonterminal agencies, or other appropriate sources or individuals. In the event the ORI is unsuccessful in its attempts to contact the victim, complainant, etc., the investigations division must make a determination based on the best information and knowledge available whether or not to retain the entry in the file. Documentation is returned to the TAC confirming the active files or advising of cancellation with given reason.

TAC will confirm "as is", "modify", or "cancel" online in the Validation section of GCIC by the first Sunday of the month assigned. TAC will monitor site to ensure all validations are submitted. In the event there are pending files that do not transmit, TAC will resubmit the entry, continuing until all entries are processed by GCIC.

V. References:

This policy does not exclude department employees from being familiar with the below reference material which was consulted in constructing this policy:

GCIC Policy Manual

NCIC Policy Manual

Criminal Justice Policy Handbook

CJIS Compliance Program

The Auburn Police Department Policy Manual

GCIC Website:

GCIC TAC Certification Training Slides

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 08**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/02/2018

Subject: Arrest

I. Introduction

The Bill of Rights to the United States Constitution, and corresponding provisions in each state constitution, provide citizens with certain fundamental safeguards from intrusive governmental conduct. Particularly relevant to situations involving a criminal suspect or defendant are the Fourth, Fifth, Sixth, and, to a lesser extent, The Fourteenth Amendments.

The Fourth Amendment guarantees people the right to be secure in their persons, houses, papers and effects against unreasonable searches and seizures. This amendment also provides that no arrest warrants shall be issued, except those based on probable cause and which particularly describe both the place to be searched and the person or things to be seized.

The Fifth Amendment provides (in pertinent part) that no person shall be compelled to be a witness against oneself in a criminal case. The Supreme Court has also found that an integral part of an accused's right to be free from compelled incrimination, is a judicially created right to have counsel present, and a right to refuse to answer questions during a custodial interrogation, even though the Constitution does not specifically provide such a safeguard.

The Sixth Amendment provides that a defendant in a criminal case, and a suspect in a criminal investigation, when the investigation has focused on that particular person, or has reached a critical stage, shall enjoy the right to counsel to aid in said person's defense.

The Fifth and Fourteenth Amendment provide that no person shall be deprived of life, liberty or property without due process of law. In the context of the rights of the accused, or a criminal suspect, this provision has been construed as offering protection against certain fundamentally unfair governmental conduct, particularly the use of suggestive, prejudicial, or discriminatory identification procedures.

II. Purpose

A. To establish Department guidelines for arrest procedures.

B. To identify those individuals, exempt from normal arrest procedures.

C. To establish a standard operating procedure for taking a suspect into custody.

D. To establish a standard operating procedure for processing juvenile offenders.

E. To establish a standard operating procedure for taking confessions and conducting interrogations.

III. Definitions

A. Arrest - The restraint of the liberty of a person to come or go as he pleases, no matter how slight. An individual has been arrested when he is not free to go, regardless of whether formal words of arrest are used. An arrest must be based on probable cause.

B. Arrest Warrant - A judicial command, issued upon probable cause, to arrest a particular individual and to bring the arrestee promptly before the magistrate issuing the warrant or some other judicial officer. An arrest warrant, issued upon probable cause, authorizes a search of the dwelling of the suspect for that particular suspect, when the police reasonably believe the suspect to be present within the dwelling.

C. Detention and Arrest – Levels of Citizen Encounters

1. Consensual encounters – The basic premise underlying a consensual encounter is that it is essentially voluntary. Such an encounter is based on consent and can be terminated by either the citizen or the officer.

2. Detentions, Investigative, or 'Terry' Stops – this stop is based upon the officer's reasonable suspicion that illegal activity may be underway, and the subject detained is involved in this activity. The officer is also entitled to conduct a limited pat-down, or frisk of the outer garments of the person detained, to determine whether or not the detainee is armed or in possession of an object that could harm the officer. The requisite suspicion must derive from facts and inferences from those facts; not merely an officer's subjective suspicions or 'hunches'. This higher level of a citizen encounter is not voluntary, and can only be terminated by the officer, either by the suspicions being dispelled, or by taking the suspect into custody, which constitutes an arrest.

3. Arrest - The restraint of the liberty of a person to come or go as he pleases, no matter how slight. An individual has been arrested when he is not free to go, regardless of whether formal words of arrest are used. An arrest must be based on probable cause.

D. Probable Cause - Those facts and circumstances which would lead a reasonable and prudent person to believe that a crime has been committed, or that the suspected person has committed or is about to commit an offense.

E. Within the Officer's Immediate Knowledge - When, by seeing, hearing, or using any of the other senses, the officer has personal knowledge of the commission of a crime. This is equivalent to "in the officer's presence". This excludes reporting of a crime by any third party other than another law enforcement officer who has direct knowledge. O.C.G.A. Sec. 17-4-20.

IV. Rules and Regulations

A. Arrest Without a Warrant

In the state of Georgia, officers may make an arrest without a warrant in the following instances:

1. When an offense is committed in the officer's presence;

2. When an offender is endeavoring to escape;

3. When an officer has probable cause to believe an act of family violence has been committed. O.C.G.A. Sec. 19-13-1;

4. When for other cause there is likely to be a failure of justice for want of a judicial officer to issue a warrant;

5. To prevent the commission of a felony; (This exception should only be utilized when the criminal act is imminent.);

6. Upon receiving information from a law enforcement officer who observed an offense being committed, provided such information would constitute the basis for arrest had it been committed in the officer's presence. (The citation issued must list the names of each officer, and both must be present when charges against the offender are heard).

NOTE: All of the above exceptions are based on

timeliness; if enough time has passed for a warrant to have been obtained, an arrest without a warrant will likely not be upheld.

7. Outside of the time restriction, a seventh exception is noted, that of a fugitive arrest based on belief that a warrant exists in the jurisdiction from which the suspect fled. An officer has no official power to arrest without a warrant beyond the boundaries of his jurisdiction except for when the officer is in hot pursuit that is continuous and uninterrupted (an officer may temporarily lose sight of the suspect). No officer shall arrest any person without a warrant when he knows that he is without reasonable cause to arrest such person.

B. Arrest with a Warrant

1. Jurisdiction - An arrest warrant may be issued in any county in Georgia, even for a crime committed in another county. Once issued, a warrant may be carried from one county to another, and it may be served in any county of the state regardless of where it was issued. Officers of the Auburn Police Department may only serve arrest and search warrants within the jurisdictional boundaries of the City of Auburn. Those warrants being served outside the City of Auburn will be served by the agency having legal jurisdiction to serve the warrant. Auburn Police Officers may assist

Law Enforcement Officers serving Criminal Process outside the jurisdictional boundaries of Auburn with the permission of an immediate supervisor.

2. Contents - A valid arrest warrant must contain specific information as required by statute and court decisions. Such information includes:

a. The authority under which the warrant is issued;

b. Identification of the person who is to execute the warrant, (Generally addressed "To any sheriff, deputy sheriff, coroner, constable, Marshall, or police officer");

c. Identification of the person to be arrested;

d. The offense committed;

e. The time, date, and place of occurrence of the offense, including the county in which it was committed;

f. The victim;

g. A description of the offense, including all of the elements of the offense.

In addition, when the offense charged is a theft, the warrant must contain:

h. A description of the property alleged to have been stolen;

i. Identification of the owner of the stolen property;

j. The value of the stolen property;

k. The person from whose possession it was taken.

NOTE: Without strict compliance with the above, the warrant will not be valid.

3. No officer shall arrest any person under color of a warrant unless he reasonably believes a valid warrant exists and that the person described in the warrant is before him. Only sworn officers will make arrests with a warrant.

4. Officers will have access to the warrant files 24 hours per day via the administration channel. When an officer executes or attempts to execute legal process he must log the following information with the Support Services Clerk via the administration channel:

a. The date and time service was executed or attempted.

b. The name of officer(s) executing or attempting to execute.

c. The name of the person on whom the legal process was served or executed.

d. The method of service or reason for non-service.

e. The address of the service or attempt.

5. When criminal process is received it will be given to the Support Services Clerk for entry into the computer system. The following information will be entered:

a. the date and time received;

b. the nature of the document;

c. the source of the document;

d. The name of the plaintiff/complainant or the name of the defendant/respondent;

e. The officer and date assigned;

f. and the court docket number;

g. date process expires

6. After the warrant has been served the arresting officer shall include in his report the name of the defendant and victim.

7. Auburn Police Officers do not serve civil process. The Sheriff of Barrow County has full responsibility for the service of civil process inside the City of Auburn.

C. Procedure When Making an Arrest

When a lawful arrest cannot be made except with a warrant, the arresting officer should have the warrant in his physical possession at the time of the arrest, or so near at hand that it can be exhibited upon demand. Otherwise, the arresting officer has no authority to take the person into custody.

Note: An officer making a lawful arrest has the right to use whatever force is reasonably necessary to accomplish the arrest, but no more than is necessary to take the suspect into custody (see Chapter 11- Response to Aggression/Resistance).

D. Alternatives to Physical Arrest

What is reasonable in terms of appropriate police action or what constitutes probable cause varies with each situation, and the particular facts and circumstances may justify either an investigation, a detention, a search, an arrest, or no action at all. There may be a report written and an application for a complaint made; or in some cases, when the offense is of a minor nature, a verbal warning or

other action may be taken. The requirement that legal justification be present imposes a limitation on an officer's action. In every case, an officer must act reasonably within the limits of his authority as defined by statute and judicial interpretation. In any case where an arrest or detention occurs, an incident report documenting the event will be completed. Specific alternatives to physical arrest are:

1. An officer may inform a suspect that a warrant exists for his arrest and give him the opportunity to turn himself in. This should only be used in lesser offenses and only when the suspect is not a flight risk.

2. Officers may issue a summons to court in situations that warrant procedures might normally be advised, the officer might later take a warrant, or in cases that a warrantless arrest might be made. In all of the above situations the officer must still fingerprint the suspect if the offense is a printable offense.

E. Immunity from Arrest

1. Consular Immunity- By treaty, Consular officers of foreign nations are immune from arrest for criminal and traffic offenses, unless an arrest is ordered by a Federal magistrate. Once identified, Consular officers will not be unnecessarily detained. Consular immunity does not normally extend to members of Consular officers' families or to employees of Consular officers.

2. Verification of Consular Immunity Status- In any situation in which a law enforcement officer needs to establish entitlement to diplomatic immunity and the person asserting it cannot produce an identification card issued by the U.S. State Department, the correct status can be obtained through a telephone call.

a. During regular business hours (8:15-5:00, M-F): The Office of Protocol, U.S. Department of State (202) 647-1984.

b. At other times: Command Center for Diplomatic Security (202) 647-1512.

Note: Command Center personnel will route inquiries appropriately.

3. Members of Congress-U.S. Senators and Representatives are free from arrest during their attendance at Congress and in going to and from sessions of Congress except for "treason, felony or breach of the peace."

4. Members of the Georgia General Assembly- The members of the Georgia General Assembly are free from arrest during their attendance at the General Assembly and in going thereto and therefrom except for "treason, felony, larceny, or breach of the peace."

5. Others Exempt from Arrest

a. Members of the organized militia or military forces are exempt from arrest in all cases except treason, felony, or breach of the peace during their attendance at drills, parades, meetings, encampments, and the election of officers and going to, during, and returning from the performance of any active duties. The supervisor shall be informed, and he shall contact the commanding officer of the service member if the situation dictates.

b. Poll officers during their attendance at elections, and in going to and returning from same.

c. Voters while casting their ballots.

d. Witnesses on their way to and from court while under subpoena.

Note: An arrest involving any of the above persons shall be made only upon the approval of a supervisor. Also refer to Chapter 15-1, Traffic Citations for additional information on Consular Immunities and processing of Foreign Nationals for traffic offenses.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 08-1**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/02/2018

Subject: Taking Suspects into Custody

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I. Purpose

It is the duty of each officer to carry out arrests according to established procedures. As law enforcement personnel provide detainee transport, they must be prepared to provide the safety and security for the detainee, the transporting personnel, and the public. By understanding and performing the basic guidelines, officers reduce the potential for injury to the suspect, departmental

employees, and citizens; minimize the opportunity for an escape; and reduce the possibility that force will be needed to control the situation.

II. Procedure

A. Rights of Arrested Persons

A person about to be arrested has the right to know that he is being taken into custody by an officer with lawful authority. The suspect may have notice if he:

1. Actually knows the person making an arrest is an officer;

2. Sees the officer's uniform or badge;

3. Is apprehended while committing a crime;

4. Is pursued from the scene of a crime; and

5. Is told by the officer of the officer's status and the reasons for an arrest.

If an officer who is not known to a suspect fails to identify himself or to make his purpose known, the suspect has the right to resist what appears to be an unjustified assault. However, once the officer is identified, the assumption that the arrest is unlawful is no longer valid. If a person knows or believes the arrest is lawful, it is his duty to submit quietly to custody. An officer making a lawful arrest has the right to use whatever force is necessary (see Chapter 11 Response to Aggression/Resistance) to accomplish the arrest, but no more than is necessary to take the suspect into custody.

B. Inspection of Vehicle

1. At the beginning and end of each shift, officers will thoroughly inspect their vehicle, especially the back seat where prisoners are always transported, to ensure its safe and efficient operation. Inspect the interior for possible contraband or similar items.

2. Immediately prior to and following the transport of a prisoner, officers will inspect the vehicle to ensure that no contraband or similar items have been left in such places as under the seats or on the floorboard. The inspections should be made under the assumption that an opportunity has existed for the introduction of contraband, weapons or other items. If items are found in the vehicle in a timely manner, then these items could be used in the case against the prisoner.

C. Transporting Prisoners

1. Before placement into a transport vehicle, all prisoners will be adequately searched. Prisoners will be searched each time they come into a transporting officer's custody.

2. Prisoners will at no time be permitted to sit in the front passenger seat of a transport vehicle. Prisoners will be placed in the rear seat behind the safety screen and the back doors will be locked to prevent unauthorized persons from opening the doors. If circumstances allow, the prisoner will be secured in the rear seat with the restraint device in place.

3. At no time will a prisoner be out of the view and supervision of the transporting officer. The transporting officer is legally responsible for the safety and custody of the detainee being transported. At no time will unauthorized persons be allowed to approach a transport vehicle and converse with a prisoner unless under the direct supervision of the arresting officer, and only as may be necessary.

4. The primary duty of the transporting officer is the safe delivery of the prisoner to the required destination. Under normal circumstances, while transporting a prisoner, officers will not stop to respond to other needs for law enforcement service. Only when the risk to third parties is both clear and grave and the risk to the prisoner is minimal, should an officer stop and render assistance. Under such circumstances, the officer will immediately request another unit for relief. Should an emergency develop within the transport vehicle which will require an interruption in the transport, the officer will immediately notify the communications dispatcher of the stop location, nature of the event, and if an assisting unit is required. The officer will notify the communications dispatcher when the transport has resumed.

5. Prisoners, at no time during transport, will be allowed to communicate with an attorney.

6. Upon arrival at the receiving facility, officers will remove their primary and any secondary firearms from their person and secure them in the sally port lockers if provided or in the trunk of the transporting vehicle prior to removing the prisoner from the vehicle. If a prisoner is combative, or potentially combative, the transporting officer will notify Barrow County Jail personnel through E-911 that assistance is needed, and jail personnel will take custody of the suspect in the sally port.

7. All necessary paperwork for state charges, such as a copy of the warrant(s), a copy of citations issued, and arrest booking documentation will be turned over to jail personnel. Officers will obtain a signed warrant within twelve (12) hours of the arrest. A copy of the warrant will be submitted with the incident report, and the warrant transmittal will be returned to the Support Services Clerk along with the original citations if any. When charging a violation of city ordinance, a copy of the citation will be given to the jail personnel and the original will be forwarded to the Support Services Clerk at APD.

8. If a prisoner escapes custody while being transported, officers will immediately notify 911, all surrounding units, and the supervisor. The transporting officer will provide a complete description of the escapee and other parties involved, the nature of the charges pending against the escapee and the direction of flight. If a vehicle is used in the escape, descriptive information is to be provided. If apprehension efforts are unsuccessful, warrants will be obtained for the escapee.

9. If a prisoner escapes outside the jurisdiction of the City of Auburn, the transporting officer will immediately notify the Sheriff's Department in the county of the escape, and/or the nearest peace officer. The transporting officer will provide a complete description of the escapee and other parties involved, the nature of the charges pending against the escapee and the direction of flight. If a vehicle is used in the escape, descriptive information is to be provided. The transporting officer will then notify the supervisor on duty at the Auburn Police Department who will notify the Patrol Commander and the Chief of Police. The transporting officer shall act at the direction of the leading peace officer of that jurisdiction of the escape until he is recalled to the City of Auburn. If the escape occurs and the prisoner is apprehended, the transporting officer may proceed to the original destination.

10. Officers of the Auburn Police Department will notify the receiving agency or court personnel of any potential medical or security risks that may exist with a prisoner. In the event an escape occurs, the transporting officer shall make a detailed report of all events surrounding the incident.

D. Searching and Handcuffing

All persons taken into custody shall be searched by the transporting officer prior to transport. This search should include a full and careful search of the suspect for weapons, contraband, and evidence of the crime for which the arrest is made and should occur after handcuffing. The search should also include the area within the suspect's immediate reach at the time of the arrest.

1. Any person taken into custody for the following offenses or under the following circumstances shall be handcuffed with their hands behind their back, before being transported:

Any felony;

Belligerent or combative prisoners;

Prisoners under the influence of drugs or alcohol;

Verbally abusive prisoners;

Prisoners arrested for any violent offense;

Prisoners arrested for VGCSA offenses; and

Prisoners suffering from mental illness.

Note: Any exception to the above should be noted in the incident report, i.e., elderly, handicapped person, or handcuffing in the front.

2. Officers arresting, or transporting may exercise that judgment consistent with good police practice to handcuff any prisoner they deem necessary to restrain. In any case where a decision is

made not to handcuff, the officer should note the reason in the incident report, i.e., minor traffic violation, etc.

3. Method

a. The hands shall be handcuffed to the rear of the suspect with the palms facing outward.

b. The handcuffs will be double locked with keyholes facing upward.

c. Once applied, the handcuffs should be checked for fit by pulling or pushing on the handcuffs' jaw.

d. The officer should check to ensure that the cuffs are not so tight as to restrict blood circulation or damage the suspect's carpel nerve.

4. The following restrictions apply. An officer shall not:

a. handcuff a prisoner to a fixed object (except as allowed by policy) or vehicle;

b. be handcuffed to the prisoner;

c. remove handcuffs until the prisoner is safely inside a detention facility or police department. (This expectation applies to any and all agency-approved restraint devices being utilized on the prisoner.)

5. All prisoners will be searched by the arresting officer, or other officer, and will also be searched by each officer taking custody of the prisoner during transport and confinement. When searching females incident to arrest, officers should exercise sound judgment before searching, i.e. weapons involved, evidence of the crime for which the arrest is made. When searching or conducting pat-downs, officers will use caution around the private body areas and search with the back of the hand, palms facing out. When possible, a female officer should be called to the scene and conduct the search.

8. The security in transporting of multiple prisoners at one time, or a single flight-risk prisoner, may be supplemented through the use of leg irons. Belligerent or combative prisoners may be further restrained to prevent kicking through the application of hobbles. If an officer applies hobbles to a suspect and no other use of force occurs, the officer will note this fact in the incident report. The officer will also complete and submit the front page and narrative portion of the Police Response to Aggression/Resistance Report. The supervisor will submit the form and a copy of the associated incident report to the Office of Professional Standards.

E. Extended Transports

Prisoners requiring several hours of transport (more then 1-hour each way) will be handcuffed to the front with the cuffs double-locked. The transport officer may utilize "belly chains", designed to keep the prisoner's hands near his waist, instead of regular handcuffs during such transports.

1. Meals will be provided to prisoners who are being transported for a long distance that would require more than four hours.

2. Restaurants will be selected at random by the transporting officer.

3. Meals will be consistent with policy relating to prisoner care.

4. Rest stops will be provided to prisoners who are being transported for a long distance that would require more than four hours so as to utilize toilet facilities.

5. Officers will select the rest point at random.

6. The transporting officer will accompany a prisoner of the same sex to the washroom.

7. The transporting officer will position himself in a manner to prevent escape for prisoners of the opposite sex.

F. Disabled and Handicapped Prisoners

1. An occasion may arise when it is necessary to arrest and transport an individual who is physically handicapped. If so, care must be taken so as not to aggravate the prisoner's condition.

In most cases, it should be reasonable to transport a handicapped prisoner in the same manner as anyone else. If the handicap is of such nature that transport in the back of a police unit is not reasonable, officers may make arrangements through the supervisor to use a van.

2. Cases requiring the use of a van for transport may include prisoners who are confined to a wheelchair. If the use of a van is necessary, one officer will operate the van and another officer will be assigned to guard the prisoner. Any prescribed medication will be held by the transport officer until such time as it is turned over to jail personnel.

G. Prisoners Requiring Medical Treatment

In the event a prisoner has been injured prior to or during arrest or while in police custody, it will be the responsibility of the arresting officer to see that any necessary medical treatment is afforded, prior to transport to the Barrow or Gwinnett County Jail. The City of Auburn is only responsible for the medical bills of those injured during and or after the arrest. If a prisoner was injured prior to arrest, the City will not be responsible. The injuries will be noted in the officer's incident report.

1. Every officer should make certain that the hospital staff is informed as to whether the Department is responsible or not. It is essential that officers provide this information. Of greater importance is the officer making certain that the hospital staff understands if the City of Auburn is responsible or not. All investigating officers shall sign the Emergency Room Admission sheet in the space provided. This will be beneficial to the Department, hospitals, and the courts.

2. Prisoners receiving medical attention will be under police guard at all times. View of the prisoner will be obstructed only under the circumstances that medical practice prohibits an officer's presence, such as during surgery.

3. The only exception is when the violation is very minor, and the prisoner is no danger to hospital staff. The hospital will notify police when an individual charged with a violation is ready to be released from the hospital and transported to the Barrow or Gwinnett County Jail.

4. Depending on the nature of the injury, it will be at the discretion of the transporting officer as to whether a prisoner will be restrained and by what means. If restraint is necessary, it should be achieved in a manner so as not to aggravate an injury.

5. If an injury is so severe that immediate medical attention is required, officers will request Barrow County Fire and EMS to the scene. The shift supervisor will be notified. Prisoners will first be treated by Fire and Rescue at the scene of the arrest or at the police department as circumstances arise. Paramedics will help make the decision if the prisoner will be transported to a medical facility. Should the prisoner be transported to a medical facility, the supervisor will assign an officer to accompany the ambulance to the medical facility and retain custody of the prisoner. If at all possible, the arresting officer will accompany the prisoner to the medical facility. All information will be documented on the incident report whether the prisoner is transported or not.

6. In the event that a prisoner is in need of medical care while in transport, outside the City of Auburn, the following procedures will apply:

a. Transport the prisoner to the nearest medical facility for treatment and notify the supervisor on duty at the Auburn Police Department of the need for treatment.

b. Notify local authorities of the situation as they may be needed for security reasons.

c. If the sickness or injury is of a serious nature and a lay-over is anticipated, notify the supervisor.

H. Admission of Prisoners to the Hospital

If a prisoner is admitted to the hospital for treatment, 24-hour coverage may be needed. When deciding the level of security needed the Patrol Commander will consider:

1. The type and period of treatment;

2. The degree and risk including the crime of the prisoner;

3. If 24-hour coverage is needed;

4. If restraints are needed; and

5. And if the hospital has secure facilities to house prisoners.

Prisoners admitted to the hospital will not be allowed to have visitors without the approval of the Chief of Police. Visitors will be searched prior to visitation and will not be allowed to carry in packages. Only one visitor will be allowed to visit at a time for a period not to exceed ten minutes, and under the supervision of a sworn officer. The prisoner will not be allowed the use of a telephone for incoming or outgoing calls.

Officers will not be allowed to communicate with the prisoner unless the communication is an investigative or administrative nature. The Patrol Commander will create a schedule if 24-hour coverage is required. Officers will be relieved from hospital guard duty at least every four hours. The supervisor on duty will closely monitor the activities of the officers on hospital guard duty to ensure they are rotated on schedule and they do not become lax. Any unusual occurrence will be documented and reported to the supervisor on duty.

Upon release of the prisoner from the medical facility, all instructions for future treatment and medication shall be obtained from the prisoner's physician and given to the jailer at the holding facility.

I. Mentally Ill Prisoners

Mentally disabled prisoners may pose a significant threat to themselves and/or the transporting officers. These practices are suggested upon approaching and taking a mentally ill person into custody:

1. Gather as much information as possible about the person's condition;

2. Communicate with the individual avoiding agitating or threatening comments; always attempt to be truthful to establish rapport;

3. Move slowly; calm the individual by turning off sirens and blue lights, when possible, move crowds; take your time;

4. Wait for back-up before moving in on the individual, usually a minimum of 3 officers;

5. Officers will handcuff mentally ill prisoners in accordance with the order relating to the use of restraining devices.

6. An Auburn Police Department vehicle will be used whenever possible to transport.

7. In cases where a Auburn Police Department vehicle cannot be utilized, a mutual aid agency with the appropriate equipment will be notified for assistance.

a. An Auburn Police officer will accompany the mutual aid officer unless otherwise ordered by the supervisor.

b. Restraints will be utilized in conjunction with the order relating to the use of restraining devices.

NOTE: Officers of the Auburn Police Department will not use the hog-tying method of restraint. Practices of this nature may cause "possible asphyxia," death and or serious physical injury when handling mentally ill prisoners.

J. Transporting Persons of the Opposite Sex

Officers are permitted to transport persons of the opposite sex. When doing so, officers will notify 911 of the following:

1. Sex of the person being transported;

2. Location of pick up;

3. Starting mileage;

4. Destination;

5. Ending Mileage; and

6. Any other pertinent information.

K. Transporting Prisoners in Special Situations

The Auburn Police Department will not transport a prisoner to a funeral, to visit a critically ill person, to the reading of a will, etc. The Auburn Police Department contracts with the Gwinnett and Barrow County Jails to house prisoners. In most cases, Auburn Police Department handles all Auburn Municipal court related prisoner transport and Barrow County Jail Personnel will handle transportation of prisoners in some special circumstances.

L. Transport Equipment

1. Transporting officers may transport no more than three prisoners in the back seat of any patrol vehicle that contains a prisoner shield or cage. Officers should always use a patrol unit with shield or cage if possible. If available, the Community Service prisoner transport van may be used to transport more than three passengers at one time, if needed. The Community Service van is equipped with a barrier and the interior door handles have been disabled. The safety barrier should

not be installed as to prevent conversation. If a vehicle without a safety barrier is to be used, then two officers will be required for the transport and only one prisoner will be transported at the time. The second officer will sit behind the officer as he drives. The prisoner will be seated on the rear passenger side and will be handcuffed to the rear.

2. Vehicles primarily used for patrol and transporting prisoners will have the following modifications:

a. all window cranks in the rear of the vehicle will be removed, or switches disabled.

b. all door handles in the rear of the vehicle will be removed or disabled.

c. a safety barrier separating the driver from the prisoner.

M. Notification, Transfers, Documentation

Each prisoner being transported by the Auburn Police Department should be positively identified as the person who is to be transported. The transporting officer will verify the identification with the booking personnel or court personnel to ensure that the prisoner is the proper person to be transported. Verification can be made with booking reports and/or court documents.

1. Any police reports indicating if the prisoner is a security risk, i.e.: escape risk, combative, suicidal, etc. will be indicated to the receiving party.

2. Secure proper documentation which will accompany the prisoner being transported.

a. Prisoner's name;

b. Medical records;

c. Criminal records;

d. Prisoner's property

e. Charging documents (warrants) or citations; and

f. Any police reports indicating if the prisoner is a security risk, i.e.: escape risk, combative, suicidal, etc., or possesses any serious or unusual illness.

3. In the case of interstate transportation, the transporting officer will have a properly executed Governor's warrant or properly executed waiver.

N. A prisoner/arrestee shall not be left unattended, or in control of a non-sworn person for any period of time.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 08-2**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/03/2018

Subject: Processing Juvenile Offenders

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I. Purpose

The police are to conduct all phases of an investigation concerning a crime committed by a juvenile, including bringing the case to the Juvenile Court for adjudication and disposition. Juvenile Courts of Georgia have exclusive original jurisdiction over juvenile matters and shall be the sole court for initiating action.

II. Policy

It is the policy of the Auburn Police Department that when officers are confronted with incidents involving juvenile offenders, they use the least coercive alternative that is reasonable and consistent with preserving public safety and order. These alternatives include:

1. Outright Release - When dealing with a juvenile, officers will investigate the incident and determine if the juvenile can be released outright with no further action taken or released to a parent, guardian or other custodian.

2. Turn juvenile over to parents - Officers may turn juveniles over to parents at the scene or transport the juvenile to a parent, guardian, grandparent or adult sibling who is capable of and willing to take custody of the child or transport the juvenile to the police department and contact the parent or guardian and request they meet at the police department to retrieve the juvenile, unless there is a court order prohibiting such. In this case, the juvenile should be placed in protective custody as outlined in this policy section IV (F) Protective Custody. If no charges are to be filed,

officers shall inform the parent or guardian or other above relative of the incident and not take any further action. This action may be taken when the offense is not serious, but it is necessary to have someone take charge of the juvenile. The reporting officer will complete an incident report documenting the encounter and placement of the child.

3. Citations/Summons - Officers may issue written citations to juveniles under 17 years of age, who commit traffic offenses, in lieu of taking them into custody. The written citation will serve as the TBA should be entered on the summons as a court date and a copy will be given to the juvenile offender. Additionally, a copy of the citation will be forwarded to the Juvenile Court along with a juvenile complaint. Juvenile Court will contact the offender in reference to the date of the court appearance.

4. Referral to Juvenile Court - If the charge is a misdemeanor or status offense, the juvenile may be released to a parent, guardian or other custodian. If the charge is a felony, the officer will contact the Juvenile Intake Officer, who will decide whether the juvenile will be detained or released. Officers will complete an incident report and a Juvenile Complaint form on all delinquent acts. An officer and/or Juvenile Intake Officer may make referrals to Juvenile Court for status offenses.

Note: The procedures for each of these alternatives are further explained throughout this chapter.

III. Definitions

A. Child - Any individual who is under the age of 17 years who is alleged to have committed a delinquent act; or under the age of 18 years who is alleged to be a deprived child or who is alleged to have committed an unruly act.

B. Delinquent Act - An act designated a crime by the laws of this state, or by the laws of another state if the act occurred in that state, under federal laws, or by local ordinance, and the crime is not a juvenile traffic offense as defined in O.C.G.A. Sec. 15-11-73.

C. Unruly Act - An offense that is only applicable to a child: (i.e. truancy; curfew violation; runaway; ungovernable; patronization of any bar where alcoholic beverages are sold, or consumption/possession of alcohol).

D. Deprived Child - Means a child (under 18) who is without proper parental care or control, education as required by law, or other care or control necessary for his physical, mental, or emotional health or morals; has been placed for care or adoption in violation of law; has been abandoned by his parents or legal custodian; or is without a parent, guardian, or custodian.

IV. Procedures

If a child who is 13 or older is charged with a capital felony, i.e.; charged with murder, voluntary manslaughter, rape, aggravated sodomy, aggravated child molestation, aggravated sexual battery, and armed robbery with a firearm, the superior court has jurisdiction. The district attorney makes the determination whether or not to try the child as an adult.

If a child is to be tried as an adult the district attorney will seek an indictment. Pending adjudication, a juvenile detention facility will be the place of confinement for a child charged with a capital felony.

A. Copy of Charges/Documentation of Juvenile Offenders

1. Police officers may issue a copy of charges in lieu of taking the child into custody especially if the child has violated a status offense. In most situations involving juveniles when a parent or responsible adult is available to take charge of the child, the interest of the juvenile is best served by releasing the juvenile to the parent or guardian. Major felonies and situations involving violence will require taking the child into custody. In all incidents the officer must complete an incident report, Juvenile Complaint form and a witness list to be forwarded to juvenile court.

2. The defendant's copy of the charges shall be given to the parent or legal guardian. The officer will explain in detail the charges involved and advise the child and parent/legal guardian they will be notified by juvenile authorities as to the court date or other related actions. Prior to release, the officer should first contact the juvenile authorities to ascertain if a pick-up order is outstanding.

3. When an officer documents a report with a juvenile suspect or charges a juvenile with an offense for which charges are brought without taking custody of the juvenile, an incident report must be completed documenting the charges in the form of a secured narrative, specifying the offender, and the particular offense and to whom the child is released, if applicable. It shall be the arresting officer's responsibility to furnish the juvenile authorities (or juvenile officer) with a copy of the incident report and the juvenile complaint form, along with the court copy of the citation.

4. Informal Adjustment – In cases where a juvenile commits a status offense, the officer has the option of completing a juvenile complaint form and forwarding it to the Court for evaluation to ascertain if the juvenile qualifies for an informal adjustment. If the juvenile does qualify, he/she will be assigned a probation officer and referred to some type of diversion program. If the juvenile does not qualify, the Juvenile Court will notify the officer, who will report to the Court to sign the juvenile petition, and the case will be assigned to the delinquent calendar. A juvenile will not qualify for informal adjustment for unruly acts filed by parents (For UCR purposes, the filing of a complaint for an informal adjustment constitutes an arrest.)

B. Juvenile Traffic Procedure - DUI

1. A juvenile who is arrested for DUI, who is sixteen years of age, and possesses a Georgia Driver's License, is subject to the Georgia Implied Consent Law, and have the same rights as an adult.

2. After the test is completed, the arresting officer will follow standard procedures for the processing of juveniles. DUI is a delinquent charge. Therefore a juvenile complaint form must be completed along with a traffic citation.

3. A juvenile without a valid driver's license who is arrested for DUI, regardless of age, is not subject to the Georgia Implied Consent Law and cannot be given a blood or breath test without obtaining permission from the parent(s) or legal guardian.

NOTE: All sixteen-year-old traffic offenders shall be tried in juvenile court for violations under the Uniform Rules of the Road Act, O.C.G.A. Sec. 40-6-1. The sixteen-year-old is issued a Copy of Charges (traffic citation) and the original court copies are forwarded on to the Juvenile Court.

4. Juvenile traffic offenses, O.C.G.A. Sec. 15-11-73; apply to those individuals under the age of 16 and the arresting officer will follow standard procedures for the processing of juveniles.

5. Exceptions: Those violations which include any offense under O.C.G.A. Sec. 40-5-54 or 40-5-70. Any offense under these Codes is an act of delinquency.

C. Physical Detention

The taking of a child into custody is not an arrest, except for determining its validity under the Constitution of this state or of the United States.

1. A child may be taken into custody:

a. Pursuant to an order of the court;

b. Pursuant to the laws of arrest;

c. By a law enforcement officer or duly authorized officer of the court if there are reasonable grounds to believe that child is suffering from illness or injury or is in immediate danger from his surroundings and that his or her removal is necessary (a deprived child);

d. By a law enforcement officer or duly authorized officer of the court if there are reasonable grounds to believe that the child has committed a delinquent act or if there are reasonable grounds to believe he or she is an unruly child;

e. By a law enforcement officer or duly authorized officer of the court if there are reasonable grounds to believe that the child has run away from his or her parent(s), guardian, or another custodian.

f. By a law enforcement officer or duly authorized officer of the court if a parent or guardian of a child has contacted a law enforcement agency and reported that the child is absent from parental custody without consent and a facility created pursuant to O.C.G.A. Sec. 15-11-47 (e)(2) is available. By a law enforcement officer or duly authorized officer of the court if a child is violating a curfew and a facility created pursuant to O.C.G.A. 15-11-47 (e)(2) is available.

2. A child taken into custody shall not be detained or placed in shelter care, prior to the hearing unless:

a. His detention or care is required to protect the person or property of others or the child;

b. The child may abscond or be removed from the jurisdiction of the court;

c. He has no parent(s), guardian, or custodian or other person able to provide supervision and care for him and return him to court when required; or

d. An order for his detention or shelter care has been made by the court.

3. Procedures for Taking A Child into Custody, O.C.G.A. Sec. 15-11-47: An officer taking a child into custody, with all reasonable speed and without first taking the child elsewhere, shall:

Contact the child's parent, guardian, or other custodian.

b. Release without bond the child to his parent(s), guardian, or other custodian upon their promise to bring the child before the court when required, or inform the parent or guardian that the child is in custody;

c. Deliver the child to a medical facility, if the child is believed to suffer from a serious physical condition or illness which requires prompt treatment and, upon delivery, shall promptly contact a juvenile court intake officer;

d. Bring the child immediately before the juvenile court or promptly contact a juvenile court intake officer who will determine if the juvenile will be detained or released;

e. Bring the child who is suspected of committing a delinquent act before the Superior Court of the county where the delinquent act occurred, if the act is an act over which the Superior Court has jurisdiction;

f. Bring the child to any suitable place or facility designated or operated by the Court for juvenile detention.

4. When a juvenile is taken into custody, a Juvenile Complaint Form, an incident report and a witness list must be completed by the investigating officer. The arresting officer shall be responsible for fingerprinting and photographing a juvenile taken into custody for a felony offense.

5. Incident Reports, Juvenile Complaints with witness lists and Traffic Citations issued to a juvenile offender are to be filed in a separate secured area from incident reports involving adult offenders. Juvenile records are filed in red folders.

6. Information regarding the arrest of a juvenile is to be released pursuant to the Georgia Open Records Act.

D. Procedures Involving Capital Felonies

1. An officer taking into custody a juvenile, thirteen (13) years of age or older who is suspected of a capital felony, shall immediately take the child into custody.

2. The officer will then contact the district attorney. If the district attorney indicates that his office will handle prosecution the officer shall complete an arrest warrant and not a juvenile complaint form.

3. The officer will contact the district attorney for approval of detention on a capital felony.

4. Questioning the Juvenile Offender - When juveniles are questioned, a parent, guardian, or attorney should be present and participating. Both the parent and child should understand and knowingly waive the juvenile's Miranda Rights if the juvenile is in custody.

E. Child Abuse Protocol

The deprived, abused and neglected child: Each county in the state is mandated to have in place a child abuse protocol filed with the Division of Family and Children Services (DHR), a copy of which shall be furnished to each agency in the county processing the cases of abused children O.C.G.A. Sec. 19-15-1 et seq. This protocol should detail the procedures to follow regarding the handling of abused and physically neglected children under the age of 18 years. And is made available to all sworn personnel.

F. Protective Custody

1. To ensure compliance with the guidelines of the Piedmont Judicial Circuit Juvenile Court, the following procedures should be followed;

a. An investigation is conducted to determine if the child has engaged in criminal or non-criminal misbehavior (status offense), alleged to have been harmed, or to be in danger of harm. (Child is taken into custody).

b. The child is transported to the Auburn Police Department, unless the child needs medical treatment, then the child should be transported for proper medical treatment.

c. A juvenile complaint and affidavit are completed, and notarized if necessary.

d. The officer must obtain approval to detain the child from the Barrow County Juvenile Court (Piedmont Judicial Circuit). If during business hours contact Department of Juvenile Justice at 770-

868-4011; if after business hours contact the Juvenile Justice Intake Officer on-call through Barrow County Central (E-911).

e. If the Intake Officer gives approval to place the child in protective custody, APD will contact DFACS, if they are not already involved in the investigation. The Intake Officer will provide the officer with the date and time of the 72-Hour Hearing. The Piedmont Judicial Circuit Juvenile Court will ensure that an attorney is appointed to represent the child during the court proceedings.

f. When the parents are available at the time of intake, or can be reasonably located, the officer is to provide the parents with a copy of the verified Complaint (or Affidavit) and provide the date and time of the 72 Hour Hearing.

g. The child is turned over to DFACS.

2. The original juvenile complaint form, if not retained by the Intake Officer, should be submitted to the Records Section, so that it can be picked up by a Juvenile Court Officer the following business day or hand delivered to the Juvenile Court by the investigating/detaining officer.

3. The original Juvenile Complaint form should be placed with the shift paperwork, and the following business day, the complaint form will be retrieved by an officer of the Juvenile Court. Once the court has received the complaint form, they in return will send a subpoena to the police department for the officer filing the complaint.

4. Officers should expect to appear for the hearing within 48 to 72 hours after the juvenile has been placed in the custody of the Court.

5. On occasion, the Juvenile Court will not be able to give 24-hour notice on subpoenas. One such case might occur when a juvenile is taken into custody that day, or shift, and the hearing is scheduled for the following day, allowing a disposition to be reached before the weekend. In this case, the court would not be able to notify the officer until the next morning prior to the hearing. Officers should expect to appear in court the following day under certain circumstances. For 72-hour hearings scheduled after normal office hours, the Intake Officer will not serve the officer with a subpoena. The officer will receive service verbally.

G. Detention/Probable Cause Hearings

1. Unruly Juveniles may be held for 24 hours. The judge can place an unruly juvenile in detention for 48 hours and a delinquent child for 72 hours.

2. Probable Cause Hearing

a. Two (2) witness are allowed at the hearing.

b. Hearsay evidence is admissible.

c. Double hearsay is not admissible.

d. The officer does not have to have the crime lab report at this hearing.

e. Juveniles can admit at the detention hearing and waive the full hearing.

3. If the youth is detained at the detention hearing, a full hearing has to be held within 10 days.

4. If the youth is not detained at the detention hearing, the hearing will be scheduled for the following month.

5. If a youth is detained for delinquent charges and the detention hearing is not scheduled within 48 hours, the Intake Officer must call the Judge and read the complaint to the Judge to establish probable cause. The complaint must give enough information to establish probable cause, and the law enforcement officer must be sworn by the Intake Officer and the complaint must be signed by a notary. All the Intake Officers for Juvenile Court are notaries.

H. Full Hearing

1. The officer must prove the alleged crime beyond a reasonable doubt.

2. Witnesses must be subpoenaed for court. The prosecuting officer must provide Juvenile Court with a witness list that contains all available contact information including current address and telephone numbers.

3. The officer must have the crime lab report or Crime lab technician. Be sure the crime lab reports are marked "JUVENILE".

4. If subpoenaed witnesses do not show, the officer can ask for a continuance.

5. An officer may amend the petition or may ask for an amendment.

6. If the officer is unavailable for the scheduled court appearance he must notify his immediate supervisor and contact the solicitor for the Piedmont Judicial Juvenile Court to request a continuance.

I. Fingerprinting and Photographs

1. When juveniles are taken into custody for any act which would be a felony if committed by an adult, O.C.G.A. Sec. 15-11-83, mandates the submission of juvenile fingerprints to GCIC. The juveniles must be printed by the computerized AFIS system at the Barrow County Jail. The arresting officer shall notify the Barrow County jail prior to their transport, to allow for the clearance of the booking area of adult offenders, and then transport the juvenile to the jail for fingerprinting and photographing. Additionally, the arresting officer shall request a copy of the juvenile fingerprints to be forwarded to the Criminal Investigations Division, where the copies are stored in a locked file cabinet in a secure location within CID until these prints can be stored in the original case file.

2. Upon application of the child photographs of juveniles shall be destroyed if a juvenile petition is not filed or is dismissed.

3. All juvenile records, including photographs (if hard copies are developed) and other forms of identification, will be filed in red folders in locked filing cabinet within the Records Section, separate from adult files.

4. Juvenile photographs and bio data will be identified separately from adult photographs and bio data in the computer system, by the juvenile's biographical information being highlighted in red.

5. Juvenile records may be disseminated to officers within the Auburn Police Department for official investigations only. Others requesting juvenile records may receive them in compliance with the Georgia Open Records Act. All requests for juvenile records will be made through and distributed by the Records Section. Any juvenile records which have been ordered to be sealed by Juvenile or Superior Court shall not be subject to disclosure.

6. The Records Section shall store hard copy juvenile records files for the current year and the previous year and maintain compliance with the Georgia Records Retention Schedule for Local Governments. Juvenile records designated for Court order expungement shall be received and destroyed entirely from both electronic and hard copy files by the Records Supervisor.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 08-4**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/04/2018

Subject: Family Violence

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I. Purpose

To establish guidelines for the City of Auburn Police Department in managing Domestic Violence and Family Violence in Accordance with O.C.G.A. Sec. 19-13-1 Family Violence and O.C.G.A. Sec. 17-4-20.1 Investigation of Family Violence. A clear and consistent message is sent to the abuser that domestic violence will not be tolerated, thus reducing repeat offenses.

II. Definition

Family Violence: Section 19-13-1 of the Official Code of Georgia Annotated states that the term "family violence" refers to the occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household:

1. Any felony; or

2. Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass.

The term "family violence shall not be deemed to include reasonable discipline administered by a parent to a child in the form of corporal punishment, restraint, or detention.

The term family violence shall not be deemed to include acts committed by present roommates if an intimate relationship does not exist.

III. Policy and Procedure

A. Victim Safety

The victim is informed about the Auburn Police Department's response to Domestic Violence, regarding options that aid the victim in preventing further abuse situations. The suspect is subject to arrest whenever allowed by law, granting the victim the best protection possible for their immediate physical safety.

B. Officer Safety

The suspect and victim are immediately separated. Arguments are not given an opportunity to escalate. Arrest is made as mandated by policy and law; police officers are to maintain control of the situation.

C. Warrantless Arrest

When responding to calls for service involving family or domestic violence, officers of this department will abide by O.C.G.A. Sec. 19-13-1, Family Violence. Pursuant to this act, an officer can make a warrantless arrest for a misdemeanor not committed in his immediate presence. The officer

will use the "reasonable person presumption" in the same respect as he would for the making of a felony arrest based on probable cause. If an arrest is made pursuant to O.C.G.A. Sec. 19-13-1, the victim shall be instructed that they will have to appear before a magistrate at a hearing scheduled by the magistrate.

D. Protecting Victims

Officers must protect the victim from further abuse. Separate the victim from the assailant, administer first aid, and arrange for medical attention if the victim is injured. If the victim appears injured and refuses medical assistance, document the observed injuries in writing and via photographs, as well as the refusal of medical assistance.

E. Police Actions

In accordance with O.C.G.A. Sec. 17-4-20.1 "No officer investigating an incident of family violence shall threaten, suggest, or otherwise indicate the arrest of all parties for the purpose of discouraging requests for law enforcement intervention." Officers shall advise victims/witnesses of their rights concerning Temporary Protective Orders and rights as spelled out under Georgia law and procedures outlined in Chapter 16-14 of the Auburn Police Department's Operations Manual.

F. Evidence

The following evidence will be gathered in all Domestic Violence cases when available:

1. The investigating officer will ensure that photographs are taken of all visible injuries on the victim.

2. Evidentiary articles that substantiate the attack.

3. Any evidence from the crime scene.

4. The victim's and other witness's statements.

5. All articles of evidence should be collected and processed pursuant to policy.

6. Spontaneous statements made by the suspect.

7. Video recorded and/or audio recorded statements will be made of all victims and witnesses statements if possible.

8. 911 recording of the complaint and/or victim's request for service.

G. Warrants

The investigating officer will obtain the arrest warrants when there is a decision to arrest based on the elements of family violence. In family violence situations the complaining victim will not be instructed to obtain the warrants. This reduces the element of intimidation by the abuser to pressure the victim into withdrawing the warrants.

H. Reporting

The responding officer will prepare an incident report on all domestic calls whether or not an arrest is made. Upon investigating a battery complaint, officers will attempt to locate any child (under the age of 16) in the household that may have witnessed the incident. If a child witness was present during the incident, include their name, DOB, telephone number, and school name in the report, along with their statement in a secured supplemental. The suspect will then be charged with the offense and Cruelty to A Child 3rd Degree, O.C.G.A. Sec. 16-5-70, in addition to the other charges. (The offense of battery, not simple battery, must be present in order to file cruelty charges.) Furthermore, any person committing any forcible felony in the presence of a child, will be charged with Cruelty to A Child 3rd Degree, O.C.G.A. Sec. 16-5-70. If an arrest is not made the officer will fully document the reasons for this decision in the narrative portion of the incident report.

I. Follow-Up Contact

The C.I.D. Commander will designate a person to contact the victim of assaults for follow-up. The contacts will be made within seven days following the incident. The purpose of the follow-up is to document any further evidence of the initial complaint and/or to determine if subsequent violence has occurred. If other acts of violence have occurred, the designee shall gather all available investigative information and pursue criminal charges if probable cause exists. If an arrest is not made the designee shall fully document the reasons for this decision in a supplemental report. The designee shall also explain to the victim - and provide assistance if needed - for other avenues of Domestic Violence relief through the Barrow or Gwinnet County District Attorney's Office and local domestic violence shelters. All Family Violence related incident reports with a child listed on said report will be faxed to the Barrow or Gwinnett Department of Family and Children's Services. The information sharing is intended to assist employees of that agency in addressing police identified family issues of their current client base.

J. Processing Temporary Protective Orders (TPO)

1. TPO's will be received through the support services division and forwarded to CID and Patrol Division.

2. The CID Commander will make a follow-up contact with the victim, or if no case has been initiated he will initiate a case.

4. The support services division will maintain all TPO's within Records division.

Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 09**
Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/04/2018

Subject: Search and Seizure

I. Policy

It shall be the policy of the Auburn Police Department to conduct searches of persons, places and things pursuant to established State and Federal laws governing search warrants and/or warrantless searches. Auburn Police Officers shall have due regard for the protections guaranteed under the provisions of the Fourth Amendment to the U.S. Constitution. The following procedures shall address search and seizure policy and shall cite major case law and/or state statutes where applicable.

Definitions

Fourth Amendment: The Constitutional Law that provides the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures. This right shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. The Fourth Amendment protects an individual's reasonable and legitimate expectations of privacy rather than simply places or property rights in an invaded place.

Expectation of Privacy: The degree to which a person, by their conduct, has exhibited an actual expectation of privacy, and whether the individual's expectation of privacy is one that society is prepared to recognize as reasonable. The courts have determined that a person has a high expectation of privacy in their residence. The Fourth Amendment has drawn a firm line at the entrance to a person's home. Absent exigent circumstances, that threshold may not reasonably be crossed without a warrant. An automobile affords a lesser expectation of privacy than a house for Fourth Amendment purposes.

Probable Cause: The facts and circumstances within an officer's knowledge that would lead a reasonable person to believe that a crime has been committed or is being committed and/or that a particular individual has committed or is committing the offense.

Hot Pursuit: An exigent circumstance, created by the continuous pursuit of an offender from a crime that may justify a warrantless entry into a home in order to protect the officer or the public and/or to prevent the destruction of evidence.

Seizures: The seizure of an individual occurs when by means of physical force or show of authority, their freedom of movement is restrained. The Supreme Court has clarified that seizures can be of different intensities, for example, an arrest, which results in detention, versus an investigative detention. The seizure of property occurs when there is some meaningful interference with an individual's possessory interests in that property.

III. Rules and Regulations

A. Search with a Warrant

The following is required of all search warrants and search warrant affidavits:

1. Issuance: The warrant must be issued by a judicial officer authorized to hold a court of inquiry (O.C.G.A. Sec. 17521 or 21.1). For search warrants within Auburn, officers shall use the Magistrate court, or when necessary, the Superior Court. For areas outside Auburn, officers shall use the appropriate judicial officer from that jurisdiction.

2. Probable Cause: The magistrate must find probable cause that the place to be searched contains items connected with criminal activity (Berger v. New York, 388 U.S. 41). The officer must swear or affirm under oath the facts presented for establishing probable cause are true.

3. Description: The warrant must describe with sufficient particularity the person or the place to be searched and the items to be seized (O.C.G.A. Sec. 17523). In executing a warrant, officers may not exceed its scope. A lawful search extends to all areas and containers in which the object of the search may be concealed.

If a place can be easily identified by a street number or address, then no further information shall be necessary, however, an officer or investigative component may elect to further describe the place to be searched.

NOTE: A warrant may be issued based on an affidavit containing only hearsay where the reliability of the informant is established, and the underlying factual circumstances are described.

B. Search Incident to Lawful Arrest

1. Scope: A search incident to a lawful arrest must be limited in scope to the arrestee's person and the area within his immediate control.

2. Authorization: A search incident to an arrest shall be authorized for the following reasons:

a. For the safety of the officer.

b. To secure items that might aid in an arrestee's escape.

c. To prevent the destruction of instruments or fruits of a crime.

3. Nature: A search incident to a lawful arrest must be concurrent in time and place with the arrest.

C. Exigent Circumstances

1. A warrantless search is permitted when there is both probable cause and exigent circumstances. The ultimate test is whether there is such a compelling necessity for immediate action that proceeding without a warrant is justified.

2. Hot pursuit, a fleeing suspect, destruction of evidence, incidents where the public safety is endangered, or other situations in which speed is essential to the accomplishment of lawful police action are examples of exigent circumstances.

Note: The government bears the burden of proving exigency.

D. Stop and Frisk

1. Grounds for the Stop: To lawfully stop an individual, the law enforcement officer must have a reasonable suspicion that the person stopped is involved in criminal activity.

In appropriate situations, a Field Interview entry should be completed on all such stops of suspicious persons and forwarded to the appropriate investigative component. A detailed description of the activity and of the person should be included.

To lawfully frisk an individual, the police officer must have an articulable reasonable suspicion or belief that the person stopped is armed and dangerous.

3. In the case of the protective search for weapons, the officer must be able to point to particular facts, from which he reasonably inferred that the individual was armed and dangerous.

4. The frisk must be limited to that which is necessary for the discovery of weapons, which might be used to harm the officer or others nearby (Terry v Ohio, 392 U.S. 1). Officers are reminded that a frisk is a limited search of the outer clothing.

5. Nature of the Frisk: The frisk for weapons must be only a limited intrusion of a person (pat down). Pockets cannot be entered during a pat down, unless the officer feels an object which is consistent with a weapon in its size, shape, or feel.

6. Search After the Frisk: Feeling an object which might be a weapon will justify a more extensive intrusion to obtain the suspected weapon. An officer may enter pockets to dispel the alarm that a weapon is present.

7. Plain Feel Doctrine: If, during the frisk of a subject, an officer feels something that he knows to be, or which is readily apparent as contraband, the officer may seize the item or items and use the evidence in court.

8. In those situations where an officer has completed a stop and frisk as described herein and no arrest results from the encounter, the officer will complete a miscellaneous report, documenting the justification of the encounter and pat down/search.

E. Vehicle Stops

1. Significance of the Stop: A "seizure" occurs whenever a vehicle is stopped, even though the purpose is generally limited and the detention quite brief; therefore, the Fourth Amendment applies.

2. Grounds for the Stop: There must be reasonable suspicion to justify an investigatory stop of an individual's vehicle, i.e., the police either must have reasonable suspicion that the vehicle or its occupants are involved in criminal activity or have probable cause to believe that a traffic violation has occurred. Police officers do not have an unrestricted right to stop people, either pedestrians or drivers.

3. Vehicle Roadblocks: Vehicles may be stopped at general roadblocks which serve legitimate law enforcement purposes. If the purpose of the road block is legitimate, (e.g., to check driver's licenses and proof of insurance), and vehicles are systematically stopped, and evidence of other crimes is observed, the officer has the right to take reasonable investigative steps. Vehicle roadblocks shall be prohibited unless approved by a supervisor.

4. Initial Intrusion: Police officers may take reasonable action to protect themselves after a lawful stop of a motor vehicle. An officer may prefer to ask the driver of a vehicle to step out of the vehicle. Police officers may consider external factors such as traffic, weather, crowds, etc., prior to asking anyone to step out of their vehicle.

5. Further Intrusion: If the police officer has a reasonable belief that a person stopped is presently armed and dangerous, he may conduct a limited protective search of the vehicle and frisk of the person.

6. Vehicle Searches Incident to Arrest: In accordance to Arizona v Gant (04-21-09) A vehicle may be searched incident to arrest only if the arrestee is within reaching distance of the passenger compartment at the time of the search or it is reasonable to believe that the vehicle contains evidence of the offense for which the person was arrested.

F. Vehicle Searches

1. Exigent Circumstances: The mobility of motor vehicles often constitutes exigent circumstances authorizing a warrantless search. The "automobile exception" to the warrant requirement demonstrates a willingness of courts to excuse the absence of a warrant when spontaneous searches are required of a vehicle (Condor v. State, 129 Ga. App. 665; 1973). The expectation of privacy with respect to one's motor vehicle is significantly less than that relating to one's home, office, or one's luggage. The automobile exception is supported from the fact that a car's occupants and contents travel in plain view, and motor vehicles are highly regulated by government.

2. Standard: To search under exigent circumstances, the police officer must have probable cause to believe the vehicle contains evidence of a crime, thus, seizeable items.

3. Time and Place of Search: If probable cause and exigent circumstances existed originally, the police may search the vehicle after towing it to the impound lot without securing a search warrant. When probable cause exists without exigent circumstances, a warrant is required (Caito et al, v. State, 130 Ga. App. 83; 1974).

4. If a person is arrested after a vehicle stop, the passenger compartment may be searched incident to arrest: if the arrestee is not handcuffed and is within "reaching distance" of the passenger compartment of the vehicle and a back-up officer is in control of the arrestee or if the arrest is for the type of crime that makes it reasonable to believe evidence of the offense may be located in the vehicle (examples: DUI, Drug Offenses, Larceny Offenses, and Person on Person Offenses involving a weapon)

G. Container and Luggage Search

1. Standard: Containers generally may only be searched pursuant to a warrant, based on probable cause. Individuals possess a privacy interest in the contents of their personal luggage that is protected under the Fourth Amendment. However, it is generally recognized that the privacy interest of people who are in transit (on a bus, train, or airplane), on public thoroughfares is substantially less than those attached to a fixed dwelling. Some touching or moving of containers does not necessarily constitute a seizure. An officer who moves luggage or a container to facilitate a canine sniff, does not constitute a seizure by the officer or a search by the canine. Passengers traveling on common carriers have no reasonable expectation of privacy in the exterior of their luggage, or of the airspace surrounding it.

2. Automobiles: A police officer who has legitimately stopped an automobile, and who has probable cause to believe contraband is located somewhere within the car, may conduct a warrantless search of the vehicle, including compartments and containers within the vehicle, whose contents are not in plain view (U.S. v Ross, 456 U.S. 798, 31 Crl 3051; 1982).

3. Exceptions: The 'Search Incident to Arrest' and 'Plain View' doctrines, will generally make unnecessary the need to secure a warrant to search containers. When a lawful custodial arrest has been made, the officer may examine the contents of any container found within the passenger compartment within reach of the arrestee (Area of immediate control).

4. Inventory of Impounded Vehicle: (See Chapter 13-2)

H. Plain View Doctrine

1. Legality: In order for the Plain View Doctrine to apply:

a. The law enforcement officer must be at a location where he has a legal right to be;

b. The discovery of seized items need not be inadvertent, as long as the search is confined in an area and duration by the terms of a warrant, or a valid exception to the warrant requirement; (United States v. Scopo, 19 F.3d 777, 783 (2d Cir. 1994).

c. The seized items must appear on their face to be incriminating;

d. The items seized must be plainly visible to the law enforcement officer.

I. Abandonment

1. Act: Abandonment is a voluntary relinquishment of control of property, (i.e., disposing of, denying ownership.)

2. Implications: Abandoned property is not protected by the Fourth Amendment. Officers may seize, and search abandoned property without probable cause, and without a warrant. Whether or not property has been abandoned is a question of intent, which must be shown by clear, unequivocal and decisive evidence.

J. Curtilage Doctrine

1. Curtilage Doctrine: Curtilage is afforded the same Fourth Amendment protections as is the home. Generally speaking, curtilage has been held to include all buildings in close proximity to a dwelling, which are continually used for carrying on domestic purposes; or such places as are necessary and convenient to a dwelling and are habitually used for family purposes (including a patio).

2. Open Fields: The Fourth Amendment protections do not extend to the "open fields" surrounding the curtilage and the home.

3. Legitimate Expectation of Privacy: The determination of whether Fourth Amendment protections will be extended to items seized from the curtilage or open fields focuses on whether the

person challenging the search has a legitimate expectation of privacy in the place which was searched.

K. Consent Searches

1. Voluntariness: The law enforcement officer obtaining consent has the burden of proving that the defendant's consent to a warrantless search was given freely and voluntarily.

2. Test: The voluntariness of a person's consent is measured by the totality of the circumstances.

3. Consent After Arrest: If the consenting party is in custody, the voluntariness of the consent is still measured by the totality of the circumstances, although courts will analyze the relevant factors more critically.

4. Third Party Consent: Consent for a warrantless search may be given by a third party who shares control of, (or has common authority over), the premises or items to be searched. Areas belonging exclusively to parties not present or not giving consent, shall not be searched. Additionally, if more than one person with equal access authority is present, and one refuses to provide search consent, the search shall not be completed, regardless of search consent by others.

Note: Police officers will make every reasonable attempt to get a signed Auburn Police Department 'Consent to Search' Form (See form attached at the end of this chapter). Officers are reminded that an oral consent will be subject to the same scrutiny as a written consent.

5. Knock and Talk: Officers may approach a residence for which they have a mere suspicion might contain drugs, other contraband, fruits of a crime, or a wanted suspect, and request permission from the lawful occupant to search. Failure to get permission from the lawful occupant will not create cause for the officer to take other action. For the purpose of this section, 'suspicion' is not intended to have same meaning as 'reasonable suspicion' or probable cause.

L. Body Surface Inspection

Body Surface Inspection: Any search of an individual requiring the removal or rearrangement of clothing to permit the visual inspection of the genital area, buttocks, anus, or female breasts.

1. Individuals arrested or detained should not be subject to a Body Surface Inspection unless the arresting/detaining officer has reasonable suspicion to believe that the individual is concealing contraband or weapons. Reasonable suspicion may be based upon, but is not limited to the following:

a. The nature of the offense charged.

b. The arrestee's appearance and demeanor.

c. The circumstances surrounding the arrest/ detention.

d. The arrestee's criminal record, particularly past crimes of violence and narcotics offenses.

e. The discovery of evidence of a major offense in plain view or in the course of a search incident to the arrest.

f. Detection of suspicious objects beneath the suspect's clothing during a field search incident to arrest.

2. If Body Surface Inspections should be conducted the following conditions will exist:

a. Under conditions that provide privacy from all but those authorized to conduct the inspection.

b. If the circumstances permit, by an officer of the same sex.

c. There will be at least one witness of the same sex in the room during the search.

d. A superior officer with a minimum rank of sergeant will supervise the circumstances of the search; however, that superior officer need not be in the room at the time of the search. If for any reason a supervisor is present during the search, the supervisor will be of the same sex.

e. Officers will not touch the person being strip searched unless contraband is located.

f. Only qualified (RN or MD) medical personnel will perform a digital search or probe search.

g. Juveniles will not be subject to strip searches without prior approval of the juvenile court or its officers.

3. Following a Body Surface Inspection, the officer performing the inspection will document, in writing, the following:

a. Date and place of the inspection.

b. Identity of the officer conducting the inspection.

c. Identity of the individual inspected.

d. Those present during the inspection.

e A description of the nature and extent of the inspection.

f. The basis of reasonable suspicion to conduct the inspection.

g Any weapons, evidence or contraband found during the inspection.

Body Surface Inspections that require the removal of all clothing shall be conducted only in the rarest of circumstances and with the explicit approval of a supervisor.

M. Body Cavity Inspections

Body Cavity Inspection: Any search involving not only visual inspection of skin surfaces but the internal physical examination of body cavities and, in some instances, organs such as the stomach cavity.

Should visual examination of a suspect during a Body Surface Inspection and/or other information lead an officer to believe that the suspect is concealing a weapon, evidence or contraband within a body cavity, the following procedures shall be followed:

1. The suspect shall be kept under constant visual surveillance until a Body Cavity Inspection is conducted or an alternative course of action taken.

2 The officer shall consult with his immediate supervisor to determine whether probable cause exists to seek a search warrant for a Body Cavity Inspection. The decision to seek a search warrant shall recognize that a Body Cavity Inspection is highly invasive of personal privacy and is reasonable only where the suspected offense is of a serious nature and/or poses a threat to the safety of officers, the suspect, or others.

Certain intrusions into the body (e.g. stomach pumping, surgery) have been held to be in violation of the Fourth Amendment (Rochon v. California 342 U.S. 165, Winston v. Lee, 470 U.S. 753). Hence, only under the most exigent circumstances and only pursuant to a search warrant, will such a procedure be allowed.

3. If probable cause exists for a Body Cavity Inspection, an affidavit for a search warrant shall be prepared that clearly defines the nature of the alleged offense and the basis for the officer's probable cause.

4. On the basis of a search warrant, a Body Cavity Inspection shall be performed only by an authorized physician or by other medically trained personnel at the physician's direction.

5. For safety and security reasons, the inspection shall be conducted at the jail or other authorized medical facility and in a room designated for this purpose.

6. Body Cavity Inspections shall be performed with due recognition of privacy and by medically trained personnel as previously addressed in this policy.

7. A supplemental report will be completed by the requesting officer stating the reason for the Body Cavity Inspection. A copy of the search warrant and the medical report shall be submitted with the original incident report.

N. Other Intrusive Searches

Intrusions on the body's surface (swabbing, hair samples, retrieval of evidence from the mouth, etc.) are governed by the Fourth Amendment. Such searches are permissible as long as they are conducted in a reasonable manner and are justified under the circumstances (e.g. probable cause to search).

However, other more common intrusions, such as blood tests, may be conducted without a warrant if the setting and procedures are reasonable, as when blood is drawn by a doctor in a hospital (Schmerber v. California 384, U.S. 757).

O. Search Warrant Executions in Third Party Premises

Absent exigent circumstances, or consent by an owner or legal occupant, an arrest warrant issued for the arrest of an individual, does not justify the entry into, or search of, a residence or premise of a third party without first obtaining a search warrant (Steaglad v. U.S., 101 St. Ct. 1642; 1981).

P. Execution of Search Warrants

1. Supervisory Personnel: Prior to the execution of a search warrant, an officer of supervisory rank should have reviewed, initialed in the bottom right corner, and dated the affidavit and warrant. He should also have discussed the circumstances of its issuance to ensure that requirements of law are being met, and that all the necessary elements are present, even though the warrant may have already been signed by the appropriate authority. All search warrants and affidavits should be reviewed by a supervisor prior to review and approval by a magistrate.

2. When appropriate, the District Attorney's Office will be consulted prior to, during, and after serving search warrants, for their advice, recommendations, or for whatever other purpose the officer deems appropriate (e.g., preparation for prosecution).

NOTE: All requests for wiretap warrants must be approved in advance by the Chief of Police, and the District Attorney's Office. (The actual written application for interception of wire or oral transmissions by law enforcement officers, must be executed by the District Attorney of the circuit wherein a device is to be physically placed, or by the Attorney General O.C.G.A. Sec. 161164)

3. An officer of supervisory rank shall be present at the execution of any search warrant along with other personnel as needed. If possible, the supervisor is to be from the Unit concerned; if unavailable, a sergeant or higher-ranking officer from another unit shall assist.

4. Following the execution of the warrant, the designated supervisor shall ensure that the appropriate followup steps are handled expeditiously (i.e., return, inventory, arrest warrant).

5. Officers Involved in Executing Search Warrants: All involved personnel shall conduct themselves in a professional manner by:

a. Restricting their actions in such a manner as is consistent with the scope of the warrant;

b. Whenever possible, leaving property not seized in an orderly fashion, (or as found), and ensuring that it is not left in an unreasonable state of disorder, or destroyed.

c. Ensuring all evidence seized is documented on the inventory and forwarded to the Property and Evidence Section and/or Crime Lab.

NOTE: Items considered to be illegal and/or contraband, are not to be destroyed without either the appropriate order of the court, or, in cases where prosecution is not to follow, by proper documentation.

Q. Force to be Used in Execution of a Search Warrant

1. An officer has the right under a lawful search warrant to use all necessary and reasonable force to get into any building, dwelling, or other area described in a search warrant (O.C.G.A. Sec. 17527).

2. Unless the search warrant contains a noknock provision, an officer is required to give oral notice to the person or persons inside, if any, of the identity of the officer, and of the fact that the officer has a search warrant to search the premises (O.C.G.A. Sec. 17527).

3. If the person or persons inside refuse to acknowledge an officer's notice, or if an officer cannot determine if anyone is present inside, or if it is unoccupied, an officer can then use reasonable force to gain entrance (O.C.G.A. Sec. 175-27).

4. Any action taken by the officer should be recorded prior to making a forced entry, such as "knocked on door, identified myself by position and advised I held a search warrant for the premises, and no one responded to my call". The purpose of the record is that the officer will have to testify in court concerning the reason for his actions (Jackson v. State, 129 Ga. App,901; 1973).

5. Whenever force is used in order to enter a premise or place, and any amount of damage occurs, the superior officer in charge of the search shall ensure that all damage is documented and photographed.

6. The appropriate amount of time that the officer should allow will depend on the conditions of each search.

R. How to Obtain a No-Knock Search Warrant

1. To gain entrance to any building or dwelling without giving notice, a search warrant must contain a noknock provision. This provision should be in the body of the affidavit.

2. A noknock provision cannot be based upon a mere suspicion, but rather must be predicated upon probable cause from an investigation and/or informant. The following would be examples of probable cause for a noknock provision:

a. A reliable informer or other source provided information concerning a suspect who kept evidence in a bathroom, such as drugs, and would destroy the evidence when the officer knocked on the door (Scull v. State, 122 Ga. App. 696);

b. A reliable informer or other source provided information concerning a suspect who kept firearms next to a door, and when an officer knocked on a door, the suspect would shoot through a door in an attempt to kill or harm the officer (Jones v. State, 127 Ga. App. 137); or

3. Since an officer has a right to use necessary and reasonable force, it is also a responsibility of an officer to obtain the correct address and location of property or premises to be searched. Searching the wrong person or premises could lead to prosecution and/or civil liability of an officer.

S. When a Search Warrant Can be Executed

1. The search warrant may be executed at any reasonable time, day or night; a reasonable time depends on the facts in each individual case (O.C.G.A. Sec. 17526).

2. A search warrant must be served within ten days from the date of issuance. If the warrant is served, a "duplicate copy shall be left with any person from whom any instruments, articles, or things are seized; or, if no person is available, the copy shall be left in a conspicuous place on the premises from which the instruments, articles, or things were seized". Any search warrant not served within ten days from the date of issuance, shall be void and will be returned to the court of the judicial officer who issued the warrant (Ga. O.C.G.A. Sec. 17525).

3. "A written return of all instruments, articles, or things seized shall be made without unnecessary delay before the judicial officer named in the warrant or before any court of competent jurisdiction. An inventory of any instruments, articles, or things seized, shall be filed with the return and signed under oath by the officer executing the warrant" (O.C.G.A. Sec. 17529).

4. Upon application of the search warrant, the officer shall obtain four copies. The first copy shall be left with the magistrate after the warrant is issued. The second copy shall be left pursuant to paragraph 2, mentioned above, the third copy shall be returned to the Magistrate Court, and the final copy shall be placed in the case file, upon completion of the search.

T. Locations/Persons to be Searched Pursuant to a Search Warrant

1. Officers shall be limited to search in areas particularly described by the search warrant; “Scope of Search”

2. Officers shall also be limited to searching only for those items particularly described in the search warrant.

3. Officers shall be limited to searching individuals named or described in the search warrant. Officers should have more descriptive information than "a male", "a white female", etc., if the officer is to list an individual on the warrant to be searched.

4. In the execution of the search warrant, the officer executing the same may reasonably detain and/or search any person in the place at the time:

a. To protect himself from attack; or

b. To prevent the disposal or concealment of any instruments, articles, or things particularly described in the search warrant (O.C.G.A. Sec. 17528).

U. Search of Crime Scenes

Officers may search the scene of a crime with a search warrant, or without a warrant, with proper consent of the person responsible for the property. Officers are encouraged to document this consent via a written 'Consent to Search' form. Consent will be obtained from the victim, or in cases where the victim is deceased or unconscious, a person with lawful control of the property may give written consent. Prior to getting consent, officers may make a protective sweep and secure the crime scene.

NOTE: All court cases cited in this section were valid at the time of publication. However, subsequent case law can alter many of the circumstances. It is incumbent upon all officers obtaining search warrants to assure that the warrants comply with the prevailing standards according to the latest State and Federal Court decisions.

V. Canine Searches

Private Property: Private property located in public and semipublic places is subject to sniffing by a dog. Such an act is not a search. The important factor in applying 'place' is not whether a sniff occurs in a public place, but whether – as in an officer's plain view observation of contraband – the observing person, or the sniffing canine, are legally present at their vantage when their respective senses are aroused by obviously incriminating evidence. Circuit courts have concluded that a dog sniff of a car waiting at a valid roadblock is not a Fourth Amendment search.

Persons: The sniffing of persons by dogs may constitute a search protected by the Fourth Amendment. The Fourth Amendment applies with its fullest vigor against any intrusion on the human body.

Canine Reactions as Probable Cause: In order for a dog's reaction to a person or container to provide probable cause to search or arrest, the reliability of the dog must be established. The reliability should come from the fact that the dog is trained and annually certified to perform a physical skill.

W. Institutional Searches

Schools: Although the Fourth Amendment applies to searches conducted by school personnel, students have limited Fourth Amendment protection. School officials act as representatives of the State, not merely as surrogates for the parents. Therefore, they cannot claim the parents' immunity from the restrictions of the Fourth Amendment. Under ordinary circumstances, a search of a student by a school official or teacher will be justified at its inception, when there are reasonable grounds for suspecting that the search will produce evidence that the student has violated, or is violating, either the law or the rules of the school. (New Jersey v. T.L.O., 469 U.S. 325, 337-39, 341 (1985).

Parolees and Probationers: Parolees and probationers have only limited Fourth Amendment protection. Their expectation of privacy is significantly limited by the supervisory relationship and restrictions imposed on the individual by the State. The search of a parolee or probationer's home without a warrant and with less than probable cause, does not violate the Fourth Amendment if the search is conducted by probation and parole agents under state probation regulations, and pursuant to State Law, that satisfy the Fourth Amendment's reasonableness standard. Police officers and probation officers can work together and share information to achieve their objectives. However, it is impermissible for a probation search to serve as a subterfuge for a criminal investigation.

_____

Christopher Hodge Date

Chief of Police

Auburn Police Department

Consent to Search

I, _____, hereby authorize _____, a member of the Auburn Police Department and other officers as designated by him to search the items and/or locations as described. Those items and/or locations include:

_____
_____
_____.

(NOTE — the items / locations to be searched should be specifically described above.)

I further authorize the above member of the Auburn Police Department to remove any letters, documents, papers, materials, or other property which is considered pertinent to the investigation of _____ (list the specific crime under investigation), provided that I am subsequently provided with a complete list or copy for anything which is removed.

I have knowingly and voluntarily given my consent to search without fear, threat, or promise (expressed or implied).

Signed: _____ Witness: _____

_____ _____

(Print Name) (Print Name)

Date: _____

Time: _____ _. m.

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 10**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/09/2018

Subject: Firearms

_____

I. Introduction

Items of weaponry and personal protective equipment fall into the general classification of armament. The Auburn Police Department must pay specific attention to the requirements of their individual community in determining the type of armament best suited for their operation. The equipment needed to make up the basic armament requirements of a law enforcement agency can be divided into two distinct areas: individual armament and agency armament. This S.O.P. addresses both.

II. Purpose

The purpose of this policy is to establish guidelines and rules for the proper use, care and display of firearms, to establish a standard operating procedure for assignment of agency firearms and approval process for secondary firearms.

III. Rules and Regulations

A. General

Officers, while on duty, will carry only the agency authorized firearm(s) or approved secondary firearm(s).

B. Firearms Safety

1. It is imperative that each individual exercise extreme care in the handling of all firearms, always emphasizing safety, whether on or off duty.

2. Holsters shall not be unsnapped, or sidearms removed from holsters unnecessarily.

3. Loaded shoulder weapons, (e.g., shotguns, rifles, gas guns, etc.), shall not be brought inside the Police Department unless a deadly force emergency is in progress.

4. Shoulder weapons shall be carried perpendicular (muzzle up) to the floor by the grip (no fingers within the trigger guard). They will be carried with the slide back, action open, safety on, and the chamber empty.

5. Confiscated and found firearms shall not be placed into evidence loaded.

6. Attention should be given to the removal and replacement of the handgun to its holster.

C. Care of Firearms

Prior to the issuance of any agency-owned firearm from the Departmental armory to an officer, a qualified Armorer shall review and inspect the firearm to affirm that it is operationally functional for the intended use. Such inspected firearms that are available for assignment shall be maintained in a designated area within the armory to clearly separate them from other firearms which may need repair or inspection. Once assigned, all officers shall keep their firearms clean and in good operating condition. Officers' firearms are subject to inspection by a superior officer at any time. Supervisors will conduct a cleanliness inspection of all departmentally issued and/or authorized primary firearms on a quarterly basis. A cleanliness inspection involves a field strip, to ensure the firearm's components are free of debris and powder residue.

The Armorers' inspection of all departmentally issued firearms will be completed annually. An Armorer inspection involves a more extensive breakdown of the firearms and a systematic check to ensure all firearm components are in proper working order. Any officer who carries a non-departmental firearm, whether primary or secondary, will be responsible for ensuring the weapon is in safe working order.

All supervisory firearm inspections will be noted on the duty roster. Any firearm that is not safe for street duty will be made safe or replaced, before the officer is assigned to street duty. No alterations,

including changing of grips, shall be made to the Department issued firearm, except by an Armorer. Officers are not authorized to make inscriptions on any part of the Departmental firearm.

D. Ammunition

The types and specifications of ammunition approved for use on duty and with secondary firearms will be selected by the Chief of Police. Both on duty and for extra duty employment, sworn officers are authorized to carry only the ammunition as authorized by this policy. The specified ammunition shall be carried within the authorized weapons, whether the officer is on or off duty.

(See Appendix B for list of approved ammunition)

E. Firearms Authorized on Duty

Members are authorized to carry, while on duty, Glock 40 Cal. Firearm, Model 22 for Patrol and Model 23 for CID and Admin, issued by the department. (see Appendix "A")

Shotguns/Rifles issued or authorized by the department are to be carried at all times in the patrol unit, following department procedures.

F. Firearms Display

1. Law enforcement officers should avoid the unnecessary display of firearms and not remove the weapon from the holster except when there is justification for its use to accomplish a proper police purpose. In responding to any potentially dangerous situations, such as a robbery or burglary in progress, an officer may draw and carry his firearms in a position for speedy and effective use, if necessary.

a. Officers may carry their Department issued firearm while off duty, if the weapon is concealed, and the officer has proper police identification on his person.

b. Officers may carry non-issued firearms while off duty if it is carried in compliance with the law.

2. Under Georgia law, a law enforcement officer is authorized to carry an issued or authorized firearm while on duty and off duty. However, the decision to carry a personal firearm and ammunition off duty is an individual decision, not an agency requirement.

3. Issued firearms, carried off duty, will be carried in the issued holsters or in a holster approved by the Chief of Police. These holsters will properly retain and secure the weapon being carried.

4. Officers are prohibited from carrying firearms while consuming alcohol or while still under its influence, whether on or off duty, unless on an authorized special assignment.

5. Detectives, and other plain clothes personnel, shall carry their firearms in a non-conspicuous manner in public, unless otherwise warranted.

G. Discharging Firearms

1. Whenever any member on duty or off duty, of the Auburn Police Department discharges a firearm for any purpose other than one which is sporting in nature, (e.g., hunting) or for target practice, he shall submit an incident report and a Response To Aggression/Resistance Report to the Chief of Police via the Chain of Command, within 24 hours, or arrange for such a report to be made. The report shall include:

a. The officer's duty status, and the reason and circumstances that required the use of a firearm.

b. The names and addresses of any injured persons and witnesses.

c. The name of the agency conducting the investigation.

Additionally, an Auburn Police Department Response to Aggression/Resistance Report will be filed to include:

d. The officer's evaluation of the situation at the time of the incident.

e. The number of rounds fired.

f. The events that led to the shooting.

g. The make, model, and serial number of the weapon discharged.

h. The complete circumstances surrounding the deadly force.

i. The shooting of incapacitated animals as described in Section H below, when conducted in a manner consistent with those guidelines, shall require the completion of only the associated miscellaneous report.

2. The discharging of firearms is prohibited in the following circumstances:

a. To affect the arrest of a person who has committed a crime less than a forcible felony.

b. Spontaneously into, or near a crowd or bystander.

c. At, or from a moving vehicle, unless, the suspect occupying the vehicle represents a clear and direct threat to the life and/or safety of the officer or other innocent persons, and then only as a last resort.

d. Warning shots are prohibited under any circumstances.

3. Considerations Prior to Shooting - the discharge of a firearm is an irreversible action, and if possible, prior to firing, an officer should evaluate the following:

a. Other means of affecting the arrest

b. Age of suspect and offense committed

c. Direction in which the firearm is to be discharged

d. Time of day

e. The danger of firing while running or jumping

f. The presence and location of other people

H. Guidelines for Shooting Incapacitated Animals

An animal may be destroyed, only after reasonable attempts to notify an agency capable of disposing of the animal is unsuccessful. If time permits, officers shall adhere to the following:

1. Effect steps to ensure the safety of all persons, property, or other animals, by moving the animal that is to be destroyed to an area of safety, and out of public view. The animal should be placed on soft ground (in lieu of pavement) to decrease the possibility of ricochet.

2. Shoot the animal at close range.

3. Shoot down into the animal so that if the projectile exits the body, it will enter the ground.

4. Shoot the animal in the head to minimize suffering. If there is a possibility of rabies, or the animal has bitten someone, the animal should not be shot in the head. In these cases, the animal should be shot in the chest cavity.

5. Upon destroying the animal, the proper agency shall be notified, without delay, for removal of the body. If the possibility of rabies exists, or if the animal has bitten someone, the animal's body will be removed to the proper location.

6. File a miscellaneous incident report.

I. Guidelines for Shooting Dangerous Animals

A dangerous animal is any animal that is acting in a violent manner or has demonstrated that it might cause bodily harm to an officer or a third person. Dangerous animals may be shot only as a last resort to prevent bodily harm to the officer or a third person. When it is necessary to discharge a firearm at a dangerous animal, whether the animal is struck, the following procedures shall apply:

1. The officer discharging the firearm shall inform the Shift Supervisor, file an incident report, and Response to Aggression/Resistance Report as described in chapter 10, section f, paragraph 1.

2. The Shift Supervisor shall conduct an investigation by completing the following:

a. Canvass the area.

b. Attempt to locate and collect the rounds.

c. Obtain statements from witnesses.

The above procedure is necessary to protect the agency against later claims of damage and/or injury, as a result of the weapons discharge.

J. Surrendering Weapons

No officer shall ever give up any of his weapons. Surrender of a weapon rarely de-escalates a serious situation and can put an officer and innocent persons in jeopardy.

K. Secondary Firearms

The secondary firearm is a firearm approved for use while on duty as a back-up or while off duty when working in an enforcement function out of uniform. (Refer to Chapter 5.2 involving Outside Employment for required attire while working off duty)

Secondary firearms(s) must meet types and specifications outlined below and must be inspected by an armorer and deemed safe and in good working order before being approved for use. The requesting officer will present the armorer with a "Request to Carry a Firearm Not Issued" form which will be completed upon the armorer's inspection of the firearm and the applicant successfully qualifying with that firearm. The form will then be submitted to the Chief of Police for approval, if the request to carry is approved, a copy of the completed form will be forwarded to the Training Officer, so that a record of each approved weapon can be maintained.

Secondary firearms must be carried in an approved holster. The secondary firearm is carried in a less prominent fashion and would be used if the primary firearm was lost, taken, or malfunctions.

1. Approved Secondary Firearm types:

a. Handgun: revolver (double action only) and pistol

b. Shotgun: pump action and semi auto

c. Rifle: bolt action and semi auto

2. Approved Firearm Specifications

a. Handgun make (brand): Glock, Smith & Wesson, Berretta, Sig Arms, Colt, Kel-Tech, Karr, Hecklor & Koch, Ruger, or other quality handgun approved by the Chief of Police.

1. Handgun trigger pull must be a standard pull from the factory (not altered).

2. Handgun barrel length must be a minimum of 2”

3. Approved calibers; 380, 9mm, 38, 357, 40, and 45

b. Shotgun make (brand) Remington, Mossberg, Benelli, Winchester, or other quality brand.

1. Shotgun trigger pull must be a standard pull from the factory (not altered).

2. Only 12 gauge shot guns will be approved

c. Rifle make (brand) Remington, Bushmaster, Colt, Rock Rivers, or other quality brand.

1. Rifle trigger pull must be a standard pull from the factor (not altered)

2. Rifle barrel must be a minimum of 16”

3. Approved calibers; .223, 5.56

3. Any firearm that is carried as the primary weapon, at any time, must be used by the officer for all the above training. All firearms training will be documented in accordance with P.O.S.T Standards. The Department reserves the right to exceed minimum standards set by P.O.S.T. All officers will be held to the higher standard. (Reference: Canton v. Harris and PoPow v. Margate)

L. Off Duty Firearms

1. When off duty, an officer may carry a personal weapon of his choosing in a non-conspicuous manner.

2. When officers have agency permission to work an extra-duty job in uniform, issued firearms and leather shall be worn.

3. If an officer has the Chief of Police’s approval to work an extra - duty job, out of uniform, he must have the Chief’s approval to carry a firearm. The officer must complete the “Request to Carry a Firearm Not Issued” form if the firearm is not issued by the Department.

IV. Agency Armament Assignment Procedures

A. Issuance of Armament

1. The primary storage facility for all agency owned firearms is the approved safes, with regulated access by only those authorized personnel. All firearms and equipment check-out/check-in, will be handled by either the Patrol Commander or his designee with the officer as follows:

a. Check-Out: The firearms type, caliber and serial number will be noted on the inventory. No firearms will be removed from the vault, for any reason, without first being inspected by the Armorer and then signed out. Non-serialized equipment will be noted by type.

b. The involved supervisor and officer will sign the inventory, noting the date the firearms or equipment was removed. An inventory will be maintained for all permanently issued firearms and for all other weapons approved by the agency for official use.

c. Issued equipment and firearms will be returned in the same condition as issued. It will be cleaned, wiped free of dirt, moisture, and harmful residue, before being replaced in the vault. The bore will be cleaned if the firearms has been fired, fouled, or exposed to the elements. Employees do not have the authority to make changes to Departmental firearms, including changing grips, handles, triggers, making marks on the weapon, or any other alteration. Only a person approved by The Chief of Police may make changes to Departmental firearms.

d. Any equipment or firearm that is damaged will be reported to the Patrol Commander, and his assessment of the damage will be reported to the Chief of Police.

e. The Armorer or Chief of Police's designee receiving equipment or firearms shall inspect them for cleanliness and proper functioning before storing. Problems with any equipment or firearms not passing inspection will be corrected by the officer, if possible, and re-inspected by the involved Armorer or Chief of Police's designee.

f. Any firearm that is not operational and cannot be immediately repaired by the Armorer will be tagged "out of service". The tag will give the date tagged and action needed to render it serviceable. This information will be transferred to the applicable inventory for permanency of the record.

g. The Patrol Commander or Chief of Police will make quarterly inspections of the arms vault and its contents, to ensure that all procedures are being followed.

h. The Armorer(s) or Chief of Police's designee shall inspect all firearms not issued on a regular basis. The Armorer or Chief of Police's designee will clean and/or make repairs as needed. All action(s) taken will be noted in the inventory.

2. The permanently issued firearms will be returned to the Armorer(s) or Chief of Police's designee in the same manner as above, with return printed in the inventory. Weapons will be returned at separation, for disciplinary actions, as prescribed by the Chief of Police, or for extensive repairs, extensive cleaning, etc.

3. The inventory will serve as a chronological history of all Department firearms, and as an inventory tool. This inventory will be kept by the Armorer(s)or the Chief of Police's designee subject to inspection at any time by his superior. Any major changes to any firearms will be noted in the inventory.

B. Responsibilities of the Departmental Armorer

The Armorer(s) or the Chief of Police's designee shall be responsible for ensuring all agency issued firearms are maintained in good working order. Upon notification from any officer that a weapon is malfunctioning, the Armorer(s) or the Chief of Police's designee shall repair the weapon, or issue another.

V. Physical Security of Weapons

A. Storage Facilities

1. No storage facility will be left unsecured, that contain firearms or ammunition. At no time will inmates or trustees assigned to the agency for routine labor, have access to weapon storage facilities for any reason, unless all weapons and ammunition have been removed, or they are under direct and continuous supervision of an agency member with authorized access to the storage facility. Except in rare cases, storage facilities should be treated as secure areas with restricted access to all non-sworn personnel. This also applies to routine facilities maintenance.

2. Storage of firearms in vehicles: No firearms will be left unattended in any vehicle that is delivered to any facility for maintenance. No vehicles that contain weapons will be left unlocked.

3. Take Home Vehicles: No Vehicles that contain firearms will be left unlocked. Weapons that are stored in take-home vehicles will not be stored in any manner that allows them to be visible from the exterior of the vehicle.

4. Personnel who will have take-home vehicles located away from the workplace for extended periods of time, (more than fourteen continual calendar days), will relinquish special weapons to the Patrol Commander for safe storage prior to that leave. (For the purposes of this policy, "special weapons" are all agency-issued firearms beyond handguns.) These circumstances include vacation, schools, convalescence, or other absences.

5. Personnel who will have take-home vehicles located away from the workplace for extended periods of time, (for more than fourteen continual calendar days), will leave no firearm within the passenger compartment of the vehicle. Weapons will be either removed from the vehicle or secured within the trunk storage area with a redundant security system if such system has been provided by the Department. Approved physical security measures include internal factory key-lock systems that prevent trunk access even with forcible entry into the passenger compartment. Cable or chain systems which employ padlocks are also authorized.

6. The agency recognizes that officers may leave firearms or ammunition secured in their workplace for various personal exigencies. In such cases, offices and other storage facilities will be locked at any time the officer is away from his work area. Officers will not leave duty gear visible in work areas, latrines, or break areas.

7. Service Pistol: The duty firearm will be secured at personal residences in a manner that renders them inaccessible for use, to anyone other than the officer to whom it has been issued. This will be accomplished using a locking device, either internal or external, to the weapon that will be provided by the Department, or by physically storing the weapon in a take-home vehicle.

_____

Christopher Hodge Date

Chief of Police

Appendix A

Listed below is a list of authorized weapons that can be carried on duty or while on extra duty while employed at the Auburn Police Department.

Handguns: Glock Model 22 or Model 23 .40 Caliber

Shotguns: Remington, Mossberg, or other quality brand name as approved. 12 Ga.

Patrol Rifle: Bushmaster or other brand name AR style platform as approved.

.223 or 5.56 caliber

Appendix B

Listed below is a list of the duty ammunition that is to be carried in a departmental duty weapon while employed at the Auburn Police Department.

Handgun: Speer Gold Dot GDHP .40 Cal 155 or 180 grain

Winchester Ranger T-series .40 Cal. 165 or 180 grain

Shotgun: Federal Tactical 12 x 2 ¾ in 00 Buck

Federal Slugs 12 x 2 ¾ in

Patrol Rifle: Federal American Eagle .223 63 gr. Soft Point

Less Lethal: Federal SSS 12 Ga. 2 ¾ in Premium Less Lethal

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 11**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/15/2018

Subject: Police Response to Aggression/Resistance

I. Purpose

The purpose of this policy is to establish and prescribe guidelines for the lawful use of force and to establish standard operating procedures for regulation and review of police response to aggression/resistance incidents. This policy also establishes standard operating procedures for investigating use of force incidents.

II. Definitions

Authorized Weapon: A weapon with which the officer has received agency training and has qualified through a proficiency examination on proper and safe usage. In addition, the weapon must be registered with the department, and comply with agency specifications.

Physical Force: The unwanted touching directed toward another. This may involve the direct laying on of hands or the putting of an object into motion that touches the individual. Police response to aggression/resistance is not necessarily wrong, and under certain conditions personnel have the duty and obligation to use it. Force may be of a deadly or less than lethal nature.

Less than Lethal Force: A quantity of force which is neither likely nor intended to cause great bodily harm.

Deadly Force: That degree of force that is likely to cause death or great bodily injury.

Forcible Felony: Any felony which involves the use or threat of physical force or violence against any person.

Serious Physical Injury: A bodily injury which is likely to cause death, causes serious, permanent disfigurement; or results in long term loss or impairment of the functioning of any bodily member or organ.

Reasonable Belief: The facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

Objective Reasonableness: The standard as set forth by Graham v Connor (109 S.Ct. 1872) wherein the test for reasonableness when using force against an individual is based on the evaluation of what an objectively reasonable officer might have done in the same circumstances considering the facts confronting the officer at the time of the incident.

Objectively Reasonable Force: The nature and degree of force utilized by an officer given the totality of the facts and circumstances known at the time, to gain control of a subject once the officer has evaluated 1) the severity of the crime, 2) the immediate threat the suspect poses to the officer and/or to the public and 3) whether the suspect is actively resisting arrest or attempting to evade arrest.

III. Rules and regulations

A. General

This agency recognizes and respects the value and integrity of each human life. Investing law enforcement officers with lawful authority to use force to protect the public welfare requires a careful balancing of interests. Officers shall only use the amount of force reasonable to overcome resistance while conducting their authorized legal duties. Many decisions and actions of law enforcement officers have serious consequences, but none are so irrevocable as the decision to use force, particularly deadly force. Law enforcement officers are armed and trained to achieve control of various situations. Other means of force should be exhausted or deemed impractical before resorting to the use of deadly force. (See O.C.G.A. Sec. 17-4-20(b) Use of Deadly Force.) Control is achieved through the officer's presence, verbal commands, control and restraint, use of temporary incapacitation, or in situations where any person's life is endangered, by the use or threat of deadly force.

Officers shall respond with reasonable force. All actions by the officer are governed by the situation. An officer is supported by the agency in drawing his firearm pursuant to official duties when circumstances dictate. Nonetheless, these guidelines are intended for internal use only, and any violation of these rules shall result in administrative and/or disciplinary action. They are not intended to create a higher standard of safety or care with respect to third party claims. A violation of the law shall be the basis for civil or criminal penalties.

B. Justification for the use of Less than Lethal Force

Less than lethal force can be used by an officer in the performance of his duties:

1. When necessary to preserve the peace, prevent the commission of offenses, or prevent suicide or self-inflicting injury

2. When preventing or interrupting a crime or attempted crime against property

3. When making lawful arrests and searches, overcoming resistance to such arrests and searches, and preventing escapes from custody

4. When in self-defense, or defense of another against unlawful violence to his person

5. And to accomplish lawful objectives

C. Justification for the Use of Deadly Force

Deadly force may be used only when an officer reasonably believes that a suspect possesses a deadly weapon or an object, device, or instrument which, when used offensively against a person is likely to or actually does result in serious physical injury; when the officer reasonably believes that the suspect poses an immediate threat of physical violence to the officer or others; or when there is probable cause to believe the suspect has committed a crime involving the infliction or threatened infliction of serious physical injury.

The use of deadly force against a "fleeing felon" is not justified unless it is in the defense of human life as described above.

To defend any other person from imminent threat of death or serious injury when other less drastic means are not available or would not be effective to eliminate the threat.

D. Shoot to Stop the Commission of a Forcible Felony

1. Before using a firearm, officers shall identify themselves and state their intent to shoot, when feasible.

2. Officers shall fire their weapon to stop an assailant from completing a potentially deadly act as described in section IIIC above. Officers should shoot at the largest available mass provided by the assailant as a target area for the officer, to stop the threat and to minimize danger to innocent bystanders.

3. Warning shots are prohibited under any circumstances

4. Officers shall not fire their weapons from a moving vehicle solely to disable moving vehicles. Weapons may be fired at the driver or occupant of a moving motor vehicle only when the officers have probable cause to believe that the subject poses an imminent danger of death or serious, physical injury to the officers or others, and the use of deadly force does not create a danger to the public that outweighs the likely benefits of its use.

5. Facts unknown to an officer, no matter how compelling, cannot be considered in later determining whether the use of lawful force, particularly that of deadly force, was justified.

E. Authorized Weapons

An officer is not permitted to use a less than lethal force or deadly force weapon unless qualified in its proficient use as determined by training procedures. Both on duty and for extra duty employment, sworn officers are authorized to carry only departmental issued weapons as authorized by this policy. (Back-up and secondary personal owned weapons are covered in Chapter 10-Firearms)

1. The following less than lethal weapons and munitions are authorized:

a. ASP baton expandable batons 16-31 inches

b. Sabre Red OC Spray

c. X-26 Taser

2. The following lethal weapons are authorized for use by sworn officers that are certified through training:

a. Glock model 22 and 23

b. 12 ga. Shotgun

c. AR Platform Rifle

(See chpt.10 Appendix A)

IV. Use of Less Than Lethal Force (Internal Procedures)

It is the policy of the Auburn Police Department to report all incidents of less than lethal force using the guidelines set forth in this policy. The following reporting procedures apply to all incidents in which any force; either with natural weapons such as hands or feet, agency issued weapons, or any other device that is used as an offensive or defensive weapon; other than handcuffing and searching. For example, an officer making an arrest that requires the application of an arm bar would need to follow these reporting procedures. An officer involved in an incident involving the use of deadly force, with a weapon or without a weapon, shall follow the guidelines set forth in Chapter 11 V.

Note: The Auburn Police Department does not teach or authorize the use of neck restraints or other similar weaponless control techniques.

Note: This agency will respect the rights of the federal government to conduct an independent investigation to identify any civil rights violations that may have occurred. The agency will not order or request any of its members who may be suspected in such violations to confer with federal investigators without the advice of counsel.

Note: Use of less than lethal force in which no injury occurs, and/or no property damage occurs will still be investigated as outlined in this section.

Note: It is understood that the officer may use weapons not intended by the manufacturer as a weapon in response to a sudden attack to defend himself or a third person (Example: Flashlights or radios).

A. Responsibility of the Officer(s) Involved

The shift supervisor, or available supervisor in his absence, shall be immediately informed of each incident involving police response to aggression/resistance by officers of the agency. The primary arresting officer shall immediately render first aid if necessary and seek medical attention if necessary. The supervisor will be advised when medical attention is required for an arrestee.

1. As soon as possible, but always before the end of the officer's tour of duty, the primary officer shall submit a detailed Police Response to Aggression/Resistance Report to the shift supervisor outlining specifically the events leading to the use of force, the force used, and actions taken after force was used. If the primary officer is unable to complete the required documentation the shift supervisor will either assign an assisting officer to submit the required documentation or document the reason no report can be submitted at this time and forward either via memorandum or email to the applicable Division Commander, Chief of Police and OPS.

2. All other officers involved or witnessing the incidents shall submit a "Supplemental Police Response to Aggression/Resistance Report" to the shift supervisor prior to the end of their tour of duty.

3. Any officer that is injured during a response to aggression/resistance incident shall inform his supervisor immediately and assist the supervisor in completing the necessary workman compensation forms.

B. Responsibilities of the Shift Supervisor

Upon notification of the use of less than lethal force by subordinate personnel, a supervisor shall investigate the incident and indicate on the Supervisors Police Response to Aggression/Resistance

Supplement if the officer(s) actions were proper and if not initiate the appropriate action. When reviewing the Response to Aggression/Resistance Report, the reviewing supervisor will assess the level of force applied based on three factors 1) the need for the application of force 2) the relationship between the need for and the amount of force used and 3) the extent of injury resulting from the applied force. In addition, the supervisor will assess the use of force utilizing the Objective Reasonableness Standard and other factors surrounding the incident.

1. The Police Response to Aggression/Resistance Report, the incident report, and other documents shall be forwarded to the Patrol Commander, who will forward all documents to OPS for review, and a copy of the use of force report to the Chief of Police.

2. The supervisor shall ensure that photographs are taken of any injury sustained by anyone involved in a police response to aggression/resistance incident.

Note: Photographs documenting no injury may also be very important.

3. The responding supervisor shall conduct a recorded interview of the suspect, at the scene, in order to get a verbal record of the suspect's account of the incident as quickly after the incident as possible. If the supervisor feels it is not prudent to interview the suspect at that time, due to a hostile environment, the supervisor may move to another location for the interview. The supervisor may place the suspect in front of the camera if he deems this action as necessary for the investigation.

4. The responding supervisor will also interview all known witnesses to get their account of the incident as quickly after the event as possible.

5. The responding supervisor will interview the officer(s) involved in the incident, at the scene, and record the interview audibly, preferably on a body worn camera. The supervisor may choose to interview the officer(s) at a later time due to the officer's emotional state, the propensity for additional violence at the scene, or for other reasons as articulated by the responding supervisor.

6. The responding supervisor shall ensure audio/video tapes are entered into evidence as soon as possible.

C. Property Damage

Upon notification of property damage resulting from a police response to aggression/resistance incident, a supervisor shall investigate the incident fully. A detailed accounting to include the property owner and the extent of damage will be prepared and processed as indicated in section IV B of this policy. Photographs of the damaged property shall be taken as directed by the supervisor.

D. Responsibilities of the Office of Professional Standards

Office of Professional Standards Personnel shall review all incidents of police response to aggression or resistance. A memorandum will be completed by OPS with a synopsis of the facts and determination as to if the response does or does not comply with departmental policy. The memorandum will be attached to the original Response to Aggression/Resistance Report and forwarded to the Chief of Police for his review.

If the OPS determines there is reason to believe that the force used was inappropriate the Chief of Police may order an investigation into the incident.

E. Purpose of the Follow-up Investigation

All incidents involving police response to aggression/resistance shall be reviewed by the appropriate authority to determine:

1. If action was within the agency rules, policies and procedures.

2. If relevant policy was understandable and effective to cover the situation.

3. If training was adequate.

4. All findings of policy violations or training inadequacies shall be reported in order for appropriate action to be taken.

V. Use of Deadly Force (Internal Procedures)

This procedure establishes responsibilities and duties concerning the investigation into the use of deadly force incidents, in which injury occurs. This includes, but is not limited to, the use of firearms. The investigative procedures used, coupled with the subsequent adjudication process, are the most important elements in maintaining the confidence of the public and employees if the actions of an officer are in question.

A. Responsibilities of Officer(s) Involved

1. When an officer responds to aggression/ resistance, that results or is alleged to have resulted in injury or death, he shall do the following as soon as possible:

a. When a firearm is involved, holster the weapon, without unloading, or reloading it.

b. Determine the physical condition of any injured person and render first aid.

c. Request emergency medical aid if needed.

d. Notify the Communications Center of the incident and location.

e. Detain all witnesses and secure the crime scene.

2. Unless injured, the officer will remain at the scene until the arrival of the appropriate investigators. However, if the circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop (i.e., violent crowd), the ranking commanding officer at the scene shall have the authority to instruct the officer to be taken to another, more appropriate location.

3. The officer shall protect his weapon for examination and submit it to the appropriate investigator only.

4. The officer shall prepare a detailed report of the incident.

5. The officer shall not discuss the case with anyone except:

a. Supervisory and assigned investigative personnel

b. The assigned District Attorney

c. His attorney

d. And/or mental health professional

B. Responsibilities of the Shift Supervisor

The Shift supervisor shall:

1. Proceed immediately to the scene

2. Secure the scene and notify the Patrol Commander, the Chief of Police, and the designated investigative unit

3. Conduct a preliminary field investigation

4. Render command assistance to the assigned investigator(s)

5. Assist the involved officer(s)

6. Submit a detailed incident report of the results of the investigation to OPS, and a copy to Patrol Commander and the Chief of Police

C. Investigative Responsibility

1. Investigations of deadly force incidents in which injury or death occur will be conducted in a bifurcated fashion, with the Criminal Investigation Division, and OPS making the administrative inquiry, and the GBI conducting any appropriate criminal investigation or review.

2. All required written reports will be submitted without delay to OPS in original form, and a copy to the Chief of Police.

3. The Chief of Police is responsible for notifying the governing authority of the incident, or his designee.

4. Upon approval of the Chief of Police, any comments given the news media will be limited to the basic facts of the incident without speculation or expression of opinion.

VI. OPS Review of Police Response to Aggression/Resistance

Each month OPS shall conduct an analysis of all police response to aggression/resistance incidents to determine if trends exist that would indicate specific officers use force too frequently, that the department as a whole uses force too frequently, additional training is needed, policy needs modification and/or if equipment changes are needed. OPS will submit findings monthly at a weekly

staff meeting and allow input from staff personnel. OPS will submit the results of the analysis on a monthly basis along with specific recommendation (if any) to the Chief of Police.

OPS will also conduct a documented annual analysis of all response to aggression/resistance incidents which will be included as part of the OPS Annual Report. This analysis will also be used to reveal if any patterns or trends exist that indicate training needs, equipment upgrades, and/or policy modifications are needed.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 11-1**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/16/2018

Subject: Employee Involved Critical Incidents

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I. Purpose

The purpose of this policy is to provide administrators, supervisors, and employees with methods to facilitate understanding and recognition of the psychological dynamics of officer/employee-involved critical incident and trauma. The goal of this policy is to establish guidelines that have been field tested and found to address both the personal and emotional needs of the employee and to assure the community all the facts surrounding the incident are being fully explored and verified.

II. Procedures

If not injured, the employee will complete all the necessary procedures to safeguard evidence at the scene, and complete proper reports required to document the facts of the incident. The designated OPS or Criminal Investigation Officer shall investigate all incidents in which an employee's actions precipitated the incident resulting in critical injury or death.

A. Treatment of the Employee

The employee involved shall be placed on either mandatory administrative leave with pay, or in-house administrative duty, by the Chief of Police immediately following the incident.

In every instance in which an employee's actions, or response to aggression/resistance in an official capacity, results in death or serious physical injury of another person, the employee will be removed from line-duty assignment, pending an administrative review.

The Chief of Police will determine the appropriateness and the duration of extended mandatory administrative leave based upon the findings of the preliminary criminal investigation, and the recommendation of the mental health professional regarding the employee's readiness for field assignment.

The employee shall be available at all times for official interviews and statements regarding the case and shall be subject to recall to normal duty at any time after the preliminary investigation.

Assignment to a "relieved of normal duty" status shall be non-disciplinary, with no loss of pay or benefits. Civilian employees may be allowed to remain at their current job function if approved by the Chief of Police.

Relief from normal duty, (the officer may be assigned administrative duties), serves two purposes:

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a. To address the personal and emotional needs of an officer involved in the use of deadly force, in which serious injury or death occurs; and

b. To assure the community that all the facts surrounding such incidents are fully and professionally explored and verified.

6. If the preliminary investigation discloses a question about the employee's actions in the incident, then the appropriate guidelines regarding the rights of the accused will be followed.

B. Effects of Officer Involvement in Critical Incidents

When faced with a catastrophic life event or major change, an officer may experience great difficulty in appropriately dealing with his feelings and emotions. Some of the signs of an officer's inability to deal appropriately with a traumatic incident are:

1. Continuation and intensification of post-incident symptoms including, but not limited to:

Heightened sense of danger/vulnerability;

Fear and anxiety about future encounters;

Anger/rage;

Nightmares;

Flashbacks/intrusive thoughts of the incident;

Sleep difficulties;

Depression;

Guilt;

Emotional numbing;

Isolation and emotional withdrawal;

Sexual difficulties;

Stress reactions (e.g., headaches, indigestion, muscle aches, diarrhea/constipation);

Anxiety reactions (e.g., difficulty concentrating, excessive worry, irritability, nervousness); and

Family problems.

2. Excessive stress and anxiety reactions;

3. Continual obsession with the incident;

4. Increased absenteeism, burnout, and/or decrease in productivity;

5. Increase in anger and irritability;

6. Under-reaction;

7. Risk taking;

8. Increase in family problems; and/or

9. Alcohol/drug abuse.

10. When faced with a catastrophic life event or a transition, human beings go through five distinct phases in their coping process. These phases are:

a. denial and isolation;

b. anger and resentment;

c. bargaining;

d. depression; and finally

e. acceptance.

C. Relieving Stress Associated with Critical Incidents

The following guidelines have been found to alleviate much of the stress associated with the aftermath of a shooting. To enable the officer to feel supported and to reduce the amount of overall trauma, the following guidelines have been set:

At the scene, show concern and understanding. Give mental and physical first aid.

Responders should refrain from asking the affected employee any questions about the incident unless the question directly relates to the known location, evidence preservation or other vital questions.

After obtaining necessary on-scene information, provide a psychological break by getting the officer some distance from the scene. The officer should be with a supportive friend or supervisor, and the Departmental Chaplain will be called to help support the officer. The officer should be returned to the scene only if necessary.

With some officers, it is important to explain what administrative procedures will occur during the next few hours and over the following days. This will help the officer realize that the handling of the investigation of the incident is standard operating procedure.

If the incident involves the officer's service weapon, it is to be protected for examination and submitted to the appropriate investigating officer/s, only as evidence, and replaced with another weapon as soon as possible, if feasible.

Before undergoing a detailed interview, the officer should have some recovery time in a secure setting where he is insulated from the press and curious employees.

If the officer is not injured, the officer or a supervisor should contact the officer's family, (via telephone call or personal visit), and brief them on the situation without compromising the investigation, before they hear rumors, and receive telephone calls from others. If the officer is injured, a supervisor should offer to transport the family to the hospital.

For the officer(s) who fired a weapon, there should be a mandatory confidential debriefing with a knowledgeable Mental Health professional prior to returning to duty. The debriefing should take place as soon after the shooting as is practical, ideally within 24 hours, but no later than 48 hours. Fitness to return to duty, and/or any need for follow-up sessions, should be determined by the Mental Health professional.

NOTE: To obtain an appointment for counseling or assistance through the Families First Employee Assistance Program the officer may call 404-853-2823 or toll-free 800-854-2801.

9. Everyone at the scene, and the E-911 dispatcher, should have a separate debriefing. During this debriefing, it should be noted that anyone at the scene could experience a significant emotional reaction and should consult with the Mental Health professional within 48 hours. Follow-up sessions for other personnel may also be appropriate.

10. The opportunity for family counseling (spouses, children, significant others) shall also be made available.

11. A designated supervisor should brief the rest of the agency, or shift, about the incident. This should prevent the officer from being inundated with questions, and it should hold rumors in check. Only the Chief of Police or his designee will make public statements about incidents while under investigation.

12. Expedite the completion of Administrative and Criminal Investigations and advise the officer of the outcomes.

13. The officer, upon being placed on administrative leave, will be assigned to the appropriate Division for the duration of his administrative leave. While on administration leave, the officer shall maintain regular contact with the assigned supervisor.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 11-2**

Effective Date: May 1, 2018 Revised: 01/01/2018

Review: 10/16/2018

Subject: Line of Duty Serious Injury/Death of Employee

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I. Purpose

The purpose of this order is to prepare the Department to respond in the event of an employee's serious injury or death in the line-of-duty. It will direct the Department in providing proper emotional care for the injured or deceased employee's family through contingency plans and procedures.

II. Definitions

Line-of-duty" death or serious injury - Any action, felonious or accidental (automobile accidents, injured by vehicle during traffic stop, training accidents, etc.), which claims the life of or seriously injures a law enforcement officer who was performing police functions either while on or off duty. The Chief of Police may put certain parts of this directive into effect in cases of natural death or serious illness of an officer. This policy will also apply to any civilian employee that is involved in any action, felonious or accidental which claims the life of or seriously injures the employee who was performing their assigned duties, thus officer and employee are used interchangeably for the purposes and intent of this policy.

Survivors- spouse, children, parents, or siblings of the deceased officer.

This directive is based on recommendations found in the handbook titled "Support Services to Surviving Families of Line-of-Duty Death," provided by Concerns of Police Survivors, Inc. (C.O.P.S.), 16921 Croom Road, Brandywine, MD 20613.

III. Policy

It shall be policy of the Auburn Police Department to provide liaison assistance to the immediate survivors of an officer who dies or is seriously injured in the line-of-duty. This responsibility includes providing tangible and intangible emotional support for the surviving family during this traumatic period of readjustment. A comprehensive study of survivor's benefits with clarification should be provided to the family. Continued emotional support for the family is essential.

IV. Procedures

A. Death Notification

1. This procedure is followed in cases of critically injured officers with poor prognosis or obvious line-of-duty death.

2. Timeliness takes precedence over protocol in the death notification process. The senior ranking officer on the scene is responsible for ensuring that timely notification is made to the surviving family. Upon a confirmation of death, a death notification must be made to the immediate survivors shortly after or coincidental with normal command notifications.

The Chief of Police designates a ranking officer as Notification Officer. He may assign at least one other officer to personally accompany the notification officer if circumstances permit.

If the Chief of Police is not immediately available to make this designation, the responsibility for designating a Notification Officer remains with the senior ranking officer.

3. Notification MUST ALWAYS be made in person and never alone. A police chaplain, counselor, and Chief of Police (or designee), should accompany the Notification Officer. Keep in mind, however, that if these persons are not readily accessible, notification should NOT be held up until they gather. The surviving family should hear of the death from a department representative FIRST and not from the press or other source.

4. If the opportunity to get the family to the hospital prior to the death of the officer presents itself, DO NOT WAIT for the appropriate delegation to gather.

5. The Notification Officer should be aware of the following:

a. As soon as the family observes you, they will know something is wrong. Ask to be admitted to the house. You should NEVER make a death notification on the doorstep. Gather everyone in the home and ask them to sit down, inform them slowly and clearly of the information you have on the incident, making sure you use the officer's name during the notification.

b. If the officer has been pronounced dead already, relay that information using words like "died" and "dead", rather than "gone away" and "passed away". DO NOT spark a false sense of hope.

c. The Notification Officer will be seriously affected by the death; he should understand that showing emotions is perfectly acceptable.

d. Reactions of the family may include hysteria, anger, fainting, physical violence, shock, etc.

e. If the family wants to go to the hospital, they should be transported via police vehicle. It is highly recommended that the family not drive themselves to the hospital. Should there be serious resistance and the family insists on driving, an officer should accompany them in the family car.

6. Officers and dispatchers should be aware that in the event of an on-duty-death, the external monitoring of the police frequency may be extensive, particularly by the news media. Communications regarding notifications should be restricted to the telephone wherever possible. The name of the deceased officer MUST NEVER be released to the media before immediate survivors living in the region are notified. If the media already has the officer's name, they should be requested to withhold this information, pending notification of next of kin.

7. The Notification Officer notifies the senior ranking officer at the hospital that the family is en route (by telephone if possible).

8. Any notification of immediate survivors beyond the Barrow or Gwinnett County area should be made through personal death notification by the local law enforcement agency in that area. The Notification Officer obtains the names of relatives to contact from the immediate survivors and

passes this information on to the department administration. The department administration shall send a teletype message to the jurisdiction requesting a personal death notification or the Notification Officer will contact the jurisdiction personally by telephone.

9. The Notification Officer will submit a written report of any notifications made through the chain of command to the Chief of Police.

B. Assisting the Family at The Hospital.

1. The first ranking officer to arrive at the hospital becomes Hospital Liaison. The Hospital Liaison Officer is responsible for coordinating the arrival of immediate survivors, police officials, the press, and others. These responsibilities include:

a. Arrangements with hospital personnel for appropriate waiting facilities. There should be segregated areas reserved for:

1. Immediate survivors, the Chief of Police, the Notification Officer, and ONLY others as requested by the immediate survivors.

2. A separate area or room for fellow police officers and friends.

3. A press staging area.

b. Ensuring that medical personnel relate pertinent information on the officer's condition to the family first.

c. Notifying the appropriate hospital personnel that all billing for medical services shall be directed to the City of Auburn. The family should NOT receive any of these bills at their residence address. This may require the Hospital Liaison Officer to contact the hospital later during normal business hours to ensure that proper billing takes place.

d. Arranging transportation for the immediate survivors and others from the hospital back to their residence.

2. If it is possible for the family to visit a critically injured officer prior to death, depending on hospital policy, they should be afforded that opportunity without delay. Medical personnel should make the family aware of hospital policy about visiting a trauma patient or visitation with the deceased. Medical personnel should also explain why an autopsy is required.

3. Those present at the hospital should be aware of the following when dealing with the immediate survivors:

a. DO NOT BE OVERLY PROTECTIVE OF THE FAMILY. This includes the sharing of specific information on how the officer met his death, as well as allowing the family time with the deceased officer.

b. Idle promises should not be made to the family at this time. (i.e. "We'll promote him posthumously." "We'll retire his badge.")

c. DO NOT suggest a survivor be sedated unless medication is requested by that survivor.

d. The expression of raw emotion by anyone, including officers under these circumstances is perfectly understandable.

4. The Chief of Police or designee should be present the entire time the family is at the hospital to arrange whatever assistance the family may need at the time.

C. Support for the Family during the Wake and Funeral.

1. Within 24 hours of death, the Chief of Police designates a Funeral Liaison Officer, a Benefits Coordinator, a Family Support Advocate, and a Department Liaison. These designations are announced to the Department in writing and all referrals are made according to areas of responsibility.

2. The Chief of Police personally notifies the surviving family of the designated choices.

3. Within 24 hours, the Chief of Police shall make appropriate referrals for stress debriefing for officers close to the incident and referrals for the surviving family if they wish.

D. Department Liaisons

1. The Department Liaison works closely with the Funeral Liaison officer to ensure the needs and requests of the family are fulfilled regarding funeral arrangements.

2. The Department Liaison directs the funeral activities of the department and visiting police departments, according to the wishes of the family. The Department Liaison is also responsible for:

a. Oversight of arrangements for travel and lodging for out-of-town family members.

b. Expedient provisions for all department resources.

c. A comprehensive survey of alternate churches and reception halls with seating capacities large enough to accommodate attendance of a law enforcement funeral. This information is given to the family as soon as possible to help them decide a location. The choice remains with the family.

d. Coordinating all official law enforcement notifications and arrangements for a law enforcement funeral, including honor guards, pallbearers, traffic control, and liaison with visiting law enforcement agencies.

e. Liaison with media relations. Media relations shall be handled by the Department so as to not jeopardize upcoming legal proceedings. Specific instructions on what information may be released is given to the force.

f. Arranging for routine residence checks of the survivor's home for 6 - 8 weeks following the tragedy. This service is necessary since large amounts of money may pass through the residence and the survivors may be spending much time away from the home with legal matters. This may require outside liaison with other jurisdictions.

E. Funeral Liaison Officer.

1. The Funeral Liaison officer works closely with the Department Liaison.

2. The Funeral Liaison officer need not be a ranking officer, but the assignment is critical.

3. The Funeral Liaison officer IS NOT a decision-making position. The Funeral Liaison officer acts as facilitator between the decedent's family and the Department during the wake and funeral. The position requires the officer have a good knowledge of the family relationships, but not be so emotionally involved with the loss, that he would become ineffective. The Funeral Liaison officer is responsible for:

a. Meeting with the family and explaining the responsibilities of a Funeral Liaison Officer.

b. Being constantly available to the family throughout the wake and funeral.

c. Ensuring that the NEEDS OF THE FAMILY come before the wishes of the Department.

d. Meeting with the family and funeral director regarding funeral arrangements. Since most officers have not prearranged their wishes for the handling of their own funeral, the family will most likely need to decide ALL aspects of the funeral. These decisions should remain with the family. The Funeral Liaison officer should only make the family aware of what the department may offer in the way of assistance and resources, according to the Department Liaison.

e. Relaying all available information to the surviving family concerning the circumstances of death and any continuing investigation.

Police departments traditionally "hold their cards closed to their chest" with this type of information, particularly in sensitive homicide cases.

The Funeral Liaison officer should coordinate with investigating officers and prosecutors to ensure that the family receives as much information as is possibly allowable during the first few days. Being "kept in the dark" is a common complaint of surviving families.

f. Determining the need for travel arrangements for out-of-town family members or any other special needs during the funeral and reporting same to the DEPARTMENT LIAISON.

g. Reporting to the Department Liaison officer.

h. Briefing the family on the law enforcement funeral procedures: (i.e. twenty-one-gun salute, presentation of flag, playing of taps, and bagpipes etc.), if the family wants a police funeral.

F. Benefits Coordinator

1. Normally the Human Resource Director shall be designated to act as Benefits Coordinator. He is responsible for:

a. Filing worker's compensation claims and related paperwork.

b. Gathering information on all benefit/funeral payments available to the family, including the Public Safety Officers' Benefits Act provided by the United States Department of Justice. (Phone 202-307-0635 for benefits)

c. Fielding all telephone calls and inquiries regarding the establishment of any special trust funds or educational funds.

d. Making a clear distinction between benefits, (which are financial payments made to the family to ensure financial stability following the loss of a loved one) and funeral payments, (which are funds specifically earmarked for funeral expenses).

e. Preparing a printout or other documentation of the benefits/funeral payments due the family, listing named beneficiaries, contacts at various benefits offices, and when they can expect to receive the benefit.

f. Filing all benefit related paperwork and following through with the family to ensure that these benefits are being received. Private consultants/attorneys should not be used for this purpose if they intend to bill the family for services.

g. Visiting with the surviving family within a few days following the funeral to discuss benefits. The prepared printout and other documentation should be made available to the family at that time.

1. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the children will be receiving.

2. Special attention should go to problems with the continuation of health benefits.

h. Advising the surviving family of the role of police associations and organizations in making their attorney/financial counselor available to the surviving family for whatever legal/financial counseling is necessary, i.e. establishing trust funds, educational funding, etc. This attorney should NOT be affiliated with the City of Auburn Government and should work as an advocate for the family's interest.

G. Family Support Advocate

1. The Family Support Advocate shall be designated by the Chief of Police and acts in a long-term liaison with the surviving family. The Family Support Advocate should have extensive experience dealing with police victims and witnesses. The Notification officer or Funeral Liaison officer may also serve as Family Support Advocate. This officer should not be a principle witness in the criminal trial. This officer's responsibilities include:

a. Contact with the surviving family to keep them abreast of criminal proceedings. The family should never learn of developments in the case from the press prior to learning them from the department.

b. Accompany the surviving family to any criminal proceedings. Introducing them to prosecutors and answering any questions they may have concerning the criminal trial.

c. Cooperation with outside peer support groups.

d. Ensuring that the surviving family does not feel totally isolated by the Department.

e. Encouraging others to make visits or help with family needs of the surviving family. Care should be used that idle promises are not made to the surviving family.

2. The Family Support Advocate should not set time limitations on when the family should "recover" from this traumatic event. The grief process has no timetable. Survivors may experience a complicated grief process.

3. Survivors should continue to feel a part of the "police family" for which the officer gave his life. The Family Support Advocate should keep in touch with the family with at least monthly telephone calls through the first year, dwindling off as necessary. The needs of the survivors usually dictate the frequency of contact.

4. The Chief of Police, Family Support Advocate, and others ensure that the anniversary date of the officer's death is observed with a note to the family and/or flowers sent to the grave, and that adequate support is given to the family during holidays, particularly during the first year.

H. Notification of Other Organizations

1. Immediately following the death of an officer, The following organizations will be contacted by the Department Liaison;

a. Public Safety Officers Benefits Program, U.S. Department of Justice, 202-307-0635.

b. FBI Uniform Crime Reporting Unit, U.S. Department of Justice, 202-324-2687.

c. Concerns of Police Survivors, Inc.(COPS), 314-346-4911.

d. National Law Enforcement Officer Memorial, 202-737-3400.

2. If the officer's death was a suicide, the liaison officer will contact COPS, 314-346-4911.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 11-3**

Effective Date: May 1, 2018 Revised: 01/01/2018

Review: 10/16/2018

Subject: Less than Lethal Weapons

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I. Purpose

The purpose of this policy is to establish and prescribe guidelines for use and post-incident management for the employment of less lethal force measures. This policy also establishes evidence collection requirements, officer responsibilities, and supervisor responsibilities following the use of such devices.

II. Policy

It is the policy of this agency to use only that force that is reasonable to control, or otherwise subdue, violent or non-compliant individuals. Pepper spray, Electronic Control Device (ECD), and the

Expandable Baton, may be used only by authorized and trained personnel, in accordance with this policy, federal case law standards and additional guidelines established herein. Prior to the issuance of any agency-owned weapon to an employee, a qualified weapons instructor or armorer shall review, inspect and approve the weapon to affirm that it is operationally functional for the intended use and meets the current specifications outlined in this policy.

III. Definitions

Pepper Spray: Sabre Red (Brand) chemical weapon commonly known as pepper spray containing Oleoresin Capsicum (OC) derivative.

Electronic Control Device (ECD): Weapons designated to disrupt a subject's central nervous system by means of deploying battery powered electrical energy, sufficient to cause uncontrolled muscle contractions, and override an individual's voluntary motor responses. Taser brand ECDs' are the only approved ECD for Auburn Police Department.

AFIDS: Confetti-like pieces of paper that are expelled from the TASER cartridge when fired. Each "AFID" contains an alpha-numeric identifier, unique to the specific cartridge used. (AFIDS: Anti-felon identification defense system)

TASER: The Taser International Inc. X-26 device currently in use by the Auburn Police Department. This excludes the Tasertron, stun guns, or other electrical control devices or pain compliance weapons available commercially.

EXPANDABE BATON: A collapsible impact weapon commonly referred to as the "ASP"

OBJECTIVE REASONABLENESS: The standard as set forth by Graham v Connor (109 S. Ct. 1872) wherein the test for reasonableness when using force against an individual is based on an evaluation of what an objectively reasonable officer might have done in the same circumstances in light of the facts confronting the officer at the time of the incident.

OBJECTIVELY REASONABLE FORCE: The nature and degree of force utilized by an officer given the totality of the facts and circumstances known at the time, to gain control of a subject once the officer has evaluated:

The severity of the crime.

The immediate threat the suspect poses to the officer and/or to the public.

Whether the suspect is actively resisting arrest or attempting to evade arrest.

IV. Rules and Regulations

General

According to Section III definitions, officers have access to an array of specialty and less- lethal devices. The fielding of such devices represents the greatest efforts in terms of preservation of life and reduction of bodily injury to citizens. Additionally, the use of such devices provides additional advantage to maximize control of potentially dangerous situation and prevent or minimize injury. Any noted force options are authorized when applicable for use by a trained police department employee while attempting to affect an arrest of a resisting offender or to protect himself or herself, or a third party, from harm. None of these options will be used in a punitive or coercive manner.

Pepper Spray

Pepper Spray is an approved less-lethal force munitions to be carried by trained Code Enforcement Officers and Sworn Police Officers.

When deciding to use this force option, the employee will follow these guidelines:

The distance to the target under most circumstances should be three (3) to ten (10) feet.

A verbal warning will be issued to all persons and other offices present before the discharge unless the warning would provide a tactical advantage to the person being taken into custody, or because of the subject's sudden attack against an officer.

Officers will aim for the subject's face and eyes, using bursts of one to two seconds. Officers will use the fewest number of burst necessary to effect temporary immobilization of the individual. Use of spray will be discontinued once compliance is achieved.

When necessary, on handcuffed prisoner who is allusive, and only after a prior warning. Examples include attempts by a prisoner to:

Attack the officer by spitting, biting, head butting, or kicking.

Pepper Spray can be discharged into an enclosed area where entry will be gained to remove a mentally incapacitated person(s) exhibiting threatening behavior.

Officers should never apply spray when a person is in control of a motor vehicle unless deadly force is authorized.

Once a person has been exposed to Pepper Spray the officer spraying the subject should:

Allow time for chemical agent to take effect.

Verbalize and direct the subject to the ground.

Control and handcuff the subject, and or

Request assistance from another officer

Aftercare: Following the use of Pepper Spray, the following procedures will be followed:

Officers using the spray should not touch their face or eyes until after proper decontamination has occurred.

Immediately following custodial arrest where such force was necessary, and upon securing the suspect in an environment secure to both the officer and the suspect, decontamination will be performed as soon as feasible. Clan water fresh air will be the only means by which chemical decontamination will occur.

Note: The suspect will be immediately asked if he/she is wearing contact lenses.

Following the application of Pepper Spray type chemical weapon, EMS and/or Barrow County Fire Department will be called to the scene or to a safe location where medical attention will be provided to the suspect. The shift supervisor will also be notified to respond to the scene.

Officers will offer the suspect the opportunity to have medical personnel remove contact lenses in order to prevent eye injury.

Should allergic or unusual reaction to pepper spray type chemical weapons occur, or should the effects not subside within one hour of application (while still in custody of Auburn Police Department); the suspect will be transported by EMS to the Barrow Regional Medical Center Emergency Department for medical treatment. Examples of indications where qualified medical attention is necessary are:

Breathing difficulties

Gagging

Profuse sweating

Loss of consciousness

Supervisor Responsibilities: In addition to the supervisory obligations as outlined in Response to Aggression Chapter of this policy manual, the reviewing supervisor will ensure photographs are taken of the suspect, ideally prior to transport to the jail facility (refer to Chapter 11, Section IV.B, for additional detailed supervisor responsibilities.)

Refresher training in the proper use of Pepper Spray will occur annually by a certified instructor if deemed necessary by the Chief of Police.

Expandable Baton

Authorized User: The expandable baton (ASP) will be used only by Sworn Officers who have successfully completed a certification course approved by this department.

1. The use of the devise is with the intent to encourage compliance, overcome resistance, temporarily incapacitate, or to prevent serious injury, without a significant likelihood of causing death.

2. Weapon Readiness:

a. The expandable baton will be carried closed on the duty belt in the Department issued scabbard.

3. Deployment

a. When utilizing this force option, the employee will follow these guidelines:

The use of the expandable baton is prohibited under the following conditions:

On a handcuffed/secured prisoner, absent overtly assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion

Making intentional strikes to head, neck, or groin, unless the officer or a third party is in imminent danger of receiving serious bodily injury.

b. The expandable baton is authorized for use in the closed or open mode according to training.

4. Aftercare: Following the use of the expandable baton, the following procedures will be adhered to:

a. Photographs of the affected area shall be taken.

b. Following the application of the expandable baton, EMS and/or Barrow County Fire Department will be called to the scene, or to a safe location where medical attention will be provided to the suspect. The shift supervisor will also be notified to respond to the scene.

Reporting: The deploying officer shall notify his/her supervisor as soon as practical after using the device and complete the appropriate use of force report.

Supervisors Responsibilities: In addition to the supervisory obligations as outlined in the Response to Aggression Chapter of this policy manual, the reviewing supervisor will ensure photographs are

taken of the suspect and the baton strike sites on the suspect's person, as soon as possible following custody when safe to do so.

Refresher training in the proper use of the expandable baton will occur at least annually.

TASER

Training and Qualification Procedures

a. Each officer is required to complete an eight-hour basic certification class for the ECD. Review of this policy and the Police Response to Aggression/Resistance are required at the recertification training.

b. All eligible personnel who successfully complete the department's authorized training course and demonstrate the required proficiency in the use of the ECD, shall be certified to carry the ECD. All training and qualification for ECD shall be conducted by a certified instructor.

c. In order to maintain proficiency in the use of the ECD, all officer certified to carry the weapon shall receive mandatory proficiency training at least annually. The training will be documented and maintained by the departmental training officer. Any officer who fails to demonstrate proficiency with the ECD shall attend, on-duty, a block of remedial instruction by POST certified ECD instructor. After remedial training, an officer will be given another opportunity to demonstrate proficiency with a POST certified ECD instructor. If the officer is unable to show proficiency the weapon will be removed from the officer's duty gear. The officer will then be required to retake the complete ECD certification class.

Weapon Readiness

a. The device will be carried in an approved holster on the support side of the body.

b. The device shall be carried fully loaded with the safety on in preparation for immediate use when authorized

c. The device will be tested at the beginning of each duty day to ensure the device is operational.

Officers authorized to use the device shall be issued a minimum of one cartridge that will remain loaded into the device. Officers will have the option of being issued a spare cartridge as a backup, in case of cartridge failure, the need for redeployment, or in case the first cartridge's leads break during engagement. If a spare cartridge issued, it shall be stored and carried in a manner consistent with training. Cartridges will be replaced consistent with the manufacturer's expiration requirements.

Only agency and TASER, Inc. approved battery power sources (DPM's) shall be used in TASER.

Deployment

TASER deployment is authorized for the apprehension of felony suspects or Misdemeanor suspects who the officer has probable cause to arrest and the circumstances of the situation present a safety issue to police personnel and members of the public.

The following three-part test will require the officer's attention to the facts and circumstances of each particular case.

a. The severity of the crime at issue.

b. Whether the suspect poses a threat to safety of officers or others.

c. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

The deployment of the TASER is not authorized in the following instances unless otherwise noted:

a. On a handcuffed/secured prisoner, absent overtly assaultive behavior that cannot be dealt with in any other less intrusive fashion.

b. In any environment where an officer knows that a potential flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane).

c. In any environment where the subject's fall could reasonably result in death (such as in a swimming pool or on an elevated structure).

d. On children appearing to weigh less than 100 pounds, unless the subject is attacking the officer posing injury to the officers or others.

e. On women known to be pregnant, unless the subject is attacking the officer and injury to the officer or others is likely.

f. In any situation where the subject or their clothing may be contaminated with combustible liquid, gas, or highly combustible material.

g. In drive stun mode for compliance more than objectively reasonable, while attempting to take someone into custody; however, the "drive stun" maybe used in a defensive manner more than twice, if an officer is being attacked, and the suspect is actively assaulting the officer.

The use of the TASER should be avoided if possible in the following situations:

a. Subject in control of a motor vehicle.

b. Subjects with known heart problems

c. Subjects with an obvious debilitating illness

d. The elderly

f. Subjects with known neuromuscular disorders, such as muscular sclerosis, muscular dystrophy, or epilepsy

In preparation for firing, the TASER shall be aimed at the intended target and taken off of safe. Center mass of the subject's back should be the primary target where possible or lower center mass with the top probe in the abdomen area or legs with the bottom probe.

a. Mechanical sights should be used as a primary aiming device, and the laser dot as the secondary aiming devise.

b. Before being deployed, the word "TASER" should be used by the deploying officer to announce the TASER's impending use unless such warning would give the suspect the tactical advantage.

c. Upon firing the device, the officer shall expose the subject to the least number of cycles necessary. A cycle is defined as a five second exposure. The officer is not to hold the trigger so as to continue the cycle beyond the five seconds. The legitimate operational objective is to ensure the subject is secured as soon as practical during the TASER cycle to minimize the number of deployment cycles.

d. The subject should be handcuffed and restrained as soon as the officer deems the situation is safe for handcuffing. If another officer is present, the other officer should handcuff the subject while under the power of the TASER. If this is impractical or otherwise impossible, then handcuffing should occur immediately after the application of the TASER.

e. The officer should continue talking to the subject and give verbal commands throughout this process. As soon as feasible after handcuffing is complete, the subject shall be placed in a sitting or standing position.

f. the subject will be continually monitored by the officer for any signs of medical distress related to the use of the TASER and shall not be left alone while in custody of the Auburn Police Department. If medical distress is detected, emergency medical services (EMS)shall be called to evaluate the suspects vital signs and determine if treatment is necessary.

g. The device may be used in certain circumstances in a "drive stun". Its is important to note that when the device is used in this manner it is:

An additional contact point to complete the circuit due to lack of probe spread; or if one probe does not connect.

Minimally effective when compared to conventional cartridge type deployments because it operates as a pain compliance tool rather than achieving neuro-muscular incapacitation; and

More likely to leave marks on the subject's skin, suspect movement may cause several "signature" marks.

h. When applying the drive stun, contact with the offender should be to the trunk, back, arms, and legs, but not the face and head.

The TASER shall be pointed in a safe direction with the safety on during loading, unloading, spark testing, or when handled in other than an operational deployment.

Aftercare: Following the use of the TASER, the following procedures will be adhered to:

The TASER probes shall be removed from the subject, after he/she is safely restrained, following the procedures outlined in training. The following areas of the body are considered sensitive: the groin, the face, the neck, the female breast, or the male nipple. Any probe imbedded in these areas will be removed by medical staff.

Photographs of the affected area shall be taken after the darts are removed.

Medical evaluations and clearance shall follow the procedures outlined in training. Any suspect, where TASER was used will have their vital signs evaluated by EMS and/or Barrow Fire rescue personnel. Any suspect that exhibits signs of delirium, or shortness of breath, or other unusual symptoms, will require medical screening by qualified medical staff prior to transport to the Barrow or Gwinnett County Detention Center.

9. Evidence Collection: When the device has been used operationally, the officer will collect the cartridge, wire leads, and probes as evidence, which will be maintained for a period of time until trial/case disposition.

Reporting: The deploying officer shall notify his/her supervisor as soon as practical after using the device and complete the appropriate use of force report. In addition to this requirement, whenever any officer points the TASER at a person, but does not deploy it, the involved officer will complete an incident report as directed by SOP.

Supervisors Responsibilities: In addition to the supervisory obligations as outlined in the Response to Aggression Chapter of this policy manual, the reviewing supervisor will ensure photographs are

taken of the suspect, the TASER probe sites on the suspect's person and as soon as possible following custody when safe to do so.

Data Collection: TASER data downloading will be conducted by the Chief of Police or his immediate designee.

a. Officers are not authorized to attach any data downloading device to TASER equipment.

b. TASERs requiring maintenance will have firing data downloaded by the chief of police or his designee, prior to shipping. This record will be maintained for a period of 2 ½ years by the chief of police.

E. Unsafe Weapons

Any weapons that is not operational or unsafe and cannot be immediately repaired will be removed from service. The weapon will be maintained by the chief of police (or designee) and the weapon will be tagged "out of service." The on-duty supervisor will be notified as soon as possible. The supervisor will ensure that appropriate person is notified to either replace or repair the weapon. If the weapon is issued to an employee, the weapon will not be fielded. The employee will be responsible for notifying their supervisor and the appropriate person to repair or replace the weapon.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 12**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/19/2018

Subject: Vehicle Operations Policy

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I. Purpose

The purpose of this policy is to establish guidelines for responding to routine and emergency calls for service in a safe and efficient manner; to establish and describe guidelines and procedures for all City owned vehicles operated by members of the Department in the performance of their duties, to include, vehicle maintenance, pursuit driving, use of roadblocks, the use of authorized emergency equipment, and inter-jurisdictional pursuits. The emergency operation of the police vehicle is one of the most dangerous tasks the police officer is asked to perform. Death and/or serious injury to officers and citizens can occur if policy is disregarded.

II. Policy

It is the policy of The Auburn Police Department that officers consider the external factors, which may have a bearing on the operation of the vehicle. These factors include the time of day, road and traffic conditions, weather, speeds, nature of the incident, and the officer's personal ability to control the vehicle. During pursuits, excessive speed and carelessness shall not be permitted nor will they warrant the risk involved.

III. Definitions

Assisting Agency - The law enforcement agency with a vehicle actively involved in another agency's pursuit.

Blocking – Also referred to as boxing in. A technique designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop without making actual contact with the violator's vehicle. Boxing in, or blocking, is a forcible stop and is not an approved technique.

Channelization - A technique whereby multiple marked police units are placed strategically in front of a pursued vehicle to alter its direction of travel.

Creating Slow Moving Traffic – The deliberate slowing of the normal flow of traffic. Patrol vehicles not involved in the pursuit will enter the roadway ahead of the violator at sufficient distance to safely slow the entire flow of traffic. By slowing the flow of normal traffic, the violator and pursuit vehicle are forced to reduce their speed.

Disregard for Police Procedure – Recognizes the vicarious relationship between proximate cause of injury and blatant disregard of Departmental policy should the pursuit result in personal injury or death and property damage. The basis for strict enforcement of this policy is to ensure legal immunity for officers during the performance of their duty in accordance with O.C.G.A. Sec. 40-6-6.

Due Regard - When a reasonably careful person, performing similar duties under similar circumstances, would act in the same manner.

Emergency - A situation in which there is a high probability of death or serious injury to an individual or significant property loss.

Emergency Law Enforcement Vehicle - A law enforcement vehicle equipped with a siren and one or more blue lights which can be operated as an emergency vehicle.

Forcible Stop - An attempt to prevent the continued movement of a fleeing vehicle using roadblocks, ramming, channelization, or creating slow moving traffic.

Initiating Agency - The law enforcement agency that initiated the original motor vehicle pursuit of an actively fleeing vehicle.

Motor Vehicle Pursuit - An active attempt by an officer in an authorized emergency vehicle to apprehend the occupant(s) of a moving vehicle, providing the driver of such vehicle is aware of the attempt and increases his speed, takes other evasive actions to avoid apprehension, or refuses to stop while maintaining a legal speed.

Primary Pursuing Vehicle - The law enforcement vehicle that initiates the pursuit or any other vehicle that assumes control of the pursuit.

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

Roadblock - Any method, restriction, or obstruction utilized or intended to prevent free passage of motor vehicles on a roadway in order to apprehend the driver/passenger(s) in a particular motor vehicle.

Secondary Pursuit Vehicle - The police vehicle which trails the primary pursuit vehicle at a safe distance, and which is immediately available to assume the primary role or assist when the fleeing vehicle stops.

Serious Felony - A felony that involves an actual or threatened attack, which the officer has reasonable cause to believe, could result or has resulted in death or serious bodily injury (e.g., aggravated assault, armed robbery, murder, rape).

Supervisor - The superior officer responsible for the immediate supervision of the patrol vehicles.

Stinger ("spike strips") - A device used to stop a fleeing vehicle which will incapacitate the vehicle by deflating the tires while it is in motion.

IV. Emergency and Non-Emergency Vehicle Operation

Response modes shall allow police vehicles to arrive at the scene of calls for service as quickly and safely as possible according to the laws of the State of Georgia governing police emergency vehicle operations.

A. Routine Patrol

During routine patrol, an officer's responsibility to exercise due care is no different from that of every other citizen. Good driving habits and courtesy toward other drivers or pedestrians should always be practiced.

B. Safety Rules

1. When operating an emergency vehicle, an officer must have the vehicle under control and be prepared to yield the right of way.

2. When an officer receives information indicating that an emergency exists, his primary duty is to arrive at the site of the emergency as safely as conditions permit.

3. Seat belts shall be fastened when operating all City-owned vehicles.

4. An officer should not drive up immediately behind another vehicle and sound the siren. The motorist may suddenly stop.

5. An officer should not pass to the right of a vehicle in traffic, unless necessary.

6. An officer may fluctuate the sound of the siren so that the emergency vehicle can be heard.

7. An officer shall always maintain adequate radio volume and remain aware that the communications operator may wish to relay additional information while the vehicle is being operated in an emergency status.

8. When an officer approaches an intersection, extreme caution shall be used:

a. The vehicle should be slowed to a normal speed when approaching an intersection, and the intersection should be crossed with the light indicating the right of way signal.

b. When it is necessary to enter an intersection against the light, all emergency vehicles should come to a complete stop to insure all traffic has seen the emergency vehicle before crossing the intersection.

c. The above sections, (a) and (b), also apply to stop signs.

9. Officers driving under emergency conditions will roll windows up, to ensure the radio operator understands their transmissions.

C. Considerations (Emergency Use of Vehicles)

The driver of any law enforcement vehicle responding to an emergency call shall use the blue lights, headlights, and siren. If the siren has the potential of alerting offender(s) of the officer's approach, aid in a violator's escape, or endanger the life of other persons, the siren may be disengaged upon

approaching within audible range. At that time, the officer shall cease emergency vehicle operating status by slowing speed to normal and disengaging emergency equipment.

Before engaging in the emergency use of a vehicle, several factors in addition to vehicle control, due regard, and true emergency considerations must be weighed. Typical examples include but are not limited to:

1. The type and condition of the vehicle being operated.

2. The type and condition of the roadway to be traveled and the officer's familiarity with the roadway.

3. Obstacles, both present and potential, that must be avoided (e.g. foreign objects on the roadway, construction, gravel, standing water, etc.).

4. Experience and the training of the officer in a high-speed vehicle operation.

5. The nature of the offense and the circumstances known concerning the manner in which the call was relayed to the communications center.

6. The time of day, amount and type of traffic encountered (the potential danger to the officer and other drivers operating at a high speed).

7. Visibility and illumination available to the officer in the area being traveled.

8. Existing weather conditions and roadway surfaces.

D. Emergency Escorts Prohibited

Members of this Department will not attempt to escort other emergency vehicles or private vehicles on an emergency run. Assistance may be given by blocking dangerous intersections to aid in the movement of such vehicles.

E. Supervisors Monthly Review of Code Three Response

1. Patrol supervisors shall randomly review video recordings to evaluate driving techniques of officers' code three responses. The supervisor will evaluate defensive driving techniques, such as, use of blue lights and siren, audio and video usage, and the use of due regard for safety of others.

2. The monthly report will detail emergency driving conditions, officers involved, and indicate if Departmental guidelines and policies were followed.

At least two such reviews shall be made each month and a report documenting the reviews shall be submitted to the Patrol Commander.

F. Police Vehicle Operation Training

Training shall cover three areas:

1. Patrol or Defensive Driving: Ordinary driving for going from one point to another. The emphasis is on driving safely to prevent any type of accidents.

2. Emergency Driving: Driving which requires the use of emergency warning devices (audible and visible) in order to be exempted from rules of the road, while exercising due caution and regard for the safety of other vehicles.

3. Pursuit Driving: In contrast to emergency driving, the officer makes independent decisions on speed, direction and routes, with little choice except to remain close to the car that is being pursued.

4. Basic Emergency Vehicle Operations Class: Recruit officers shall attend and successfully pass the Basic Emergency Vehicle Operation Class given through the Georgia Public Safety Training Center, while in an officially certified police academy, F.T.O. program, or before release from probationary status.

V. Response Modes

A. Code One (Normal Response)

Units will respond by observing all applicable traffic regulations and traffic control devices en route to the call.

B. Code Two (Normal Response Expedite)

1. Units may exceed maximum speed limit if it does not create a danger to property or public.

2. A unit may proceed past a stop signal, but only after ensuring that all vehicular and pedestrian traffic at or near the intersection has stopped and is aware of the emergency vehicle's intentions. (Blue lights and siren will be used at all intersections and elsewhere as needed.)

3. The following types of calls will be Code Two response calls:

a. In-progress crimes of property.

b. Fight and disturbance calls of non-emergency nature.

c. Any sick or injured person call.

d. Accidents where injury is probable, but not confirmed.

e. Any other calls which Supervisor deems appropriate.

C. Code Two (Silent Response)

This response will be used for crime in progress calls when officers are in close proximity to the incident location and a stealth approach is necessary for possible apprehension of criminals and safety of potential victims. The types of calls that will be appropriate for a code two-silent response include:

1. Robberies in progress

2. Burglaries in progress

Note: Officer should use blue lights only, during silent response, and all lights should be terminated when within a block of call.

D. Code Three (Emergency Response)

When units are responding in this mode, both blue lights and siren will be in continuous operation from the time the officer begins responding to the call until the officer arrives on the scene or is advised by units on scene to reduce code response. Additionally, the issued body camera will be activated when responding Code Three, units may operate as follows:

1. Proceed past a stop sign, but only after having slowed down or stopped, to ensure that all vehicular traffic and pedestrian traffic at or near the intersection has stopped and is aware of the emergency vehicle's intentions.

2. Will come to a complete stop at all intersections when traveling through a red light, ensuring safe passage before entering the intersection.

Note: Georgia Law exempts emergency vehicles from certain traffic laws. However, the burden of safety is on the officer to use "due regard" for public safety when operating emergency vehicles.

3. Exceed the maximum speed limit as long as lives and/or property are not endangered.

4. Disregard regulations governing directions, movement, or turning, in specified directions, except that no vehicle will be allowed to go Code Three down the wrong lane of a limited access highway, unless there is absolutely no other way to get to an emergency scene without undue delay. Even with emergency equipment activated, police vehicles will lower their speed and be alert to the possibility of high-speed oncoming traffic.

5. The following types of calls will be Code Three response-type calls:

a. All in-progress crimes where there is an immediate danger of death or serious bodily injury, i.e., shootings, stabbings, rapes, etc.

All emergency calls where the immediate danger of death or serious bodily injury is present, i.e., drownings, motor vehicle accidents with injuries, etc.

c. 'Officer Needs Assistance' and 'Help' calls of an emergency nature where there is an indication of imminent danger to the officer and/or the 911 dispatcher is unable to ascertain the status of the officer at the scene. The nearest units, to include unmarked cars, sergeants, and any other supervisory personnel near the call will respond Code Three.

d. Any call where, in the Supervisor's opinion, emergency response is required or where such response is requested by field units.

E. Speed Caps

Public safety and protection of human life are our paramount concerns. The need to apprehend a violator and to respond to a location or situation does not normally justify creation of new, or additional risks of injury or death to police officers or to others. Occasionally the need to apprehend a serious offender or to provide emergency services may justify driving outside normally applicable laws and rules of the road.

Police vehicles shall be operated in a reasonable manner with due regard for the rights and safety of others. Irresponsible, careless, and reckless driving are prohibited and will not be tolerated. Police vehicle operations shall be, at all times, consistent with the concept of "reasonable safety" and with all other requirements of the Department.

1. Reasonable Safety - circumstances in which the risk created or perpetuated otherwise, considering on the following;

a. The seriousness and or harmfulness of the crime warranting police involvement;

b. Pedestrian and vehicular traffic patterns and volume;

c. Time of day;

d. Road conditions, weather conditions, lighting, and visibility;

e. Terrain (curves, hills, buildings, etc.);

f. The type of roadway and posted speeds;

g. Likely effectiveness or ineffectiveness of audible and visible warning signals;

h. The capability and limitations of police equipment and vehicle operations;

i. Involved officer(s) and supervisor(s) familiarity with the area of travel;

j. The quality of radio communications;

k. Alternate (safer) methods of problem solving;

l. Likelihood of apprehending a suspect; and

m. Any other functions increasing or decreasing risks.

F. Special Exception for Exceeding Speed Caps

1. Because it is impractical, if not impossible, to engage in meaningful enforcement of speed limit laws without significantly exceeding those same speed limits, a limited exception to the requirements concerning non-routine operations is made for the purpose of traffic enforcement.

2. When responding to a Code Two or Code Three call, officers shall at no time, other than as stated below, drive at speeds in excess of 25 miles per hour over the posted speed limit on a non-controlled access roadway, or 30 miles per hour over the posted speed limit on controlled access roadways. The only roadway to be considered controlled is GA 8 Highway.

Note: Any other roadway in the city is to be considered a non-controlled access roadway.

3. The officer may exceed the speed limit cap only after advising the on-duty supervisor and receiving approval.

VI. Vehicle Pursuits

A. Emergency Operations of Vehicles During Pursuits

1. Only marked vehicles with roof-mounted emergency light systems should engage in a pursuit.

2. Police vehicles that are slick top, but are equipped with intersection lights, and have all the police markings on the sides and back of the police vehicle are allowed to be involved in pursuits.

3. Unmarked vehicles will not become involved in any pursuit unless it involves a serious felony. No unmarked vehicle, without both blue lights and siren, will become involved in pursuits.

4. Special vehicles such as paddy wagons, crime scene units, transport vans, etc. will not engage in pursuits.

5. Vehicles that are transporting prisoners, witnesses, suspects, complainants, or passengers other than on-duty police officers, will not engage in pursuits.

6. An officer shall be familiar with his assigned vehicle, its capabilities, limitations, and daily operational status. When making the decision to pursue, the officer shall use due regard.

B. Primary Pursuit Unit

The initial decision to pursue rests with the individual officer in conjunction with procedures established in this policy. Prior to initiating or continuing a pursuit the officer should evaluate the following factors:

Location (schools, business district, residential area)

Road and traffic conditions

Weather conditions and visibility

Time of day and day of week

Amount of vehicular and pedestrian traffic

Population density

Physical and mental condition of any officer involved

Severity of the charges

Any other perceived condition or factors that, in the opinion of the pursuing officer(s), would increase the risks of continuing a pursuit.

Vehicular pursuits are prohibited unless there is probable cause to believe that the person(s) being pursued have committed or are committing the following: murder, armed robbery, rape, kidnapping, aggravated assault and aggravated battery; or any action that creates an immediate threat of death or serious bodily injury to another person or a substantial threat to the safety of another person.

The initiation and continuation of a vehicular pursuit should be viewed as having the same consequence as a potential use of deadly force. At any time that the risk of continuation of a vehicular pursuit outweighs the risk to the public from discontinuing the pursuit, the pursuit should be terminated. Any vehicular pursuit undertaken must be done with due regard for the safety of all persons.

It shall be the on-duty supervisor's responsibility to make a reasonable decision whether or not to authorize a pursuit or allow it to continue while weighing several factors to include but not limited to the offense that is the basis for the pursuit, weather conditions, time of day, and the amount or likelihood of vehicular or pedestrian traffic along potential pursuit routes.

1. To diminish the likelihood of a pursuit, the initiating officer will be in close proximity of any vehicle before attempting a stop, and when possible, in a location that would tend to decrease the

opportunity for a violator to flee and would insure the safety of the officer and the violator when possible.

2. Upon making a rational decision to pursue an actual or suspected violator, the officer initiating a pursuit should, in all cases, immediately notify E-911 that a pursuit is underway, activate all emergency equipment, to include the body worn camera, and provide the following information:

a. Unit identification;

b. Location, direction of travel, and speed;

c. Vehicle description, including license number if known;

d. Reason vehicle is wanted (type of offense);

e. Number and description of occupants (sex, race, and age); and

f. Any information concerning the use of firearms, threat of force, or other usual hazard.

3. Failure to provide the above information may be cause for the shift supervisor to order termination of the pursuit.

When not transmitting information over the police vehicle's mobile radio, officers are strongly encouraged to continually verbalize the hazards being created by the fleeing driver during vehicle pursuits. This information will be documented via the audio/video recorder, which was activated upon initiation of the pursuit, and will tend to support officers' judgments in continuing and/or terminating pursuits.

C. Secondary Pursuit Unit

It is the responsibility of the second unit to provide immediate and close support to the primary unit.

1. All units near the pursuit and able to assist will make the dispatcher aware of their availability. Assistance will be coordinated through E-911 under the direction of the supervisor.

2. Any officer assigned to assist in a pursuit situation will:

a. Respond under emergency conditions; and

b. Advise the dispatcher and pursuing officer where he intends to intercept the pursuit.

c. The secondary unit designated by the dispatcher will be the only other police vehicle to pursue, unless one of the following conditions exists:

1. The primary unit requests that additional units join the pursuit because he believes that two units will not be sufficient to safely arrest the suspect(s). The use of additional units must be approved by the shift supervisor.

2. The primary unit is unable to continue and has informed the dispatcher, and the secondary unit has taken over the primary role.

3. The shift supervisor or other authority has authorized additional police vehicles to join the pursuit.

4. The officer in the primary unit will make radio transmissions during the pursuit until the secondary unit is close enough to monitor the pursuit and take over the communications task. This will allow the primary unit to focus on his driving.

3. Canine units, when available, and at the discretion of the shift supervisor, may be permitted to take the primary pursuit position during any felony pursuit. This is due to the high propensity for violence of fleeing felons and the necessity for apprehension. Additionally, this agency recognizes the viability of the police canine in clearing high risk vehicles in these situations and strives to minimize the dangerous practice of officers rushing upon a suspect vehicle with unknown risks.

D. Supervisor Responsibilities

The Shift Supervisor will assume overall command and exercise control over all officers. It is the responsibility of the supervisor to monitor radio transmissions and to evaluate the need to continue the pursuit. Upon being notified of the pursuit, the field supervisor will:

1. Ascertain the location and direction of travel;

2. Ascertain the reason for pursuit;

3. Monitor the pursuit and proceed in the direction of its progress in a non-emergency mode;

4. Ensure that only the required or necessary units are involved in the pursuit;

5. Ensure aerial assistance has been requested (if necessary or available);

6. Ensure the affected allied agencies are being notified if pursuit appears to be entering another jurisdiction;

7. Ensure the pursuit is terminated if adequate information is not provided by the pursuing units, or the risk factor is too great to the officer or the general public to continue the pursuit;

8. The supervisor will proceed to the termination point and provide guidance and necessary supervision to the pursuing officer;

9. The pursuing units' supervisor shall go to the scene of a concluded pursuit any time a suspect is apprehended, or when injuries, death or property damage has occurred;

10. Supervisors are not authorized to join in pursuits, unless they are the initiating unit, or close enough to become the secondary unit. If the field supervisor engages in the pursuit, he will relinquish field command to the Watch Commander, or another supervisor on duty.

E. E-911 Responsibilities

The dispatcher will monitor and control all radio transmissions per the Barrow County E-911 policy as follows:

1. Receive and record all incoming information on the pursuit;

2. Clear the radio channel of any unnecessary traffic; (Announce emergency traffic only)

3. Immediately notify the commanding officer or the supervisor when a pursuit is initiated;

4. Coordinate assistance under the direction of the supervisor;

5. Perform relevant record and motor vehicle checks;

6. Advise the pursuit vehicle of any known or potential hazards in the path of the pursuit (accidents, street closures, repairs, etc.);

7. Ascertain the reason(s) (probable cause) for which the vehicle is fleeing (e.g., a robbery that may have occurred near the initiation point of the chase, etc.); and

8. Relay pertinent information to and from allied agencies.

F. Field Units Not in Pursuit

Other units are to remain alert to the direction and travel of the pursuit and may position themselves at strategic sites along the probable pursuit route, or on parallel roadways, for response to any emergencies that may develop. These units are not to be operated in an emergency mode and should not interfere with priority radio traffic.

G. Driving Techniques

All units in pursuit, including the primary unit, will space themselves at a distance that ensures adequate reaction and braking time, in the event any leading vehicle stops, slows, or turns.

H. Termination of Pursuits

Pursuits will be terminated under the following conditions:

1. Supervisor orders the pursuit terminated;

2. When there is a clear and unreasonable danger to the officer, fleeing motorist, or other persons. A clear danger exists when speeds dangerously exceed the normal flow of traffic, or when vehicular and pedestrian traffic necessitates dangerous maneuvering that exceeds the performance capabilities of the vehicle or driver;

3. The offense is a traffic violation, misdemeanor, or nonviolent felony, and the suspect's identity has been established to the point that later apprehension can be accomplished;

4. The officer loses visual contact with the suspect for an extended period (approximately 30 seconds or more)

5. When there is an equipment failure involving an emergency signal device, radio, brakes, steering, or other essential mechanical equipment; and

6. The pursuing officer knows, or is reasonably certain, that the fleeing vehicle is operated by a juvenile, and the offense constitutes a misdemeanor or a non-serious felony, and the safety factors involved are obviously greater than the juvenile driver's capabilities.

I. Forcible Stops

The use of forcible stops is generally prohibited. The only agency-approved forcible stops will consist of stationary roadblocks, creating slow moving traffic channelization, and the deployment of Stinger spike strips.

If a stationary roadblock is used, the following will be adhered to:

1. It will be approved by the shift supervisor;

2. It will only be used in serious felony offenses;

3. It will only be used as a last resort;

4. Only marked patrol vehicles will be used, and officers will not remain inside any vehicle;

5. When using patrol vehicles, the emergency lights, headlights, and flashers will be operating;

6. The roadblock must be clearly visible and provide adequate warning to allow vehicles to a safe stop (at least 1000 feet visibility in both directions);

7. The roadway will not be completely blocked unless the use of deadly force would be authorized;

8. There must be means provided that will allow civilian vehicles to avoid becoming caught by the roadblock unexpectedly; and

9. If weather and road conditions do not allow visibility as prescribed, the roadblock will not be used.

Once the decision has been made to utilize a roadblock, the communications dispatcher will announce on all radio frequencies, the location of the roadblock and the situation requiring its use. The dispatcher will also ensure that the pursuit units acknowledge the location of the roadblock. If they do not acknowledge the existence of the roadblock, it will be immediately abandoned.

The following methods will only be used on a violator who is maintaining a legal speed or less but is willfully failing to stop.

creating slow moving traffic

channelization

At least two marked police vehicles will be utilized in employing these techniques, with one remaining continually toward the rear of the suspect vehicle.

The Stinger may also be used to stop fleeing vehicles traveling at any speed. The Stinger is not a deadly force instrument. Stingers are available in most patrol cars, and officers employing the stinger must coordinate with the pursuing patrol officer. The Stinger will not be used on fleeing motorcycles. In deploying the Stinger, the deploying officer will select a location and manner of deployment as to prevent the inadvertent striking of the device by vehicles other than the fleeing vehicle.

Only officers who have received relevant agency-approved training are authorized to participate in or deploy the above-referenced techniques and/or tools. The shift supervisor is responsible for direct oversight and authorization of officers' actions during the deployment of these techniques and/or tools.

J. Prohibited Practices

1. Officers will not pursue violators the wrong way on a freeway.

2. Officers will not discharge their weapons at a moving vehicle unless the use of deadly force is justified.

3. Units will, at all costs, avoid intersecting the path of an on-coming high-speed vehicle.

4. Officers will not attempt to force the vehicle from the roadway by driving alongside or in front of the fleeing vehicle.

5. Officers will not bump or ram a fleeing vehicle.

6. Except for the primary and secondary unit directly involved in the immediate pursuit, there shall be no caravanning by other units.

7. There will be no attempt to pass the primary pursuit unit unless the passing officer receives specific permission from the primary pursuing officer or shift supervisor.

K. Inter-jurisdictional Pursuits

Before leaving the city limits of Auburn, the pursuing officer(s) will inform the supervisor, who will make the decision to continue or terminate the pursuit. Pursuing officer(s) will also inform the supervisor when crossing the state line and the supervisor will decide to continue or terminate the pursuit. Before entering another jurisdiction, including another state, the communication center (911) will notify the other agency with the following information:

1. Pursuit is about to enter their jurisdiction;

2. Reason for the pursuit and nature of violation;

3. Location and direction of pursuit;

4. Complete description of occupants and vehicle;

5. Number of units involved in pursuit;

6. Whether or not assistance is needed; and

7. When applicable, notify agency when pursuit is leaving their jurisdictional boundaries, or the location of termination.

L. Pursuits Entering Auburn from Other Jurisdictions

1. The initiating agency will remain in control of any pursuit that crosses into this jurisdiction and will remain responsible for the pursuit.

2. When requested to assist another agency entering Auburn, officers will assist in clearing intersections and may enter the pursuit if it is known the violator fits the requirements set forth in this policy.

3. Auburn Police Department officers will not continue in pursuits from another agency once the pursuit has left the City of Auburn.

M. Reporting and Review Process

It will be the responsibility of every officer initiating a pursuit, or the employment of a roadblock or forcible stop, to obtain a case number and complete the Auburn Police Department Pursuit

Information Report. All pursuits will be reported whether or not the suspects are arrested or identified.

1. The report will be reviewed by the supervisor on duty, who will determine if the pursuit was within Departmental guidelines. The supervisor will make specific written comments on the supervisor's review sheet to justify his conclusion.

2. The officer will upload all video/audio to the appropriate video server; into Departmental property and evidence. The supervisor will forward a copy of the incident report if applicable, and the pursuit information report to the Patrol Commander. A copy of the pursuit report will be forwarded to the Chief of Police.

3. The Patrol Commander will review the pursuit to determine if it was within Departmental policy and make a written report to the Chief of Police specifically supporting the conclusion.

4. The purpose of the review is to determine if:

a. The pursuit was necessary, and within Departmental procedures;

b. There are training needs to be considered; and

c. Any procedure changes requiring consideration.

5. The Patrol Commander will conduct an annual documented analysis of all pursuit reports which will be presented to the Chief of Police. Statistical data regarding vehicle pursuits shall also be submitted to the Georgia Association of Chiefs of Police.

6. After the completion of every pursuit, the Shift Supervisor will complete the Georgia Association of Chiefs of Police (GACP) Pursuit Data Collection Form. All data from the completed forms will be submitted to the GACP Director, GLECP by March 1st for the preceding calendar year.

_____

Christopher J. Hodge Date

Chief of Police

AUBURN POLICE DEPARTMENT

Vehicle Pursuit Report

This report will be completed by the primary operator of any Auburn Police vehicle becoming engaged in any pursuit. Secondary officers will attach a supplemental to the report. After approval by a supervisor, the report will be forwarded immediately to the Office of Professional Standards.

City of Auburn
Police Department
A Community Oriented Law Enforcement Agency
Chris Hodge
Chief of Police

Case #: _____Officer I.D. # _____

Probable Cause & Original Charge:

_____

_____

Primary Reporting Officer: _____ Unit # _____

Age of Officer: Years' Experience: __ Video Activated Yes__ No__

Date: _____ Time Initiated: _____ Time Terminated: _____

Secondary Officer (If Any): _____Unit # ___Video Activated Yes__ No__

Total Number of Police Vehicles Utilized_____

List all other Officers names & Unit #_____ Video Activated Yes __No__

Unit #_____ Video Activated Yes __No__

Supervisor Who Monitored Pursuit: _____

Location of Initial Incident: _____Posted Speed Limit: ___

Location Where Pursuit Terminated: _____Posted Speed Limit___

Total Distance in Miles of Pursuit: _____Duration in minutes_____

Maximum Speed of Suspect's Vehicle during Pursuit: ____

Was a charge of felony fleeing and attempting to elude made as a result of this incident under 40-6-395 subsection (C) (5) (A)? ____ YES ____ NO

Pursuit Terminated By: (Check one or more of the following)

Officer: ___ Supervisor's Order: ___ Apprehension: ___ Vehicle Accident: ___

P.I.T. Utilized: _____ Spike Strips: _____Other_____

Emergency Equipment Used: Siren: ____ Blue Lights: ____ Wig Wags: ____

Road Conditions: _____Traffic Conditions: _____Weather: _____

Check one of the following: 2 Lane Roadway___4 Lanes or More (no median) ___Interstate with Median___ Interstate with Barrier___ Other_____

Other Agencies Involved: Yes__ No__ Who?

_____

_____

Suspect Information

Name of Driver: _____Driver's License #_____Status_____

Address: _____

Telephone: _____DOB _____Age ___Gender ___Race_____

Social Security #: _____Injured: Yes__ No __

Vehicle Description: Make: _____Model _____Year_____

Color: _____ License plate #: _____ State____

Passenger Information

Duplicate this information in narrative below if more than one passenger.

Name: _____

Address: _____

Telephone: _____DOB _____ Injured: Yes__ No__

Narrative of
Events:_____
_____
_____
_____
_____
_____
_____

_____

Reporting Officer

PURSUIT SUPPLEMENTAL REPORT

This Report will be completed by all officers involved in a vehicle pursuit.

City of Auburn
Police Department
A Community Oriented Law Enforcement Agency
Chris Hodge
Chief of Police

Case #: _____Officer & ID# _____Date: _____

Vehicle #: _____Audio on: Yes__ No __ Video on: Yes__ No__

COMMENTS:

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_____
_____

_____ _____

Secondary Officer Supervisor

APPREHENSIONS / CHARGES

Name: _____

Charges:_____
_____
_____

Passenger(s): _____

Charges (If any)
_____
_____
_____

INJURIES RESULTING FROM PURSUIT

(Specify if injured person is suspect, passenger, third party or officer involved in pursuit)

Injured Person Type of Injury

(1)_____ _____

(2)_____ _____

(3)_____ _____

Medical Treatment Received at: _____

Vehicle and/or Property Damage Resulting From Pursuit

_____
_____
_____

_____ _____

Officer Date

SUPERVISORY REVIEW

Case Number: _____

THE REASON FOR THE PURSUIT COMPLIES WITH POLICY: YES_____

NO _____.

Was pursuit monitored by the reviewing supervisor: Yes__ No __ If not, why?
_____

Was videotape (s) submitted to evidence: Yes: __ No: ___ If not submitted why?

_____

(Enter all videos under pursuit case #)

Was all Video Tape Reviewed: Yes: _____ No: _____ If No, why? _____

Were there any vehicle operation policy violations, if so list in comments.

Were there any radio procedure violations, if so list them in comments.

If Pursuit did not comply with departmental policy, explain what action was taken to prevent future occurrences:

COMMENTS:

_____
_____
_____
_____
_____
_____
_____
_____
_____

_____ _____

Supervisor Date

_____ _____

Div. Commander or Designee Date

Appendix B

Pursuit Data Collection Form

Agency Information (Agency Who Initiated Pursuit)

(Please fill in your GCIC number and your agency report number)

Agency ID (GCIC Identifier) GA Report Number

Officer Information (Officer who initiated the pursuit)

(Check Only One)

Gender: Male Female

Ethnicity: White Black Asian or Pacific Islander American Indian/Alaska Native Unknown

32+

Suspect Driver Information (If suspect is apprehended or identified)

(Check Only One)

42-45 46-49 504-

Gender: Male Female

Ethnicity: White Black Asian or Pacific Islander American Indian/Alaska Native Unknown

Violation That Initiated Pursuit

(Check All That Apply)

Traffic Violation Felony (Property Crime) Felony (Forcible) Stolen Vehicle

Drug Related Hit and Run

Length of Pursuit in Minutes (Check Only Onc)

Less than 1 minute 2-5 minutes 6-8 minutes 9-11 minutes 12-15 minutes 16-19 minutes 20-23 minutes

24 minutes or greater

Length of Pursuit in Miles [Total even if in a circle] (Check Only One)

Less than I mile 2-5 miles 6-9 miles 10-13 miles 14-17 miles

18-21 miles 22-25 miles 26-29 miles 30 miles or greater

Type of Vehicle Pursued [Suspect's Vehicle] (Check Only One)

Passenger Car Van (4 wheel) Pickup Truck Motorcycle

___S.U.V. Commercial Vehicle (18 Wheeler) ___Off Road Vehicle (4 Wheeler)

Other (Military tank, farm tractor, hovercraft, etc.,)

Maximum Speed During Pursuit (Check Only One)

Posted or less 10-19 MPH over 20-30 MPH over 31-40 MPH over

41-50 MPH over 51-61 MPH over Greater than 61 MPH over

Way Pursuit Ended

(Check Ali That Apply)

___Pursuit Discontinued Suspect Stopped ___Vehicle Wrecked

Stop Sticks Deployed PIT Utilized ___Stationary Roadblock

Rolling Roadblock Suspect Shot by Police

Number of Police Vehicles Utilized

(Check All That Apply)

Only One Agency/One Vehicle ___Only One Agency/Two or More Vehicles

___Two Agencies/Two or More Vehicles ___Three Agencies/ Two or More Vehicles

___Four Agencies/Two or More Vehicles ___Five or More Agencies/Multiple Vehicles

Injuries/Fatalities to Officer(s) (Check All That Apply)

Officer(s) not injured ___One Officer Injured ___Two or more officers injured

Officer fatality ___More than one officer fatality

Injuries/Fatalities to Suspect/Passengers

(Check All That Apply)

__Suspect not injured ___One Passenger Injured ___T'MO 01' more passengers injured

Suspect killed ___One passenger killed ___Two or more passengers killed

Third Party (Not Police Vehicle) Hit/Injured/Killed

(Check All That Apply)

Third party accident/No injuries in third party vehicle

Third party vehicle hit with injuries in third patty vehicle

Third party vehicle hit with fatality in third party vehicle

Third party vehicle hit with more than one fatality in third party vehicle

Time of Day of Pursuit (Time Initiated)

(Circle All That Apply)

Road/Weather Character (When pursuit was initiated) (Check All That Apply)

__Within city limits ___Outside city limits ____Daylight conditions

__Night conditions ___Roadway d/w ____Roadway wet ___2 Lane roadway

Pursuit report filed by officer ___ Pursuit report reviewed by supervisor

Pursuit report reviewed by command staff ____Pursuit report reviewed by

Chief/Sheriff/Agency Head

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 12-2**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/26/2018

Subject: Department Vehicles

I. Purpose

The purpose of this policy is to establish guidelines for the use of City of Auburn Police Department vehicles by employees of the Auburn Police Department.

II. Scope

This policy is applicable to all personnel of the Auburn Police Department.

III. Policy and Procedure

A. Assigned Vehicles

It is the policy of the Auburn Police Department that the following criteria be met before an officer is assigned a patrol vehicle. The issuance of a personally assigned vehicle is contingent upon availability and Departmental needs, as determined by the Chief of Police. An assigned vehicle is a privilege that may be extended to each officer that meets these criteria, it is not a right or entitlement, nor is it a subject for grievance. Officers may have a vehicle assigned with approval of the Chief of Police and meeting the following criteria:

1. The officer has successfully completed the Field Training Program of the Auburn Police Department and is recommended for issuance of a patrol vehicle by the Patrol Division Commander, (officers assigned to specialized positions where unmarked vehicles are utilized will be assigned such unmarked vehicles.)

B. Goals of Assigned Vehicles

The Auburn Police Department recognizes the following as established program goals:

1. Promote the security of the citizens of Auburn by greater visibility and presence of police vehicles on the streets, roadways, and neighborhoods.

2. Deter crime by limiting the opportunity of criminals to commit criminal acts by the presence of more police vehicles.

3. Decrease response time to certain calls and therefore, increase the opportunity to apprehend criminals.

4. Reduce the yearly mileage of each vehicle; therefore, increasing life expectancy of each vehicle.

5. Provide a rapid and direct response of off-duty personnel when called to duty because of an emergency.

6. Provide an additional incentive for officers to maintain employment with the Auburn Police Department through the maintenance of this "Take-Home Vehicle Program".

7. Increase accountability for vehicle use and maintenance.

Officers and employees of the Auburn Police Department that are issued a vehicle will be responsible for the care and maintenance of that vehicle. Limitations on the geographical locations of officers' personal residences are established by this policy, which determines each officer's eligibility for the issuance of a personally assigned take-home vehicle. If an employee with an assigned vehicle changes residence and that move affects the assignment of the Departmental vehicle they shall promptly notify their Supervisor and Division Commander.

8. Officers residing within a 25-mile radius of Auburn (as the crow flies) may receive an assigned take-home vehicle. Upon such issuance, the officer may utilize the vehicle to not only travel to and from work, but also to facilitate personal errands within this geographical boundary while en-route to and from work. The Chief of Police may extend the 25-mile rule in reasonableness and under agreement of employee fuel contribution.

9. Officers assigned to specialized assignments (i.e. Traffic, CID, Canine etc.) may reside outside the above designated areas and still be subject to the issuance of a "take home" vehicle so long as they reside within Barrow, Banks, Jackson, Gwinnett, Walton, Clarke or Oconee Counties in Georgia.

C. Special Rules and Regulations for Assigned Vehicles

1. All rules and regulations pertaining to on-duty officers shall apply to off-duty officers while operating an assigned vehicle.

2. Officers with assigned vehicles are not authorized to transport family members unless it pertains to official police department business.

3. Vehicles assigned to officers may be driven outside these designated areas on official business only.

4. Vehicles will not be utilized for carrying heavy or excessive loads and will not have objects protruding from the trunk or windows, except for evidence and found property as necessary.

5. There shall be no extra equipment, lights, radios, gadgets, or other unauthorized instruments installed or placed on the vehicles except upon written approval of the Chief of Police. There will be no unauthorized bumper stickers, devices, decals, special license plates, etc. affixed to the police vehicles without the permission of the Chief of Police.

6. Employees are strictly forbidden from operating a city vehicle while consuming or under the influence of alcohol, drugs, or any medication which may impair driving ability.

7. While off-duty, officers must store their assigned vehicle at the police department, other authorized city property, or the officer's personal residence to include private dwellings and/or multi-apartment complexes.

8. All officers shall have in their possession a valid driver license while operating a police vehicle. Off-duty officers shall also have in their possession their badge, department identification, authorized firearm and portable radio.

9. During off-duty use such as traveling to or from training, officers may wear civilian clothes which are neat and reflect good taste (cut-off jeans and t-shirts will not be permitted). When responding to an emergency, officers will put on their traffic safety vest, which will aid in identifying them as police officers.

10. During the time when the officer is off-duty and in the assigned vehicle, the officer shall advise Barrow E-911 Center prior to responding to any emergency call, assisting any motorist or other citizen needing assistance, or conducting any traffic stop for enforcement purposes.

If an off-duty officer comes upon the scene of a traffic accident, a motorist requiring aid, or an incident requiring law enforcement action, they will stand by and or provide aid until an on-duty officer is dispatched and arrives on scene. Off-duty officers will complete a supplement report if their observations are germane to an incident, all initial incident reports and follow-up work will be conducted by the on-duty officer responding.

12. Unattended vehicles of off-duty officers must be locked at all times.

13. Under no circumstances will any weapons be left in the vehicle when delivered to the City garage or other repair facilities for maintenance or service.

14. When an officer is absent from his regular duty assignment for more than 30 days, and has an assigned take-home vehicle, the vehicle shall be delivered to the police department for storage or use as required by the Department.

15. The Auburn Police Department Vehicle Mileage Report will be maintained and submitted to the employee's Division Commander, via the Chain of Command, at the end of each month.

D. Assignment of Patrol Vehicles (Day to Day)

The Patrol Supervisor will be responsible for ensuring that patrol vehicles are assigned to patrol officers who are not assigned a vehicle, officers whose assigned vehicle is out of service, or employees needing a vehicle for Departmental activities. Vehicle assignments will be documented on the duty roster. Additional keys to patrol vehicles shall be kept in a designated location within in the Patrol Division as defined by the Patrol Commander. The Patrol Commander or his designee will be responsible for assigning patrol car keys to those officers needing a vehicle.

E. Assigned Vehicle Inventory and Maintenance Checks

To ensure Departmental vehicles are properly maintained and are equipped with the items necessary to perform everyday tasks the following will be conducted:

1. On a monthly basis, all CID and other specialized sworn employees who are assigned a vehicle shall conduct an inspection of their vehicles to ensure proper vehicle maintenance and the presence of inventoried items in the vehicle. This report will be documented on the Non-Patrol Division Monthly Vehicle Maintenance and Inventory Checklist.

2. On a daily basis, Officers assigned a marked vehicle shall conduct an inspection of their vehicle, to include the rear seat for contraband, to ensure proper maintenance and the presence of inventoried items in the vehicle. This report shall be documented on the officer's applicable daily report. Items to be inventoried are as follows:

Latex Gloves

Fuel Card

Crime Scene Tape

Fire Extinguisher

First Aid Kit

Evidence Bags

Spike Strips when issued

Upon inspection of a vehicle and it is found to be short of the required supplies, the officer conducting the inspection should notify his/her supervisor to inform them of the equipment shortage. The supervisor will provide the officer with the needed equipment or direct the officer to the appropriate source. Most of the required equipment is located within the Patrol closet located on the first floor of the department.

3. Patrol and CID Supervisors will make random unannounced vehicle inspections each month and document these inspections on the appropriate division form. The supervisor will take corrective action concerning deficiencies and submit documentation of the inspections to the Patrol Commander.

4. Division Commanders shall designate a line supervisor or Fleet Maintenance Service Officer to conduct a monthly review to ensure all vehicles have received proper preventative maintenance. A report will be submitted monthly to the Chief of Police via the chain of command detailing that review.

F. Use of Safety Restraint Devices

Restraint devices shall be used to minimize the possibility of death or injury because of accidents involving drivers and passengers in Departmental vehicles. There is available evidence indicating that the use of safety belts has a significant effect in reducing the number of deaths and the severity of injuries resulting from traffic crashes and assisting officers in maintaining proper control of their vehicles in pursuit and/or emergency high speed operations.

1. All persons except where specifically exempted, shall use the safety belt restraining system while operating or riding as a passenger in a Departmental vehicle while the vehicle is in motion. This policy shall not apply to persons occupying a seating position that is not equipped with a safety belt assembly, or to any officer possessing a written indication from a physician or the Chief of Police that for medical or physical reasons the officer is unable to use the safety belt system.

2. Unless a replacement vehicle is unavailable, no person shall operate a Departmental vehicle in which any belt in the front seat is inoperable. There are circumstances in which use of safety belt

restraining systems may hamper efficient conduct of police functions. Supervisors may grant exemption of this policy for specific situations in which they deem efficiency of operation outweighs the safety benefit.

_____

Christopher Hodge Date

Chief of Police

Auburn Police Department

Vehicle Mileage Report

Month: _____ Unit #: _____

On Duty Off Duty Daily Totals

Operator's Signature: _____ Date: _____

Next Service Mileage: _____

Comments: At the beginning of my shift the Video/Audio camera was inspected displaying the proper date and time, unit #. No modifications were necessary.

Keep Checks: None

Non- Patrol Division

Mileage and Inventory Report

Month: _____ Unit #: _____ Next Service Due: _____

Inventory Checklist

Motor oil ____Transmission Fluid ____ Brake Fluid _____Antifreeze_____

Tire Condition _____Cleanliness ____Siren _____ Emergency Lights_____

Comments:

_____

_____ _____ _____

_____

Operator Employee # Inspected by Employee #

_____ _____ _____ _____

Signature Date Signature Date

Auburn Police Department Standard Operating Procedure

Authorized By: Christopher Hodge

Chief of Police

Effective Date: July 1, 2018

SOP: **Chapter 13**
Revised: 07/01/2018

Subject: Property and Evidence Review: 10/27/2018

I. Purpose

The purpose in the development of this policy is to provide direction and guidelines in regard to the department-wide responsibilities, staffing, and operation of the Property and Evidence Unit of the Auburn Police Department. It is necessary to establish a specific unit within the Department to assume responsibility for the securing, maintaining, releasing, and disposing of property seized as evidence, and/or found/recovered property which is stored for safekeeping.

II. Organization and Functions

The overall responsibility for the administration, operation, and personnel of the Property and Evidence Unit will be the CID Commander. The Office of the Chief shall designate an Evidence Custodian for the management of all found, abandoned, recovered, and evidentiary property functions. A full inventory of Property and Evidence shall be conducted upon any assignment changes of the Evidence Custodian or the Chief. The Police Department will maintain a secure Property/Evidence Room and related storage facilities, for the purpose of storing all evidence recovered, or any property that is found or held by the agency. The Evidence Custodian shall have sole responsibility for the maintenance of evidentiary property and evidence records and shall be accountable for the control of all property stored in the Property/Evidence storage areas of the Auburn Police Department.

Access to these designated areas will be restricted to the Evidence Custodian, and the Criminal Investigation's Commander. An official log book will be maintained to document any visitation to the Property/Evidence Room by any person, other than the above designated persons. All such

visitations shall be only in the constant presence of one of the above designated persons and approved by the Chief of Police.

1. Inspection

1. There will be a semi-annual inspection of the evidence room by the evidence custodian to ensure that the proper procedures for the control of the property are being adhered to. There will be a full inventory of property and evidence that is maintained by the department when the designated property and evidence custodian is transferred from this role or otherwise replaced. The purpose of this inventory is to account for all items of property and evidence and to ensure the records are correct and properly noted. Documentation of each inspection shall be forwarded to the Chief of Police. Full inventories will be jointly conducted by the newly appointed custodian and a designee of the Chief of Police. Other occasions when such a full inventory is to be completed will be determined by the Chief of Police. There will also be an annual audit of the evidence room conducted by a supervisor who is not directly connected with the control of property. The audit will consist of a random sampling of the property to ensure that policies and procedures are being followed.

2. Rules and Regulations

2.1 General

1. All property that is seized as evidence or found shall be transferred to the control of the Evidence Custodian, prior to the officer ending his tour of duty. If the officer is injured or otherwise unable to place the property into evidence, the supervisor on duty shall designate another officer to place the property into evidence.

2. Large items that will not easily fit into the Property/Evidence Room shall be stored in the secured area(s) of the Auburn Police Department which are designated as evidence storage.

3. All seized, relinquished, or found weapons, evidence or non-evidence, shall be transferred to the control of the Evidence Custodian, as well as any other items which might be construed as weapons.

4. Personal Property of arrested persons (e.g. money, wallet and contents, jewelry, etc.) ordinarily shall not be taken by the arresting officers to be secured within the Property/Evidence Room, except in unusual circumstances. These items will be taken from the arrested person(s) in accordance with policies of the Auburn Police Department and/or the Barrow or Gwinnett County Sheriff's Office detention centers, which is the agency to which custody of arrested persons are released by the arresting officer. On occasions when personal property is removed by the arresting officer for evidentiary purposes, or for safekeeping at the Auburn Police Department, the arresting officer will ensure proper transfer of such items to the control of the Evidence Custodian and note the transfer in the incident report. Such transfers shall occur prior to the end of the tour of duty by the seizing officer.

5. All property removed from any vehicle shall be transferred to the control of the Evidence Custodian with the appropriate Property and Evidence report attached, and so noted in the officer's report.

2.2 Transferring Evidence to Court

1. Evidence required in court for prosecution purposes, will be released to the officer presenting the evidence, and the chain of custody indicated on the Property/Evidence form. The evidence will be returned to the Evidence Custodian immediately after all legal actions have been completed.

2. When returned, the evidence will be, as when released, in the original packaging.

3. In the event the evidence, or any part thereof, is retained by the Court, the presenting officer will notify the Evidence Custodian, in order that the records may be cleared, and that the evidence report is so noted.

4. The evidence sheet, which also displays the chain of custody, will be signed by the officer when accepting control of the evidence and upon its return.

2.3 Property/Evidence Sheets & RMS Property Records

The Department's Property/Evidence Sheet is to be completed by the officer taking official custody of physical evidence when a receipt on-scene is necessary. The Property/Evidence Sheet must be completed, and the evidence secured in Property and Evidence or a temporary evidence locker prior to the end of the shift. The seizing officer, or his designee, will place the evidence with the attached Property/Evidence Sheet, in a temporary evidence storage locker. When the triplicate copy form is used it shall be completed in the officer's legible handwriting or printing. The RMS “Property Control” form shall suffice for a property evidence sheet in most cases. In the event a handwritten property evidence form is completed, it will become the responsibility of the reporting officer to ensure the property/evidence as listed on the handwritten property form is subsequently entered into RMS for the respective case number. All evidence and property placed into the property and evidence storage lockers and storage areas shall be recorded into RMS. The property entries into RMS and Property Control Sheet shall include (at minimal) the following:

Record number (item number)

Offender information “offender/victim” tab

Victim information “Offender/victim” tab

Property owner name, address and phone number (who item was seized from or recovered from)

Seizing officer (badge number, name, rank)

Description of property which matches the description written on the bag/container etc.

Complete chain of custody ("Action" tab)

(Including date and time of recovery/seizure)

UCR category and property type

Location in which property was seized/recovered

Transfer status

Locker location

Testing needed if any

Item number on property control form/evidence sheet should ALWAYS coincide with item number on bag/container.

Note: ALL spelling of names, property type, addresses etc. shall be spelled correctly and consistently on all documentation. I.e. the first/last name of the suspect/victim should be spelled correctly and consistently on all documents, bags, reports, evidence sheets etc. This is in order to match and identify with property, name association, and all documentation.

2. The supporting incident report is to be completed by the officer taking official custody of physical evidence, documenting the location where he finds, seizes, receives, or otherwise comes into physical possession of the physical evidence. The report will also list the circumstances by which the property came into the agency's possession and describe each item of property obtained which will reflect the same information/descriptions as listed on any property sheet/RMS control form.

3. If items were not obtained from any person, but were found, or taken from a crime scene or other location where no person was present to claim or exercise custody, the word "none" will be entered in the space provided for the 'Name of Person from Whom Property Was Obtained'.

4. All items in the same location, at the same time, obtained from the same person, if obtained from a single person or location may be documented on one property sheet/RMS property control form. If these various articles of physical evidence are not to be bundled, stored, or maintained together from collection to trial, photographic copies of the original handwritten Property/Evidence Sheet to include the chain of custody) may be made to accompany the differently packaged articles and said property control form shall then be scanned and entered into RMS under the appropriate case number by support services.

5. If any seized evidence will be sent to the State Crime Lab for analysis, it should be recorded on a separate property sheet titled; "GBI Division of Forensic Sciences Evidence Submission Form"

and completed by the seizing officer. Both the Auburn Police Department evidence forms/property control forms and GBI evidence submission forms shall then be attached together with a paper-clip (NO STAPLES) and placed together with the evidence to be tested in an evidence storage/submittal locker. Multiple pieces of evidence which will be going to the same location may be recorded on the same property report.

6. Each separate item of evidence listed on a Property/Evidence Sheet or control forms will be numbered consecutively (beginning with No. 1) in the space provided. The number of pieces of each item obtained will appear in the Quantity column. The Description of Property section will be completed in sufficient detail to enable easy and certain identification of the item(s) described.

7. The officer/employee assuming custody of the physical evidence listed on the RMS property control form/evidence sheet will enter his/her signature and badge number in the spaces provided within the action tab on RMS and the reason he/she is taking custody of the evidence.

8. When making returns of search warrants, photographic copies of the RMS Property control form or evidence sheets can serve as inventories of seized property.

9. Maintenance of the Chain of Custody records is initially the responsibility of the officer who signed the RMS Property control form/Evidence Sheet. As changes in custody occur, each custodian assumes responsibility for the maintenance of the Chain of Custody record when he/she assumes custody of the physical evidence listed and described in the Property/Evidence Sheet and ensuring the RMS property action notes are updated.

10. The original Property/Evidence Sheet (white copy) if used, and RMS property control form (containing officer signature) shall be submitted to property/evidence lockers for storage along with seized/recovered/found property/evidence. The original property sheets and RMS property control forms will be maintained by the property/evidence custodian upon said evidence being submitted for storage and/or testing.

11. Supervising officers should review all evidence submission sheets and evidence packaging to ensure integrity and compliance before items are placed into evidence.

2.4 Property/Evidence Packaging and Labeling

It is the responsibility of the arresting or reporting officer to properly package and label all property and/or evidence and submit property along with a Property/Evidence Sheet, RMS property control form. It is equally important to ensure a complete chain of custody record in RMS before transferring the property to the control of the Evidence Custodian. The arresting or reporting officer will ensure that the following steps have been taken prior to releasing the property to the Evidence Custodian. The arresting or receiving officer will complete an Incident Report, detailing the circumstances by which the property came into the agency's possession. Each item will be described in the narrative of

the incident report as well as on the Property/Evidence Sheet, RMS property control form and Property/Evidence bag. (all entries should accurately match the other)

1. Evidence and non-evidence property will not be mixed in the same property bags. All property bags containing evidence or property shall be submitted to evidence along with a corresponding Property/Evidence Sheet for each bag, box, etc.

2. A property tag must be securely attached to any property/evidence which is too large to be put in a property bag, box, etc.

3. Officers receiving found property will make every attempt to notify the rightful owner that the property is being held for safekeeping, and document contacts or attempts in the incident report. Prior to securing recovered stolen items of evidentiary value within evidence storage of the Police Department, officers should attempt to thoroughly photograph it, and return the property to the rightful owner, with the agreement of the appropriate judicial or prosecutorial officials. Under no circumstances should property ever be left with a clerk at the front desk or any other employee. If the officer is unable to contact the rightful owner, the property shall be stored in property/evidence and submitted with the appropriate form as defined above.

4. Officers submitting currency will document on the Property/Evidence Sheet, RMS property control form the quantity of each denomination of currency seized/submitted, (ex. 5-$20 bills, 3-$50 bills), and the total amount of the currency submitted. A supervisor will recount the money, check the Property/Evidence Sheet for accuracy, and place his/her initials on the property/evidence form once printed, adjacent to the total, prior to the submission of the evidence.

5. The GBI Crime Lab as well as the Auburn Police Department requires that drug evidence be packaged in the following manner:

a. All testable drug evidence will be submitted into property and evidence for testing; these substances should be separated from other non-testable items which are commonly seized along with the drugs. The testable substances shall be removed from larger personal containers, cases, boxes, etc. and weighed on a certified digital scale by the seizing officer; the weight (in grams) shall be documented on the incident report narrative and the suspected drugs subsequently secured in two bags before submittal into evidence.

b. The outer bag must (at minimal) have the suspect(s) name clearly printed, with last name first, offense, item description, item number, and the Auburn Police Department case number.

Please note: “testable item” is defined as any item containing drug substance such as small smoking devices containing suspected drug residue, such as “bowls”, “roaches” and/or other small items which are typically carried on-person AND when the successful prosecution depends on the testing of said item/s. In these cases, it is admissible to submit such items into evidence for testing purposes.

Otherwise, all testable substances will be packaged singularly, and stand-alone as defined earlier in this section.

6. The GBI Lab will not accept suspected drug evidence, unless the evidence has a tamper evident seal with initials and the substance double-bagged as defined in section 5, a & b of this chapter.

7. Paper bags shall be closed, folded over, and taped with Tamper evidence tape. The tape will be initialed and dated in a manner that the initials will be on both the tape and the bag.

Boxes will be sealed by taping the flaps closed with packing or other tape, and placing tamper evidence tape along the intersection of the flaps. The tape will then be initialed as described above.

8. All evidence submitted to the Georgia Bureau of Investigations Crime Laboratory will be packaged pursuant to their "Laboratory Services and Requirements for Submitting Evidence Manual". A copy of the manual may be viewed on line at

2.5 Temporary Storage of Evidence/Property

1. Once property or evidence is properly bagged with a Property/Evidence Sheet, the officer will secure the items in the temporary storage lockers located by the Evidence room.

2. The Evidence Custodian will routinely transfer property/evidence from all lockers to the evidence room on a daily basis as they report to work.

3. Items too large for storage in the evidence room will be placed and stored within designated areas to be determined by the property and evidence custodian or his designee on an as-needed basis. The Evidence Custodian shall check any assigned temporary storage area daily and move the items to the appropriate location.

4. Motor vehicles and other extremely large items of evidence that require processing for physical evidence, will typically be processed at the scene of seizure/recovery, prior to releasing the vehicle/item to the owner, and/or designated tow representative. However, it is recognized that extenuating circumstances occasionally dictate that processing be temporarily delayed. Such instances require that the vehicle/property also be adequately secured as other evidence.

Should there be an ignition key to such stored vehicles, the seizing/storing officer shall document the vehicle and the key on the agency Property/Evidence Sheet, and place the form, with the packaged/bagged key, into the temporary evidence storage locker. If there is no key for the seized vehicle/property, a copy of the Departmental Property and Evidence Report shall be left – prominently displayed – on the exterior of the vehicle/property.

5. Perishable items of evidence, such as blood and urine specimen, are typically stored in the temporary refrigerator located in the patrol room evidence processing area until removed and transported to the crime lab by the evidence custodian.

2.6 Duties of the Custodian

The Evidence Custodian will receive, store, submit evidence to the crime laboratory, and release evidence and other property in a timely, efficient and accountable manner, avoiding any unnecessary delay in receiving and releasing property.

1. The Evidence Custodian will follow established procedures which minimizes loss, theft, or destruction of property, or any other actions which might lead to loss of evidentiary value of the property.

2. All procedures will be followed to maintain a proper chain of evidence and document the transfer of property to the point of release from police control.

3. The Evidence Custodian will attempt to identify and notify the owners of property being held by the Department when that person would not already be aware.

4. Every legal effort to return the property to the rightful owner will be made by the Evidence Custodian only after these items have been recorded on the Property Report, and each item listed thereon, has been properly bagged or tagged.

a. Weapons: Weapons will be received as indicated above, however, all firearms will be unloaded with the ammunition bagged separately and properly marked.

b. Drugs: Drugs will be transferred to the control of the Evidence Custodian along with a properly completed RMS Property/Evidence Sheet.

c. The Evidence Custodian will ensure that firearms, knives, currency, and other sensitive or valuable items, are additionally secured within the Departmental evidence room.

2.7 Recording and Storing

The Evidence Custodian shall on a daily basis, secure all evidence and other property from the temporary evidence storage lockers. The materials will be logged into the Department evidence room as follows:

1. Upon receipt of evidence and/or property, the Evidence Custodian will date and sign the Property/Evidence Sheet.

2. The Evidence Custodian will log each item of evidence on the computer files, indicating its location within the Evidence Room. The proper location shall also be noted on the actual

Property/Evidence Sheet. Each item of evidence and property will then be placed into the evidence room.

3. The Evidence Custodian will ensure that firearms, knives, currency, drugs, and other exceptional or valuable items will be separately secured within the Department evidence room.

2.8 State Crime Lab and Testable Material

The Auburn Police Department recognizes that the Georgia Bureau of Investigation Crime Lab will document results of all laboratory analysis of submitted evidence via official written crime lab reports. These reports are generated and provided, and/or made assessable to the Police Department via Internet, for each article of evidence which may be submitted for such analysis.

1. The Evidence Custodian shall be responsible for submitting evidence to the Crime Laboratory. If the Evidence Custodian is unavailable or in emergency situations, or another specific designee may deliver the items to the crime lab. Any item of evidence/property taken by the Evidence Custodian, other members of the police, will be accompanied by the Property/Evidence Sheet, which also contains the Department Chain-of-Custody, copy of the incident report, and a Georgia Bureau of Investigation Crime Lab Submission Form.

2. All evidence submitted to the State Crime Lab, will be packaged and submitted in an orderly fashion, consistent with the requirements of the Georgia Bureau of Investigation Crime Lab procedures and policies. A copy of the GBI "Laboratory Services and Requirements for Submitting Evidence Manual" can be viewed on line at http://www.state.ga.us/gbi/labmanual.html

3. The evidence, submission form and incident report (if required for submission) will be secured in the lock boxes provided in the lobby of the GBI Crime Lab. The Chain-of-Custody Report will be stamped with the time and date that the evidence is relinquished. The Property/Evidence Sheet will be returned to the Auburn Police Department, so that the appropriate information can be added to the property and evidence database to indicate the status and current location of the evidence.

4. Narcotics and dangerous drug evidence (capsules, pill, etc.) shall be counted as well as weighed. The Evidence Custodian will note the "gross weight when received" on the property sheet, which will include the primary packaging of the narcotics.

Additionally, all containers of narcotics and dangerous drugs shall be inspected for evidence of tampering.

5. Narcotics and dangerous drug evidence will be secured in sealed containers and stored within designated areas within the evidence room.

6. Perishable items will be stored in the refrigerator located in the evidence room.

2.9 Disposition of Property and Evidence

Final disposition of found, recovered, and evidentiary property will be accomplished within six months after legal requirements have been met. Property and evidence items will be disposed of in accordance with O.C.G.A. Sec. 17-5-50 through 17-5-56 by one of the following manners:

1. Property that is no longer of evidentiary value will be returned to its owner or disposed of in accordance with provisions of O.C.G.A. Sec. 17-5-50 through 17-5-54.

2. In accordance with O.C.G.A Sec. 17-5-56 any physical evidence which contains biological material (stains, bodily fluids, or hair samples) collected during a criminal investigation of Murder, Felony Murder, Armed Robbery, Kidnapping, Rape, Aggravated Child Molestation, Aggravated Sodomy, or Aggravated Sexual Battery must be maintained by the agency for not less than ten years after the sentence has been imposed. In cases where the death penalty has been imposed the above-mentioned evidence must be maintained until the sentence is carried out.

3. Contraband and other evidence/property will be disposed of according to State Law. In those instances, not covered by State Law, contraband and evidence/property will be disposed of pursuant to court order. This agency will retain no explosive materials obtained through the evidence process for investigative or training purposes. Weapons may be retained by the agency, consistent with the associated court order. If such weapons are to be maintained for investigative purposes, such weapons will remain under control of the Departmental Evidence Custodian, and the use of these weapons will be documented consistent with applicable sections of this policy. Depending on condition, firearms may be retained and utilized by the agency for training purposes, consistent with the associated court order. Under such events, these designated firearms will be transferred into the Departmental armory. (Refer to APD Policy Chapter 10 IV for security and accountability procedures for such dedicated firearms.) All items of property/evidence that are destroyed will be in the presence of a witness. A memo will be generated from the Custodian to the CID Commander, stating what evidence was destroyed, when it was destroyed, and who witnessed the destruction.

4. The Evidence Custodian will maintain a computer record of all evidence and/or other property that is removed from the Department property control process. This record will reveal the final disposition of each article of property. Additionally, the Chain-of-Custody report shall also be noted with the final disposition of the property. This report will be forwarded to the Records Section of the agency, upon final disposal of the property.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 13-2**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/27/2018

Subject: Vehicle Inventory/Impound

I. Purpose

The purpose of this policy is to establish guidelines for the removal or towing of vehicles that are illegally stopped, standing, or parked; stolen or abandoned; and/or in the agency's custody.

II. Policy

It is the policy of the Auburn Police Department to tow, impound, and release vehicles that have been impounded in accordance with Georgia State Law.

III. Rules and Regulations

A. When a Vehicle May be Towed

According to State law, police officers may impound a motor vehicle under the following circumstances:

1. An officer may immediately impound and remove a vehicle from a state highway system, when the motor vehicle poses a threat to the public health or safety, or to mitigate congestion (O.C.G.A. Sec. 40-11-3(b)).

2. An officer may impound a motor vehicle that has been left unattended on a public street, road or highway, or other public property, other than the state highway system, for a period of at least 5 days, if it appears to the officer that the individual who left the vehicle unattended does not intend to return and remove the motor vehicle; (O.C.G.A. Sec. 40-11-3(a)) Any peace officer or the law enforcement agency which causes a motor vehicle to be removed to a garage or other place of safety, or which is notified of the removal of a motor vehicle from private property, shall within 72 hours from the time of removal or notice, and if the owner is unknown, attempt to determine vehicle ownership through official inquiries to the Department of Motor Vehicle Safety vehicle registration and vehicle title files. The peace officer or agency responsible for initiating the removal of the vehicle shall furnish such ownership information to the person removing the vehicle within three (3)

calendar days of removal. These inquiries shall be made from authorized criminal justice information system network terminals. (O.C.G.A. 40-11-3(d)(1)).

3. All motor vehicles required to be registered in Georgia, must display a current license plate and revalidation sticker. The offense of Expired Tag shall not necessitate the towing of a vehicle provided that no other bondable offenses are included. Should a subsequent charge of Expired Tag be made against the same driver or vehicle then the vehicle may be impounded and stored at the owner's expense.

4. If the driver of a motor vehicle has been arrested, the vehicle may be impounded when:

a. There is no one present who is authorized and capable of removing the vehicle;

b. The driver has made no specific request about the disposition of the vehicle;

c. The driver has made no request to use a specific towing service;

d. The driver of a vehicle has made a specific request for the disposition of the vehicle or has requested a specific towing service, and the police officer has made a reasonable, but unsuccessful effort to comply with this request; and

e. The driver of a vehicle has been removed from the scene and is either physically or mentally unable to make a request for the disposition of his vehicle.

An officer may impound a vehicle for the protection of the vehicle and its contents under the provisions above.

5. Officers may impound and remove any vehicle that may be stopped, parked, or left standing, whether attended or unattended, upon the roadway when it is practical to stop, park, or so leave such vehicle off the roadway, other than outside a business or residential district. But in every event, an unobstructed width of the highway opposite a standing vehicle, shall be left for free passage of other vehicles, and must have a clear view of the stopped vehicle from 200 feet in each direction upon the street or highway (O.C.G.A. 40-6-202).

6. Officer may impound and remove any vehicle when:

a. If a vehicle is left unattended upon any bridge, causeway, or in any tunnel.

b. If a report has been made that such vehicle has been stolen or taken without the consent of its owner.

7. If the driver of a vehicle is arrested on private property, and the driver either owns, has control of, or permission from the owner of the property, the vehicle should not be impounded, except upon the request of the driver.

B. Legal Considerations of the Inventory

When inventorying a vehicle before impoundment, the officer and Department are protecting three distinct interests. They include:

1. Protection of the owner's property while it remains in police custody;

2. The protection of the police from potential danger;

3. The protection of the police against false claims of stolen or lost property.

4. If the officer is questioned concerning his reasons for inventorying a vehicle which is being lawfully impounded, the officer should state that the vehicle is being inventoried for the above three reasons. The justification for an inventory of an impounded vehicle is based on the validity of the impoundment, not the arrest of the driver. If the impoundment was improper, any items seized during an inventory may not be admissible as evidence in court.

5. An officer may look into any part of a vehicle where valuables may be stored. This includes the glove compartment and trunk. The inventory must be of a non-criminal nature and not an inventory search for evidence of a criminal nature. Locked containers (glove compartments) for which there is no key available shall not be forced open.

C. Inventory Procedures

Any time a vehicle is removed, stored, or towed at the direction of an officer, an Auburn Police Department Automobile Inventory Report must be completed. On the report, the officer shall list all personal property and vehicle accessories such as radios, CD players, and any other valuable equipment and shall describe the vehicle's condition. Upon completion, the Auburn Police Department Automobile Inventory Report will be signed by both the wrecker driver and the impounding officer.

1. The original copy of the Auburn Police Department Vehicle Impound/Inventory Report will be submitted to the Shift Supervisor, who will then forward it to the Records Section for storage. The pink copy will be given to the wrecker driver. The yellow copy will be given the vehicle owner or operator.

2. In all cases where an impound is made, there will be an incident report completed, except when a traffic accident report is made.

3. When necessary to place a hold on an impounded vehicle, the officer must notify the wrecker service at the time of the pick-up, and sign (check) in the appropriate place on the automobile inventory report. Officers must have the approval of a supervisor before placing a hold order on a vehicle. The supervisor must indicate this approval by initialing off on the Vehicle Impound report form in the area where the officer has requested the hold.

4. If the vehicle needs to be processed for evidence, it should be noted on the Automobile Inventory Report that the vehicle is stored at the Auburn Police Department, or wrecker yard. This should be at the investigating officer's discretion. The vehicle must be stored in a secured location. All vehicles and other large items (i.e., four wheelers, trailers, go-carts, etc.), secured within the Auburn Police Department vehicle impound yard, shall be documented on a Departmental Property and Evidence report form. The completion of this form shall ensure the uniformity in the Department's evidence control system and generate the necessary written chain of custody for these items. Should there be an ignition key to such stored vehicles, the seizing/storing officer shall document the vehicle and the key on the agency property form, and place the form, with the packaged key, into the temporary evidence storage, located on the first floor of the Department. If there is no key for the seized vehicle/property, the yellow copy of the Departmental Property and Evidence Report shall be left – prominently displayed – on the exterior of the vehicle/property.

D. Release of Vehicle

Once a vehicle is impounded, it will be necessary for the owner or authorized operator to produce the yellow copy of the automobile inventory report. If this report becomes lost or destroyed, the owner, or authorized operator, may receive a duplicate from police Records clerk on duty.

NOTE: Vehicles which have a hold on them may be released by the officer which placed the order, or by any supervisor, if the hold does not have an approving supervisor's initials.

E. Vehicles Held Pending Condemnation

All vehicles held by the Police Department awaiting condemnation orders, will be towed to, and held at the Auburn Police Department impound yard or designated area). An Auburn Police Department Automobile Inventory Report will be completed and included with the condemnation request. Any items that may be evidence will be listed, as well, and logged and secured in Property and Evidence Room at the Auburn Police Department. If condemnation paperwork is not completed within twenty days of seizure, the vehicle must be released to the owner by the seizing officer.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 13-3**
Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/27/2018

Subject: Blood and Urine Test Kits

I. Policy

In order to streamline and simplify the procedures for collecting blood and/or urine whenever driving under the influence is suspected, the Auburn Police Department will, when necessary, provide for blood and/or urine to be transported to the GBI Crime Lab.

II. Rules and Regulations

This Department will utilize blood and urine test kits approved by the GBI crime lab. The kit will be pre-labeled, and the appropriate postage applied. The kits will be available to sworn personnel and will be stored in the appropriate cabinet. With the supervisor's approval, the kits will be supplied to the patrol officers on an as needed basis. The following procedures will be followed when an officer requests a test kit.

A. Procurement of the Blood/Urine Kit

1. The officer will notify the shift supervisor that a kit is needed. The authorizing supervisor will ensure that a blood and urine kit is issued to the officer.

2. The officer will take the suspect to the Barrow or Gwinnett Medical Center Emergency Room proceeding directly to admissions and have the suspect sign a Consent to Blood Test form provided by the hospital. The officer shall receive a copy of the consent for blood test form and write the case number in the upper right corner of the form. The copy of the form will be returned to records for filing.

3. When a suspect requests an additional blood test, the officer will take the suspect to the Out-Patient Desk and allow the Hospital to complete the required paperwork. The suspect will then be taken directly to the laboratory where a technician will provide containers, etc. The hospital will charge the patient for this service.

B. Collection, Handling, and Submission of Samples

The following steps shall be completed when preparing samples for proper evaluation at the crime lab. The directions included with the kit will be used to ensure proper submission.

1. All tubes and/or containers shall be clearly labeled with the name of the subject.

2. Whenever any alcohol and/or drug screen analysis is requested, or whenever Deoxyribonucleic Acid (DNA) analysis is requested, the appropriate color-coded sterile stoppered vacationers (vials) which contain the proper preservatives and anti-coagulants must be used. The officer should make certain to gently invert the tube immediately following collection to ensure that the blood and additive are thoroughly mixed.

3. Proper forms must be submitted with each case and reflect at a minimum the subjects name, county of incident, officer's name and title, agency handling the case, type of case and whether the subject is dead or alive. This information is essential for the crime lab to process the case and should be LEGIBLY written or printed. It is also important to document the date and time of sample collection, and the name of the individual that collected the sample. If prescription drugs are suspected, the drug name(s) must be listed on the submission form.

4. When requesting a drug screen, both blood and urine samples are necessary for a complete drug screen. A minimum of two (2) tubes of blood (or at least 10 ml) and as much urine as available (at a minimum of 30 ml) should be submitted.

5. Two vials of blood are necessary when submitting samples to test for blood alcohol content.

C. Guidelines for Submission

The test kits include all items required and should be used in the following order:

1. Complete the top portion of the "blood Alcohol Toxicology Evidence Request Form" (inside envelope).

2. Complete "Name Labels". (Name, Date, and Initials)

3. Have the lab technician draw blood while the arresting officer observes.

4. Complete "Integrity Seal" labels.

5. Attach “name labels and blood tube security seals” to blood tubes after blood is drawn.

6. Have the lab technician dispose of the needle used.

7. Obtain urine sample (if required). The taking of this sample must be witnessed by the lab technician or by the officer.

Note: If the suspect is of the opposite sex or the officer is unable to view the sample being collected, the officer should take reasonable steps to ensure the sample is not contaminated during collection. Those steps and the reason the officer could not witness the collection are to be detailed in the incident report.

Note: Urine samples are not to be collected to ascertain the level of alcohol intoxication.

8. Attach "Name label" to the urine bottle and place one (1) urine security label on the urine bottle cap on the top of the bottle.

9. Place both Blood and Urine tubes into the Styrofoam holder and secure lid. Attach two (2) blue sealed evidence - Do Not Tamper Strips to opposite ends of the Styrofoam holder which have been initialed by the person sealing the Styrofoam holder.

10. Place the Styrofoam holder inside the plastic bag and close tightly, seal with one (1) red evidence strip. Place the submission card in the exterior pouch of the zip lock bag. Place the bag inside the cardboard box.

11. The cardboard box should be closed and sealed with (2) red security labels. Also, the orange Biohazard label shall be affixed at the designated location on the outside of the cardboard box.

12. Place completed and sealed kit into the blood/urine refrigerator in patrol room and record chain-of-custody appropriately.

Note: The evidence custodian will ensure that an adequate supply of kits is available at all times.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 14**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/27/2018

Subject: Records Division

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I. Purpose

The purpose of this policy is to establish guidelines for the preparation, dissemination, retention, accountability of, and processing of official forms and reports, produced by the Auburn Police Department, and to establish procedures for the activities of the Central Records Section.

II. Policy

Accurate and complete reports, submitted in a timely manner, are fundamental to this agency's efficient and effective operation. Therefore, agency personnel will make every effort to legibly complete all forms and submit them through proper channels as quickly as possible, normally just after the end of the patrol shift. All agency records, with noted exemptions, will be maintained in the Central Records Division

Prior to using any computer programs owned and operated by the City of Auburn, all personnel and interns are required to read and sign disclosure/awareness statements regarding the proper usage of the computer system and dissemination of privileged criminal justice information. Agency personnel are prohibited from installing any hardware or software, or from altering the original configuration of the system owned by the City of Auburn. Agency personnel are also restricted from interfacing any information/disks from a personal computer with the host or laptop computers. Laptops that are assigned to agency personnel do not become personal computers.

III. Administration

A. Central Records

1. Designated hard copy agency records will be maintained in Central Records with continual direct accessibility for operations personnel. Electronic agency records are accessible to agency personnel at all times, via the host server MDS, with security access and limitations inherent within each log-in and password of all personnel and other persons authorized access. Only departmental supervisors have the ability and authorization rights to approve and/or change reports submitted by line personnel. Key holders and password access into the secured Records Section are designated by the Chief of Police and the Criminal Investigations Division Commander. Physical access to Central Records is limited to those employees and contractors with a legitimate need for access and is maintained by the records manager.

2. Those officers and citizens requesting information and/or records shall make request by telephone, mail, electronic mail, or in person at the Support Services window, located inside the front lobby of the Auburn Police Department. Citizens will be charged a small fee to receive copies of initial incident and accident reports. This fee will be set by the Chief of Police and posted in the lobby of the Police Department. Fees for the copying of reports requested under the Georgia Open Records Act shall be assessed according to said law and determined by the records manager on each case requested.

3. Records will be released per current Georgia Law. If a question arises concerning the release of records, the Chief of Police or the Support Division Commander will make the determination as to the release. (Refer to Chapter 14-1)

4. Only those forms authorized by the Chief of Police or required by Georgia Law shall be utilized by agency personnel.

5. Reports, forms, and logs maintained in Records shall be originals, or the best copy available, with exemptions allowed in this policy.

B. Central Records Exemptions

Some records, because of their confidential nature, or the manner in which they are used, are exempted from storage in the Central Records Section.

1. Training Records will be stored in the training office and will be the responsibility of the Training Officer.

2. Employee files will be stored in the Office of the Chief of Police and maintained by the chief of police or his designee. Any Employee files initiated by the employee's immediate supervisor, shall be stored by that supervisor within the Division that the employee is currently assigned.

3. Criminal Investigations records and Intelligence Files will be stored in CID and maintained by CID personnel.

4. Internal Investigation Records will be stored in the Office of the Chief of Police and maintained by the Chief of Police.

C. Types of Records

1. Hard Copy/Paper Files

a. Case Files-contents may include, but are not limited to, incident reports, detective reports, supplemental reports, photographs, digital recordings of statements, transcriptions of statements, copies of juvenile complaint forms, juvenile arrest/booking reports, affidavits, case file transmittal sheets, criminal histories, and copies of documents of evidentiary value pertaining to the type of case.

b. Active Warrants - a distinction is made between those that are servable (GCIC ENTRY) and those that are un-servable. (Housed in support services)

c. Accident Reports (serious injury or fatality only case files)

d. Automobile Inventory Sheets

e. Warrant Transmittal Sheets

f. Juvenile Citation/Complaint Logs

g. Criminal Trespass Warnings

h. Vehicle Repossessions

i. Department's Copy of Citations

j. Municipal Court Logs

k. Solicitor's Permits

l. GCIC Information

m. Employee Time Sheets

n. Patrol Citation Submissions

n. Interdepartmental Log Books

o. Used Citation Books

p. Accident request forms

q. Open records request forms and files

All hard copy files are stored within the Records room within secure filing cabinets. Juvenile offender files are filed separately from adult files and maintained in a locked filing cabinet in the Records room. The key to the juvenile filing cabinet is kept at the front desk in a locked box and may only be accessed by personnel within the Records Section. NOTE: Some hard-copy records may be stored and maintained by the department TAC/and or support services division.

D. Retention Schedules

Paper files are retained within the Records Section for a maximum of three years, unless otherwise noted in this policy. Files are then sent to the archives room and then destroyed in accordance with the Retention Schedule for Municipal Governments.

Electronic files are backed up daily and archived weekly.

IV. Reporting

A. General Guidelines

Any of the following occurring within the City of Auburn will be investigated and recorded by an Auburn Police Officer and assigned a unique case number via the CAD system operated by Barrow County E-911:

1. Citizen reports of crimes

2. Citizen Complaints

3. Incidents resulting in an employee being dispatched or assigned

4. Criminal and non-criminal cases initiated by law enforcement employees

5. Incidents involving arrests, citations, summonses, or officer-initiated contacts with citizens that involve any level of enforcement actions

6. Calls for service involving the activation of burglar alarms; whether false, residential or commercial in nature

The Shift Supervisor is responsible for the immediate supervision, control and administration of personnel on his shift, and of activities or incidents which occur during his shift. Patrol shift supervisors are responsible for reviewing and approving all reports generated during each shift, unless otherwise specified by the Patrol Commander. The supervisor ensures that each report is clear, accurate, and completed according to established procedures and policies. Specifically, the Shift Supervisor accounts for each case number issued and ensures reports are generated and approved in RMS.

The Auburn Police Department will maintain automated files within the computer retrievable by, but not limited to, incidents by type and incidents by location. Automated files will also be maintained on all types of property such as stolen, found, recovered, safe keeping, evidentiary property, etc.

B. Arrest/Booking Reports

1. Arrest/Booking Reports, including fingerprinting and photographing, are to be completed by the Barrow County Jail.

2. Arrest/Booking entries are to be completed by the arresting officer into the RMS incident report form and any hard copy forms necessary for booking. If the arrest is the result of warrant service, the arrest entry is to be made on the original report, and a supplemental report shall be attached, detailing the circumstances of the arrest. All charges that the arrestee is booked on must be entered into the arrest field.

C. Accident/Incident Reports

1. Accidents are to be completed as described by the Georgia Traffic Accident Procedure Manual and submitted to the supervisor for review and approval. Incident reports are to be completed according to Auburn Police Department Report Writing Manual. (Refer to Chapter 17 or the Report Writing Manual for case status definitions). If an arrest has been made, or if the report has been exceptionally cleared, the officer must also complete a clearance in the appropriate data field.

2. At the end of the month, the Records Section will be responsible for sending a copy of all accident reports for that month to the Georgia Department of Transportation-Crash Reporting Unit, 935 East Confederate Avenue, Building 24, Atlanta, Georgia 30316.

3. Support service clerks and/ or the records manager will be responsible for retrieving reports from the MDS database for citizens. Citizens may request reports in person, by mail, by fax, and electronically. All Departmental personnel receiving any request for any type of report(s) shall refer the citizen to the Records Section, to ensure proper lawful disclosure compliance. Prior to releasing the report, clerks are required to first read the incident type to ensure that the report may be released under the Open Records Act. If the clerk is unsure, then he/she must contact the Records Supervisor.

Prior to releasing an accident report, the clerk must require anyone who was not a driver in the accident to complete the Accident Report Request Form. The clerk must insure that this form is completed in its entirety, paying close attention to the reason that a non-driver selects for receiving the report. If a citizen making the request has a reason other than what is documented on the form, then the clerk is not authorized to release the accident report and shall refer that person to the Records Supervisor. A fee of $2.00 will be assessed for incident and accident reports. Clerks will be responsible for generating receipts for all payments received. If a citizen makes a request for a considerable number of records, or for records kept within another Division of the Department, the clerk must have the citizen to complete the Open Records Request form and submit it to the Records Supervisor for retrieval or assignment.

4. Complete incident report packets (consistent with case file arrangement directives within Chapter 17 of this policy manual) are delivered to the local district attorney's office for prosecution purposes by the officer assigned as the prosecuting officer. These prosecution packets are completed and delivered upon arrest and completion of the respective investigation. Those incidents resulting in prosecution within State Court and Municipal Court shall be prepared and delivered via the Support Division.

5. Internal distribution of reports shall be accomplished via the agency's networked records system. All such records are accessible to provide assigned personnel the information necessary for the accomplishment of their respective duties (i.e. crime analysis, investigative follow-up, internal reviews and inspections.)

D. Miscellaneous Reports

Miscellaneous reports are to be completed by Auburn Police Officers upon certain dispatched calls for service that do not merit the generation of an accident or incident report. Names are a required entry for miscellaneous reports. The following types of miscellaneous reports are now designated as 'Stat 3' reports, and can be grouped into the officer's daily activity report when officers are compelled to document an incident based on unique circumstances rather than classifying the report as a suspicious persons; school crossings; funeral escorts; disregard call; demented person, (one report per shift upon repeated calls); check area; assist Fire Dept.; standby; emergency message; direct traffic; civil matters; money transfer; prisoner transport; animal complaints (where no citation is issued); assist motorist; illegally parked vehicles; 911 hang-ups; AED response (without contact); clear lot; unwanted persons; and welfare checks where police services are not required. The following types of reports are now designated as '201-D' reports, and as such no written report is required to be generated by the investigating officer: suspicious persons when no violations of law exist; school crossings; funeral escorts; disregard call; demented person, (one report per shift upon repeated calls); check area; assist Fire Dept.; standby; emergency message; direct traffic; civil matters; money transfer; prisoner transport; animal complaints (where no citation is issued); assist motorist; illegally parked vehicles; 911 hang-ups when not violations of law exist; AED response (without contact); clear lot; unwanted persons; and welfare checks where police services are not required.

Additionally, officers assigned to the Bike or Canine Units, or contractual obligation zones, are not required to do two reports. Their respective reports will contain their daily activity of 'stat 3' reports.

E. RMS Records Management Software Entry

The current records management software system utilizes Windows features for point and click data entry. The main screen is comprised of buttons and tabs. Each button can represent a particular view, each view has one or more tabs. All required tabs should be completed before saving information for a particular view.

1. Incident Reporting

The Main View (the one that appears upon opening the program) is completed first. All applicable tabs (located at the top of the Main View screen) should be completed. The following order of data entry is required for the tabs on the top portion of the Main View:

a. Incident

b. Incident Type

c. Complainant

d. Victim

e. Offender/Suspect

f. Witness

g. Property

h. Vehicle

I. Narrative

If all views do not apply, skip to the next button in the order listed above and so forth.

For UCR reporting purposes, if an officer is documenting a crime in which multiple offenses have occurred, the most Part I crimes are entered as the first incident type. Part I crimes against persons take precedent over crimes against property and must be reported first. For example, if a Burglary and an Aggravated Assault have occurred, the offense at the top of the Main View would be the Assault dropdown; in the incident type at the bottom, the Assault crime would be listed first and the Burglary second, regardless of the order in which they occurred. (Example 2: if a Shoplifting and Battery offense occur in the same incident, the Shoplifting would be listed first, since Larceny/Theft is a Part I crime; Battery is a Part II crime and would be listed second.)

Consistency in data entry is imperative for the accurate retrieval of statistics. The following abbreviations are standard for data entry in the location field:

Street	ST
Drive	DR
Circle	CIR
Lane	LN
Court	CT
Parkway	PKWY
Avenue	AVE
Boulevard	BLVD
Place	PL
Highway	HWY
Trail	TRL

Alley ALLEY

Apartment APT

If an address has any type of distinguishing feature in addition to the number, such as ½, rear, lot number, or apt. number, these features are entered after the street name. Street names that are preceded by New, North, East, West, etc. are not abbreviated. (Ex. 210 South Page St ½)

Data entry of officer names should only have the last name, then a space, then the officer's first initial. (Ex. jones J) Each officer will enter his/her name in this format in those data fields requiring the name of the officer.

2. Accident Reporting

Upon opening the Accident Reporting data field, the following order must be followed:

a. Master Entry – complete both pages in their entirety.

b. Names – driver #1's information must be entered first; then enter all other drivers involved.

c. Occupant (if applicable)

d. Witness (if applicable)

e. Remarks/Narrative

f. Sketch (Easy Draw)

3. Warrant Service

General

a. Any officer or detective who serves a warrant and receives credit for the arrest, is responsible to immediately enter the arrestee's name in the arrest field, complete the clearance data field, and complete a supplemental report to the original incident report.

V. Traffic/Parking Citations

The court clerk will issue traffic and parking citation books to officers, upon request. An officer requesting a citation book must turn in the used book at the time a new one is issued. The officer will only be issued one book at a time, unless approved by the Shift Supervisor, who will notify the clerk via telephone, or unless it is a traffic officer obtaining new books. The clerk will log the citation book number(s), citation numbers, date, officer's name and employee number, and the clerk will initial the Traffic Citation Book Log. Citation books will be stored in the locked Support area. Officers will return all citations, warnings, and voided or dismissed citations to the supervisor on duty at the end of each shift or upon request of the supervisor. The supervisor on duty shall return the issuing

Department's copy, the court copy, and the Department of Public Safety's Copy of the traffic citation to the clerk on duty. The officer shall retain the "officer copy" of the citation in the citation book and submit the book to their immediate supervisor when all citations are used in the book. After the supervisor has checked the book to ensure that either all citations were either issued or voided properly, he or she will then submit the used citation book to be stored in records. Citation booklets must be held for six months after each new calendar year. Prior to submitting warning citations, the supervisor shall ensure that warning citations are not issued a court date. (Warning citations can be written utilizing the Auburn Police Department courtesy warning form). The white copy of the parking citation will be submitted to the clerk on duty. Once a citation is submitted to courts, officers will not be allowed to retrieve the original or any of the copies from the Records Section.

Clerks may give officers a photocopy of a citation upon request.

1. If a citation or a citation book is lost, the supervisor shall require the officer responsible for the lost citation(s) to submit an incident report. A copy of the report shall be forwarded to the Chief of Police and the Support Supervisor. The Support Supervisor shall ensure that lost citations are entered into the database as lost.

2. Completed traffic citations shall be entered into the appropriate computer database by the court clerk. The clerk shall forward the court and public safety copies to the appropriate court and place the Department's copy in the appropriately marked container, after sorting the citations in numerical order, for filing in court records.

3. Copies of traffic citations issued to juveniles are to be placed in the appropriately marked container for the Records Clerk to file with the Juvenile Complaint Forms and shall be entered in the appropriate computer database. The original juvenile traffic citation shall be forwarded to Juvenile Court for processing.

VII. UCR And Crime Statistics

A. Submission of Crime Statistics for Inclusion in the Uniform Crime Report

1. Georgia law (O.C.G.A. Sec. 35-3-36) requires all law enforcement agencies participate in the Uniform Crime Reporting Program. Reports reflecting crime data, which require reporting in accordance with the FBI Uniform Crime Report criteria, will be submitted electronically, monthly, to the Georgia Bureau of Investigation's Uniform Crime Reporting Unit by the Support Division Commander or her designee.

2. The records division manager shall be responsible for ensuring the accuracy of crime reports as they pertain to UCR standards, by creating and/or generating designated internal reports designed to determine the errors within the electronically submitted reports in the Records Management System. These reports include a Crystal Report designed to identify miscoded UCR reports, a comprehensive arrest report, and a comprehensive UCR report of all Part I and Part II crimes documented in a particular month. The Support supervisors shall also check the accuracy of

documentation of selected case clearances to ensure that these comply with criteria set by the FBI UCR standards. Additionally, an 'Edit Error Check' report, (which may or may not be supplied by the Department's software provider), is run to identify any additional errors that would cause a rejection by the State system. The Support Division Commander or her designee shall be responsible for the electronic submission of the monthly UCR report to the Georgia Bureau of Investigations.

VIII. Georgia Crime Information Center (GCIC)

A. Dissemination of Criminal History

Criminal histories will be disseminated in accordance with current GCIC regulations and State Law. Criminal histories are generated within the Records Section which is secured as outlined in this chapter under Section III (A)(1), which is a controlled access area. It is the responsibility of all GCIC terminal operators to ensure that all GCIC dissemination laws are adhered to or the said personnel shall be subject to disciplinary action in accordance with Departmental standards. Any questions concerning dissemination shall be forwarded to the Support Division Supervisor or Commander, prior to dissemination. The following reflects the various situations in which criminal histories may be obtained:

1. Auburn Police Officers and other local, state, and federal law enforcement may receive criminal histories for investigation and court purposes. All requestors must complete the criminal history request and provide a case number, if applicable.

2. Persons may receive a copy of their own criminal history by providing valid identification and signing a criminal history consent and release form. A fee will be assessed, and a receipt generated.

3. GCIC allows persons to receive Georgia only felony criminal histories on other persons, (under Purpose Code 'P') by providing a signed notarized affidavit and signing a release form; however, this Department does not participate in this option.

4. The Auburn Police Department provides criminal histories to outside departments and agencies for the purpose of either employment, licensing, housing, volunteer work, etc., upon those agencies providing notarized, signed consent and release forms from the applicants. Additionally, the outside agency requesting the criminal history must sign a 'Criminal History Consent Agreement Form', stating that they must inform all applicants of any adverse decision made as a result of their criminal history, pursuant to GCIC Council Rule 140-2-.04. Specifically, the outside agency must inform the applicants that a criminal history check was made; the specific contents of the record; and the effect that the record had upon the agency's decision.

5. Criminal histories are generated for all persons who desire to participate in the police ride-along program. The citizen must sign a consent form, which has been incorporated into the ride-along application. In lieu of a case number, each person is assigned a chronological number by the clerk accepting the form, which is maintained in a log book for GCIC auditing purposes.

6. Although fees will not apply to government agencies, all other criteria listed above must be complied with. All criminal history consent forms are filed within the support services division.

7. Physical security standards regarding access to the GCIC terminals, to include Mobile Data terminals, shall be in compliance with GCIC rule 140-2-.08. The GCIC desktop terminal within the Auburn Police Department is located in the support services division. Only those employees that are defined as "Terminal Operators" or "Practitioners" under GCIC rule 140-1-.02, shall be allowed to operate the terminals.

B. Monthly Validations

GCIC entries must be validated within 30 days of received date. Validations consist of verification of specific entries on GCIC. The following GCIC records require monthly validations: wanted/missing persons, Violent Gang and Terrorist Organization (VGTOF) entries, and stolen property entries. Validations will be completed in accordance with the guidelines as set forth in Chapter 2.12 of the GCIC Policy Manual.

C. HIT Confirmations/Arrest Warrant Processing

1. It will be the responsibility of the Support Services clerk to verify the existence of warrants via the internal computer system and GCIC terminal, to requesting officers and other agencies in response to a HIT. Upon receiving a HIT from an outside agency, the clerk shall either confirm or deny the HIT, or request additional time to respond, in compliance with Part 6 of the GCIC Operations Manual. Receiving a second HIT request from an outside agency will constitute a missed HIT, and the clerk will receive a call from GCIC. Any clerk receiving such a call shall document the reason that the HIT was missed in an electronic format and forward the document to the shift supervisor before ending their shift on that date. Failure to comply with this directive shall result in disciplinary action on the offending party according to policy. The TAC shall create a file of all missed HITs, which shall be placed in a secure location in the support services section. The support services clerk should verify if the officer has the person detained at which time, the clerk will obtain the original warrant from the file and advise the officer that the warrant is in hand. The following criteria will be used to determine if a warrant is valid:

a. If the original warrant is located and all bio-data matches the initial entry, the warrant is valid (confirm the HIT)

1. If the original warrant cannot be located the warrant will be presumed invalid. (deny the HIT)

2. If the bio-data does not accurately match, then the clerk shall inform the Records supervisor or the Patrol supervisor on duty for final determination.

3. The supervisor will determine if the clerk will place a hold on a suspect outside Troup County. If the decision is made to have the person held at another agency, the terminal operator shall ask the holding agency to send a Locate message, so that a Detainer can be placed on the wanted person.

4. If in doubt, do not verify.

2. The Support Clerk must enter warrants on an in-house computer and on the GCIC computer and place the entry record in the TAC box to be validated. All valid warrants must be entered into GCIC within 12 hours upon receipt of said warrant. If a misdemeanor warrant does not have specific bio-data as required by GCIC for entry, the warrant will be entered into the in-house computer with the assigned status of 'unverifiable'. Each unverifiable warrant shall be forwarded to The Criminal Investigations Section for further investigation to determine the verifiable status. The unverifiable warrant shall not be entered on the GCIC computer until it is determined verifiable through the Criminal Investigations Section. These warrants will be filed alphabetically by the last name in Records after a letter is sent to the suspect informing him of the warrant. After a period of two years, these unserved warrants may be sent to the court of origination for dismissal.

3. Warrants will be entered on GCIC using the Wanted Persons Worksheet. All information will be filled in the blanks on the worksheet and then entered onto the GCIC. Additionally, the information from the "DQ" and the "IQ" will be entered on the GCIC. Alias information from the "IQ" will be written in the Supplemental Worksheet and then entered on the GCIC from the worksheet. Warrants will be entered in compliance with the GCIC Policy/Procedures Manual, and as outlined in the Clerk Training Manual. The operator may also run an "FQ" for warrant entry to determine if the wanted person has any caution indicators.

4. Warrants will be cleared from GCIC when wanted persons have been located. Additionally, the clerk will immediately clear the warrant in the in-house database. Clear messages remove records from GCIC/NCIC files when recoveries or apprehensions occur (O.C.G.A. Sec. 35-3-36(m), GCIC Council Rule 140-2-.13). The originating agency can authorize the clearance of a record.

5. Warrants will be cancelled when a record has been entered incorrectly and cannot be modified, and when documentation no longer exists to support the record entry. Additionally, the clerk will immediately cancel the warrant in the in-house database. Cancel messages remove records from GCIC/NCIC files that are no longer valid, cannot be supported by documentation, or cannot be modified to make the record correct (O.C.G.A. Sec. 35-3-36(m), GCIC Council Rule 140-2-.13). Only the originating agency can authorize the cancellation of a record.

6. Copies of warrants/juvenile pickup orders received in Records from outside agencies either via facsimile or in person, shall be forwarded to the Patrol Division for service. Upon service of said warrant/juvenile pickup order, the officer shall document the arrest as stated in Section IV.B. This agency maintains warrant files, and wanted persons, on crimes that were initiated by the Auburn

Police Department and the City of Auburn Municipal Court. With the exception of those maintained from Municipal Court, warrant files are not maintained from any other outside agencies.

D. Missing Person

Officers investigating missing persons provide the Support clerk with the appropriate 'Missing Person's information for entry onto GCIC. The clerk will enter the information from the Missing Persons Worksheet prior to giving the SRN. Missing persons will be entered on GCIC per the GCIC Policy/Procedures Manual. All juveniles reported missing shall be entered on GCIC immediately, (within 2 hours of the initial call), upon the officer completing and submitting a 'Missing Person's Declaration' form to the on-duty clerk. The on-duty clerk must insure that all forms are completed prior to making the entry. The officer requesting the entry, or the removal of the entry, shall document the name of the Support clerk making the entry or removal in the narrative portion of his report. The support clerk, upon removing the entry, shall put the name of the requestor on the printout, and then date and initial this clearance printout. A copy of this printout shall be made for the supervisor of the officer that requested the removal and placed in the appropriate box in Support, whether CID, SIU, or Patrol. All missing juvenile entries require an update of medical/dental information within 60 days of the initial entry. If this information is not made available to the investigator, documentation of the attempt to obtain this information is required in the case file.

E. Stolen Vehicle

After taking an initial stolen vehicle report, the officer will provide the clerk with the victim's name, address, VIN, tag, make, model, color, and case number. When only the tag has been stolen, the officer will advise it is only a tag. At this time the clerk will enter the information on GCIC as specified in the GCIC Policy/Procedures Manual and issue the officer an NIC number. This number shall be documented in the narrative portion of the original incident report by the reporting officer. The officer will submit a supplemental report when the vehicle/tag has been recovered and the clerk will remove the information from GCIC. The officer shall include the name of the clerk to whom he or she made the request for entry and removal in the supplemental report. The entry of the clerk's name in the report is a GCIC/NCIC requirement. If an officer recovers any property and does not request prompt removal of the GCIC entry, then the GCIC Unit of the Georgia Bureau of Investigations requires for auditing purposes that the officer submit a supplemental report explaining why the entry was not removed.

F. Guns

When investigating a stolen gun incident, the officer will provide the clerk with the victim's name, address, phone number, serial number, make, model, cal., and any additional identifying information about the gun. Prior to issuing the NIC number, the clerk will enter the information on GCIC in accordance with the GCIC Policy/Procedures Manual. All guns entered on GCIC by this agency shall

remain on the system and are not subject to validation documentation. Guns shall only be removed at the request of the investigating officer and only after said weapon has been recovered.

G. Articles

When an officer investigates an incident involving a stolen article, the officer will provide the clerk with victim's name, address, phone number, and any other information that can help identify the item. The clerk will enter the information on GCIC in accordance with the GCIC Policy/Procedures Manual and issue an NIC. When the article has been recovered, the officer shall contact the clerk to request removal of the article from GCIC. The officer shall, in the supplemental report, include the name of the clerk to whom the request for the removal is made. The support clerk, upon removing the entry, shall put the name of the requestor on the printout, and then date and initial this clearance printout. A copy of this printout shall be made for the supervisor of the officer that requested the removal.

H. Identity Theft

When an officer investigates a complaint of identity theft, the officer will first ask the victim if they would like to be placed into the Identity Theft file. If the victim consents, the officer will ensure that the victim completes the Consent Waiver in its entirety, to include a password noted on the Waiver. The officer will obtain pertinent information, (i.e., the required fields for entry on the GCIC entry form), from the victim to create an accurate profile for the file. The officer must submit this Waiver to the entering clerk prior to any entry onto GCIC. The Waiver also acknowledges that the victim may later withdraw consent, only upon a written request to the entering agency, at which time, the record will be cancelled. In addition to completing the incident report, the reporting officer shall also photograph the victim of the identity theft and attach the photo to the report as a supplemental, specifying that said photo is the victim. The officer shall include in the narrative portion of the incident report the NIC number, and the name of the entering clerk, as with all other reports where GCIC entries are requested. If the victim requests to be removed from the File, the officer shall direct the victim to the Support Division, where they will be required to complete a form, requesting the cancellation.

I. Other GCIC Entries

When a certified terminal operator has any other entries to make on GCIC, he/she shall refer to the GCIC Policy/Procedures Manual for instructions on the information needed. The certified terminal operator will then follow GCIC procedures required to enter the item, and prior to transmitting the entry, the clerk shall print the entry screen, and include this record in the GCIC file.

J. Clearing and Canceling Records

Clear messages remove records from GCIC/NCIC files when recoveries or apprehensions occur (O.C.G.A. Sec. 35-3-36(m), GCIC Council Rule 140-2-.13). The originating agency can authorize the clearance of a record.

Clear records when:

1. Wanted persons have been apprehended

2. Missing persons have been found

3. Stolen property has been found

Cancel messages remove records from GCIC/NCIC files that are no longer valid, cannot be supported by documentation, or cannot be modified to make the record correct (O.C.G.A. Sec. 35-3-36(m), GCIC Council Rule 140-2-.13). Only the originating agency can authorize the cancellation of a record.

Cancel records when:

1. A record is entered incorrectly and cannot be modified. The record must be re-entered using the correct information.

2. Documentation (warrants, reports of missing persons, theft reports, etc.) no longer exists to support the record.

3. The victim of an Identity Theft submits written documentation to be removed from the Identity Theft files.

K. Discipline for CJIS Misuse

Under no circumstances will any employee of this agency access or cause to be accessed or disseminate any CJIS information contrary to GCIC Council Rules and network policies, or violate any laws governing the operation of the CJIS network, of the GCIC Council Rules, GCIC CJIS Security Policy, or of GCIC network policies published by GCIC. Violation of these rules may include but are not limited to suspension/ revocation of agency or individual access to the CJIS network or disciplinary action in accordance with City and departmental standards, up to and including termination. Individual violators are also subject to criminal prosecution when their actions constitute violations of applicable state or federal law.

IX. Telephone Procedures

A. General Guidelines

The majority of calls coming in to the Department are initially received within the support services division. It is imperative that clerks make every effort to be polite and helpful. Clerks will develop good telephone habits with a cheerful voice and a helpful attitude. Clerks are responsible for imparting a favorable image of the Auburn Police Department with every phone contact. The following guidelines will be followed:

1. Answer the telephone promptly. Place other customers on hold to answer other lines, and then prioritize by order of importance.

2. Answer the phone by saying "Auburn Police" and give your first name and say, "how may I help you."

3. When transferring customers to employees, be sure to determine if the employee is available to answer the phone first. This will prevent the customer from being "bounced around" to various phones. If the employee is unavailable, then offer to take a handwritten message or connect to voice mail.

4. Do not give out the E-911 non-emergency number.

5. If a customer requests information that may take a while to gather, explain that it will take a period of time, and offer to call back.

6. Persons calling in with any type of employee or agency complaint shall be handled immediately, and not placed on hold. Procedures outlined in Chapter 5-1 of the Auburn Police Department Policy Manual shall be utilized

B. Messages

When taking messages, the information should be written legibly on the message form. The sections on the message form concerning the intended receiving party, date, time, and the clerk taking the message, and a short message may also be placed on the form, but do not push the customer for information. Keep in mind that the message form should be used when relaying all messages, not just telephone messages. This creates a system for predictable retrieval of messages. Clerks will generally take messages and connect customers to employees concerning issues of a routine matter.

1. Messages shall be placed in the appropriate box. The Patrol Supervisor will be informed that a message is ready for retrieval when an employee assigned to Patrol Division receives a message.

2. Clerks should use common sense, by identifying those messages that need immediate attention, and ensure the message is received by the responsible employee.

X. Records Accountability

A. Pass-On

Each clerk relieving the off-going clerk, will check and assume responsibility for the following:

1. Cash drawer: count money to make sure proper amount. If over or under, the off-going clerk must do an overage or under receipt.

2. Computers: the clerks coming on must log on to the in-house and GCIC with the proper log-on code.

3. Keys: on-coming clerks must insure that all keys are accounted for. If a key is missing, the off-going clerk should have it in pass on log or retrieve it before ending their tour of duty.

4. Patrol messages: If any messages are in the patrol box, the on-coming clerk is to advise the Shift Supervisor.

5. Fax machine: On-coming clerk is to check to make sure there are no faxes and there is paper.

6. Copy/printer: on-coming clerk will make sure full of paper.

7. Housekeeping: Off-going clerk will insure area is clean before leaving. If not clean, on-coming clerk must make a note in pass on log and inform off-going clerk.

8. Determine if there is any other information important to the operation of records section.

XI. Training

A. GCIC Training

All new clerks and any other designated City employees authorized to access GCIC, shall be certified through the new GCIC Computer-based Training Program, effective June 1, 2010, either as 'Entry Level', 'Inquiry Level', or 'MDT Level' operators. All operators certified prior to June 1, 2010, shall, as their recertification, complete the computer-based training course, administered by an agency TAC, in its entirety, by June 1, 2012. All GCIC printed material issued prior to the above-mentioned date is obsolete and shall not be referenced. Updated manuals are available on the server in the Support folder. Recertification training requirements for terminal operators shall occur at least every two years from their certification completion dates. The consequences for recertification delinquencies are as follows:

Entry and Inquiry Level

1-30 days delinquent- TBA

30 + days delinquent – must complete the entire computer-based course and retake certification test

MDT Level

1-30 days delinquent- TBA

30 + days delinquent- TBA

Every three years all employees will have GCIC Security and Integrity training. All new agency personnel must receive Security and Integrity training within 6 months of employment.

B. New Clerk Training

New clerks will receive a minimum of 4 to 6 weeks of training.

XII. Internal Auditing Practices

The purpose of the internal auditing procedures is to identify discrepancies in Departmental and Sectional operations, which identify training needs for employees, Departmental inefficiency, and/or malfeasance. It is the logic of the Department that management will be responsive to the trust placed in us by the citizens and seek discrepancies proactively. Any discrepancy will be addressed in the appropriate manner.

A. Quarterly Citation Audit by Race

Each quarter the clerk of courts will order a report of all citations by race and offense and all written warnings by race and offense. The CID Commander will analyze this data to ensure that these numbers closely reflect the demographics of the community. If the numbers indicate discrepancies might exist, he/she will bring this to the attention of the Chief of Police and to the Office of Professional Standards, for an investigation into the discrepancy. The results of this investigation shall be submitted to the Chief of Police and the Patrol Division Commander.

B. Quarterly File Audit

Each quarter, the Records Section Supervisor shall order an employee within the Section to audit thirty case files, at random, to determine if each file is filed in order, and contains the appropriate information.

C. Bi-Annual Citation Audit

Twice annually, the Records Section Supervisor or a designee shall audit all citations issued during the previous and current calendar year. Generally, the first audit will occur in January, and involve those citations issued April through September of the previous year. The second audit will generally occur in June and involve those citations issued from October of the previous year through March of the current year being audited. The purpose of this audit is to ensure that all citations issued during the year were accounted for and returned to the Records Section.

D. GCIC Entry/Query Audit

An agency TAC will periodically conduct an audit of all criminal history queries from all terminals to insure correct purpose code compliance, and proper dissemination of criminal history information.

F. Quarterly Deposit Audit

Each quarter, the Office of Professional Standards shall conduct an audit of deposits made to insure the security of funds generated by this Department.

G. Missing Persons Audit

The TAC will conduct a monthly audit to determine the current status of missing persons that have been entered on GCIC. If no follow-up has been done on these entries by the assigned officer, the Support supervisor will contact the supervisor of that officer via email or memo to initiate follow-up activity.

H. Computer Systems Audit

The Chief of Police or his designee will direct a supervisor to conduct an annual audit of the central records computer system for verification of all passwords, access codes, and access violations. This audit will serve to maintain the integrity of the system, and the security of the records contained in the system.

XIII. Security of Original Records

Officer's Request of Original Files/Documents

There will be occasions when officers may have a need to obtain an original file folder, or other original documents from the Records Section. To maintain the integrity of original files/documents, however, line officers and detectives will not be allowed in the Records Section of the Support Division without the permission of the Records Supervisor.

Natural or Manmade Disaster

In the event of a natural or manmade disaster and to insure the security and integrity of all paper files maintained by the police department, the Shift Supervisor will assign an officer to each area of the department that maintains paper files. The officer will supervise the removal to a safe location or security of the files until the supervisor of the affected area responds to resume this supervision. These affected areas may include, but are not limited to, the Training Section, the Records Section, The Office of Professional Standards, the Special Investigations Unit, The Criminal Investigations Section, the Office of Accreditation, and the Office of Administration. The files will be secured either within or outside the department by an assigned departmental employee in a manner to ensure safe retention until they can be secured in a more permanent area.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 14-1**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/27/2018

Subject: Release of Information

I. Purpose

To establish guidelines concerning the relationship between members of the department, the media, and those individuals seeking information from the Auburn Police Department.

To provide information and guidelines to produce information and documents created and maintained by this department, either under the Georgia Open Records Act or through a Subpoena to Produce Documents.

II. Policy

The department goal is the maximum flow of information to the public through press, radio and television services with a minimum disruption of police activity. The public is very much interested in police activities. A police department which fails to provide complete information will not achieve good public relations. The public depends on press, radio and television news service to provide information and the police department cannot operate apart from the public view. Every member of the department must deal fairly with newspersons, operate openly, and allow the reporter to be the judge of what represents news for the public.

From time to time complaints are received by the Police Department that information covering routine investigations, such as automobile accidents, railroad accidents, weather conditions, criminal cases closed by arrest, and various routine police procedures have been withheld from the press, radio or television services. Most matters handled by the police are not secret and will become public eventually; so, every effort should be made within the limits of these guidelines to cooperate with the news media to facilitate the prompt release of information. If a matter deals with departmental policy, its impact on the dignity of the department or its personnel, is not relevant to

public safety, or is such that publicity might be detrimental or defeat the ends of justice, the news inquiry should be directed to the Chief of Police.

III. News Media Relations

A. Role of the News Media

A well-informed public is essential to the existence of a democratic nation. To exercise their franchise effectively, citizens must be aware of current events and the state of government. A free press serves the public by supplying needed information by stimulating thought and by providing a medium for expression.

B. Role of the Auburn Police Department

The police department actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest in a manner which does not hamper police operations. However, certain information may need to be withheld from the news media to protect the constitutional rights of an accused or victim, to avoid interfering with a departmental investigation, or because it is legally privileged.

C. News Release Policy

The department recognizes the right of the public to be fully and accurately informed on all matters of public safety and that the news media is responsible for providing this information to the public. The policy of this department, therefore, shall be to maintain a relationship with the members of the news media that is built on trust, cooperation and mutual respect, and one which will generate the correct flow of information between the department and the news media. To accomplish this, the department when requested will provide such information within policy, legal and investigatory limitations as quickly as practicable to all accredited media representatives through the Office of the Chief of Police or a designated representative.

D. Allowing News Personnel to Enter Area of a Serious Incident or Crime

Police lines may be established to prevent persons from entering the area of a serious police incident or crime scene. Dependent upon the tactical situation and the likelihood of jeopardizing personal safety and police operations, members of the news media may be allowed into such areas, such as scenes of major fires, natural disasters, or other catastrophic events. The agency should provide as much assistance as possible to the media to facilitate their need to gather information at the scene of incidents. Any questions arising about media access into a scene should be referred to the Chief of Police or his designee; or the highest-ranking officer; or the acting PIO at the scene.

E. General Media Access

As a rule, the news media have the right to conduct news-gathering activities free from government interference on property open to the public and from publicly owned property. The news media have the same right of access to information as the public; however, in some instances, they have several additional rights of access. Government officials may restrict the public and the news media from crime and accident scenes only to the extent necessary to preserve the integrity of a site for investigative purposes, for ingress and egress of emergency vehicles, or other reasons of protecting against damage to persons or property. Absent a court order, government officials have no legal authority to restrict photographs or videotapes that may be taken by the media or the public, or interviews that witnesses are willing to give to the media. If private property owners object to media presence on their property, law enforcement may then utilize common sense and good discretion in having the media removed at the request of the property owner. No law enforcement officer or other public official should ever demand the film, camera, or notes of reporters or photographers.

F. Requesting Withholding of Publication

Newspersons may photograph or report anything they observe when legally present at an emergency scene. Where publication of such coverage would interfere with an official investigation or place a victim, suspect or others in jeopardy, the withholding of publication is dependent upon a cooperative press, not upon censorship by the department. Upon such circumstances, officers should advise the newsperson or their superiors of the possible consequences of publication. However, officers may not interfere with newsperson's activities if that performance remains within the confines of the law.

G. News Media Relations

1. It is the policy of the Auburn Police Department to have a uniformed officer to act as PIO. The position of PIO will be appointed by the Chief of Police or his designee. The officer assigned as the prosecuting or investigating officer or detective, is responsible to complete a news media release information memo and provide it to the PIO for release and dissemination to all divisions and media.

2. The news media will be encouraged by the Auburn Police Department to submit comments and recommendations concerning development of policies and procedures relating to the news media.

By providing the news media and the community with information on police operations and administration, a relationship of mutual trust, cooperation and respect can be maintained.

Press Conferences

Press conferences are held generally upon media request to the Chief of Police, the Patrol or CID commander for incidents that have a special interest to the public; for incidents that are severe in nature; and for the results of certain covert operations that have been on-going and have reached a

conclusion. Other events of public interest, such as felony reports/arrests, are provided to the media via standard press releases, or by on-scene interviews.

IV. Responsibility for The Release of Information

A. General

Only after the approval from the on-scene supervisor, members on scene are authorized to interact with the press. All members will ensure that any information released to the news media:

1. Is accurate;

2. Does not interfere with the successful conclusion of an investigation or pose a security threat upon a person involved;

3. Is not detrimental to, nor does it defeat the ends of justice; nor is it prejudicial to the rights of the suspect or accused;

4. Is not impactive on the dignity of the department or its personnel;

5. Is in accordance with the provisions set forth in this standard operating procedure and is not otherwise restrained by these guidelines or other departmental policy or general orders.

NOTE: Matters pertaining to department policy will be referred to the Chief of Police and disseminated only after review by him.

B. Police Public Information Officer (PIO)

Responsibilities of the PIO are:

1. The release of information affecting the department, its policies and functional operations, as well as all off-scene information pertaining to incidents and acts of nature; and arranging media/officer interviews regarding such incidents, after the fact.

2. Performing duties as outlined in this standard operating procedure.

3. Assisting Patrol or CID commanders with any problem that may be encountered in dealing with the news media.

4. Providing an official liaison relationship between representatives of the news media and the department.

5. Serving as coordinator for public information education, community relations and public relations activities of the department.

6. Preparing, developing and presenting media occasions that will foster better community/department relations.

C. Supervisors Responsibility

Responsibilities of the Supervisor shall include:

1. Serve as the acting PIO during off-duty hours; specifically, for routine activities. The Patrol or CID commander will call the PIO to interact with the media during events which would be beyond routine.

2. Serve as, or appoint a rated officer to serve as, a PIO representative. He will be available during any major incident that is likely to generate more than routine news interest.

3. Furnish information to the PIO regarding major incidents that are likely to generate more than routine news interest.

4. Assist in maintaining a good rapport and working relationship with members of the news media.

D. Supervisor and Special Units

Supervisors and special units are responsible for providing routine news information from their offices to the PIO as follows:

1. Nature of incident being investigated, i.e. personal injury accident, fatal accident, shooting, rape, etc.

2. Time the incident was reported to police.

3. Number of officers and/or fire companies and ambulances dispatched to the scene.

4. Location of incident (unless classified; i.e. drug raid).

5. Number of injured and/or dead, their sex, if known, and name of hospital where injured and/or bodies were taken. (Names, ages, and addresses are not necessary in this report).

6. Traffic conditions and/or detour instructions for the public.

7. Estimated time when detailed news release is expected to be completed.

8. Information outlined in above paragraphs 1 through 7, shall be reduced in writing in a news release format. If a shift change occurs during an investigation for which a detailed news release has not been completed, the Shift Supervisor going off duty shall inform the Patrol or CID commander of

the basic information as stated above so that he may be responsive to inquiries from the news media and carry on.

It will be the responsibility of the PIO to ensure that detailed news releases are prepared on all incidents for which primary investigation/activity was their responsibility. For example:

a. If the investigation is of such a nature that it would draw the immediate attention of the news media, information for a news release shall be relayed by the officer in charge of the investigation to the Patrol or CID commander in whose area the investigation is taking place so that he can be responsive to the PIO and/or news media inquiries.

b. The detailed news release shall be prepared by the investigating officers and delivered as soon as possible to the Patrol or CID commander.

E. Investigating Officer

The investigating officer of any major accident, crime or incident shall be responsible for relaying to the Patrol or CID commander the basic information required for a news release as soon as possible after all injured and dead have been properly cared for, the scene of the incident properly secured and proper traffic control is established.

1. News release information should be relayed to the Patrol or CID commander whenever possible from the scene or upon arrival at the hospital. If necessary, however, a short radio message may be transmitted to ensure that the Patrol or CID commander is informed of the situation.

2. Upon return to headquarters, the investigating officer shall, as soon as possible, prepare a detailed news release and leave it with the Patrol or CID commander before resuming routine patrol or going off duty.

3. A copy of every news release shall be kept in the originating office for 30 days. Such copies should be made on the copier. The original copy of every news release shall be sent to the PIO where it will be kept on file for one year.

F. Scope and Content of News Releases

Members will make every effort to cooperate with the press, radio, television or other public information media; however, sound judgment must be exercised. Information will not be released which would serve to weaken or in any way hinder an investigation being brought to a satisfactory conclusion or endanger the lives of investigating officers and/or victims, suspects, or the public. All information released shall be based upon fact, not supposition or rumor.

The department recognizes the legal restraints on the press existing outside the sphere of these guidelines and will not assume their application. Likewise, the department expects the press to recognize the necessary legal restraints upon the police concerning the release of information.

The following information shall not be disclosed unless authorized by the Chief of Police or his designee:

1. The identity of any deceased or seriously injured person prior to notification of the next of kin. Every effort must be made to notify the next of kin of the deceased before the news media is notified of the names. If notification cannot be given within a reasonable time, preferably six hours but a maximum of 24, the reason will be determined, and the news media advised of the circumstances and the identification of the victims. The responsibility for disseminating names of the victims to the public will then be that of the news media.

2. The specific cause of death until announced by the coroner.

3. The identity and address of any victim of a sexual assault incident.

4. The identity and address of any victim or witness of an incident of child abuse or neglect.

5. The home address or telephone number of any member of the department.

6. Information or statements which may result in disproportionate favorable "publicity" (as opposed to legitimate news) for any member, unit or section of the department, or any other agency, including non-police, local, city, county, state or federal government offices and agencies.

7. Opinion not founded in fact. Opinion or inference that could be taken as contrary to department policy or mission.

8. Unofficial statements concerning internal affairs, policy and/or personnel matters concerning the department; information that could impact unfavorably on the dignity of the department or its personnel.

9. It is the practice of news media representatives to contact various officers for soliciting information upon which news stories might be predicated. Proper response within the guidelines of this policy shall be furnished by the PIO, to media inquiries. Detectives generating press releases shall include number and be available on call to satisfy media inquiries. All other inquiries should be forwarded to the on-duty supervisor.

10. Information shall be disclosed without partiality to any news media representative or agency and shall not be withheld or delayed favoring any person or agency except that specific independent inquiries by a news media representative may be honored at the time of inquiry. It is necessary that all accredited representatives of the news media be treated equally, and that no favoritism or discrimination be shown to one over another. If one newspaper, radio or television news bureau is furnished information initiated by the department, then other news media representatives must be furnished the identical information to protect the department from allegations of favoritism.

11. Good judgment, of course, must be utilized in furnishing information to the news media to ensure that the department's official duties are not hindered. Nonetheless, there is no reason why information in the public realm should not be released within these guidelines. For example, in fatal accident cases, the fact that the victim is unidentified is no reason for withholding the fact that there has been a fatal accident.

12. In situations where inquiries are received by members other than the Patrol or CID commander, who may be occupied on some other matter, and no news release is available, the member taking the call shall take the name and address of the news representative. The Patrol or CID commander shall be advised immediately so that proper attention can be given to the inquiry and the news representative re-contacted and furnished any information available.

13. Enforcement of laws, within the department's responsibility, must be given continuous, relentless and vigorous attention. Department personnel in their contacts with the news media as well as personnel lecturing before various schools or delivering public addresses, must be constantly alert to utilize proper language to describe the department's responsibilities without reference to clichés and terminology which may be misleading or misrepresentative of the department's functions. For example, the use of the phrase, "the City police have a drive on speeders" connotes concentrated attention to enforcement of only one violation to the total or partial exclusion of others and also infers that when the "drive" is over, less attention will be paid to enforcement of the subject matter of the "drive".

G. Release of Information Involving Other Agencies

The purpose of this is to establish procedural guidelines relating to the releasing of information when other service agencies are involved in a mutual effort.

1. When an incident involves another county, city, state or federal agency, a member of the department management team compiling the press release of the incident, will coordinate the release of any information with the other agency's news release authority.

2. In instances where the Auburn Police Department does not have primary jurisdiction and is assisting another agency, responsibility for release of information rests with the agency having primary jurisdiction. When this department has primary jurisdiction, it shall retain news release authority.

3. Questions as to news release authority shall be directed to the Office of the Chief of Police.

V. Release of Information to News Media Concerning Pre-Arrest and Post-Arrest Situations.

Department policy on making release of information to news media on pre-arrest and post-arrest situations is set out herein. There are limitations on what may be released. Adherence to these instructions will materially protect the department in judicial review of cases at the same time permit continuing cooperation with news media while fulfilling basic responsibilities.

A. Pre-Arrest Procedures - What Can Be Released

1. Information relative to criminal investigations which shall be released, if it is not otherwise restrained by the effects of these guidelines, shall include:

a. The type of incident or crime - when accurately known.

b. The location, time, items or amount taken, injuries sustained, or damages incurred.

c. The identity of the victim (except when release of identity would endanger life of victim).

d. Whether or not there are suspects, without further comment.

e. Numbers of officers or people involved in an event or investigation and the length of the investigation, if such information is requested and would not hinder the investigation or performance of duty.

f. Requests for aid in locating a suspect or evidence.

g. The name, address, description, employment and marital status of a person for whom a warrant has been issued.

h. The exact offense and nature of complaints, i.e. officer, citizen, warrant, indictment, summons.

2. Items of evidence, which if disclosed would be prejudicial to the solution of the case, should not be made public. Photographs of a person accused by indictment or warrant may be furnished. Where the identity of a suspect has not been established, it may be desirable to publicize descriptions, artists' sketches, or other information which could lead to the identification and arrest of the suspect.

a. Suspects who are interviewed but not charged should not be identified.

b. The finding of physical evidence, such as weapons or proceeds of the crime, the issuance and service of a search warrant, and the positive or negative results of the search may be released. Information as to how a weapon or proceeds of the crime was located should be withheld if this involves information which is prejudicial.

c. Fugitive cases may require wide publicity. While as a rule prior records of conviction should not be publicized, it may be desirable in the public interest to disclose such records in fugitives when the pattern of crimes indicates the public may be the victim of fraud or personal injury. Circumstances and facts in each case will be the controlling factors in decisions. In some fugitive cases, it may be necessary to withhold information when its publication would be detrimental to the apprehension of the wanted person. Common sense should dictate the way fugitive cases are

handled with a positive view toward public interest and safety and the protection of other law enforcement agencies.

Fugitives who have a history of being armed or who have shown a propensity for violent acts shall be characterized as being dangerous and why, so that an arresting officer will be well aware of dangerous aspects involved in the apprehension of such a subject.

Pre-Arrest Procedure – What Not to Release

1. Requests for Documents – Georgia Open Records Act

a. Family Violence incident reports where no arrest has been made are not public records and will not be released to the public.

Exception – the victim of the act of family violence may request and receive a copy of the report prior to the arrest of the defendant.

2. Georgia Open Records Act – Exclusions

Generally, requests for information/documents are processed in accordance with the Georgia Open Records Act. Under the Georgia Open Records Act [O.C.G.A. Sec. 50-18-72 (a)], public disclosure shall not be required for records that are:

a. specifically required by the Federal Government to be kept confidential;

b. medical or veterinary records and similar files, the disclosure of which would be an invasion of privacy;

c. except as otherwise provided by law, records compiled for law enforcement or prosecution purposes to the extent that production of such records would disclose confidential investigative or prosecution material which would endanger the life or physical safety of any person(s), or disclose the existence of a confidential surveillance or investigation;

d. supplemental reports and information of a subsequent nature that is not included in the initial police report.

C. Post Arrest Procedure- What Not to Release

To avoid jeopardizing prosecution of a criminal matter by prejudicing the right of the defendant to a fair trial, members shall not make statements to the news media in the period between arrest and trial relating to:

1. Character or reputation of a suspect or the existence, if any, of a prior criminal record.

2. Re-enactment of a crime or the fact that a defendant may have shown investigators where a weapon, loot or other evidence was located.

3. References to a defendant as, for example, a "sex-crazed maniac," "depraved character," "typical gangster," "professional burglar," etc.

4. The existence or contents of any confession, admission or statement given by the accused or his refusal or failure to make a statement and/or the performance or results of any examinations or tests or the refusal or failure of the accused to submit to examinations or tests.

a. Information may be given out only if requested as to whether an individual arrested refused or submitted to the normal test in DUI cases. No results of any such test shall be disclosed to the news media.

b. Information may be given out concerning the general facts that physical evidence is being examined. However, the description of such evidence and the results of such examinations shall not be disclosed without the concurrence of the Chief's Office.

6. Guilt or innocence of a defendant, or the possibility of a guilty plea to the offense charged, or to a lesser offense (i.e. plea bargaining) or possibilities of other dispositions such as "nolle prosequi".

7. Identity, credibility or testimony of any prospective witness.

8. Testimony, credibility or character of any victim/witness.

9. Information on a purely speculative nature.

10. The merits of the case, such as evidence and arguments, whether it is anticipated to be used in court.

11. Transcripts, reports or summaries of occurrences taking place during judicial proceedings from which the public and press have been excluded.

D. Post-Arrest Procedure - What Can Be Released

1. Personnel authorized to address the news media should supply any relevant information on the arrest provided it cannot be construed as prejudicial to a fair trial. Information which may be given out includes the following:

a. Defendant's name, age, residence, employment, marital status and similar background information.

b. Substance or text of the charge on which the arrest was made and identity of the person preferring the charge (when such information does not constitute a danger to the complainant).

Members dealing with the press shall withhold identification of persons preferring charges when such persons are victims of a sex crime and publication of their identity would be a matter of serious embarrassment to them or jeopardize their security.

c. Identity of the investigating and arresting agency, duration of the investigation and aspects of the investigation of a non-prejudicial nature.

d. The facts and circumstances immediately surrounding an arrest: time, place, resistance, pursuit, possession or use of weapons and a general description of contraband seized if disclosure is not prejudicial.

e. Pre-trial release or detention arrangements; i.e. amount of bond, location of detention.

f. The schedule dates or results of the various stages in the judicial process.

g. Photos of defendants may be furnished to the news media. Members shall not assist in posing defendants for media camera, but the efforts of such cameramen should not be hindered during any normal movements of members or defendants which expose defendants to public view.

2. When there is a question as to whether an item should be released, the decision may be made by the Patrol or CID commander or PIO on the general principle that information should be made available unless it reasonably could be construed as prejudicial to the defendant, harmful to prosecution or endanger the lives of persons involved in the case.

VI. Special Considerations

A. Photography or Television

In public places or places where the press may otherwise lawfully be, no member shall take any action to prevent or interfere with the media in photographing or televising an event, a suspect, an accused or any other person or thing except that the presence of cameramen and crews shall not be allowed to significantly interfere with the police mission at hand. A proper action for the officer in charge of the scene would be to make allowances for the presence of cameramen and photographers and try to facilitate their job when appropriate. The PIO and/or Patrol or CID commander may extend cooperation when departmental property is required for the recording of interviews, news releases, documentaries or events of an unusual nature. In routine circumstances, public information programs and the press may be permitted to use their own equipment within police buildings or property.

1. Members shall not deliberately pose a suspect or accused in custody to be photographed, televised or interviewed.

2. Members shall not pose themselves with a suspect or accused, nor shall they enter into any agreement to have a suspect or accused in custody at a prearranged time or place to be photographed, televised or interviewed.

3. Police department photographs or films of the following shall not be released except by the Chief of Police or his designee:

a. Crime scene

b. Suspects or accused persons prior to actual arrest.

c. The victims of any crime, accident or suicide.

d. Juveniles (under 17 years of age), unless charged as an adult.

e. Members of the department.

B. Juvenile Records

Although interpretations of the law on the right of public access to some juvenile law enforcement records vary, there is a general agreement that for juveniles age 13 or older, arrest reports, incident reports, or closed case files that are in exclusive jurisdiction of the Superior Court, or that have been transferred to the Superior Court; and arrest reports, incident reports, or closed case files involving crimes identified as designated felony acts in the Juvenile Code should be disclosed to the public. All other juvenile records, to include records of juveniles after they reach adult age, shall be disclosed in accordance with the Georgia Open Records Act and Title 15 of the Official Annotated Code of Georgia. (Refer to the Georgia Law Enforcement and The Open Records Act manual.

1. Incident reports, arrest reports, accident reports, or closed case files involving juvenile traffic offenses should be disclosed, unless the offense is transferred to the delinquency calendar by the Juvenile Court. O.C.G.A. Title 50 Chapter 18 makes no legal distinction of the status of juvenile records once a juvenile offender reaches the age of emancipation.

2. Incident reports, arrest reports, and closed investigations where juveniles appear as victims or witnesses should be disclosed. The law does not permit a witness or victim's name to be redacted because of age.

C. Incidents of Reported Child Abuse/Neglect

Names, addresses and telephone numbers of individuals involved in the reporting or witnessing of an incident of child abuse or neglect shall be deleted from any information being released to the public unless the court determines otherwise and authorizes the release of information. The name of victims of reported incidents of child abuse or neglect shall not be open to public inspection.

D. Names or Identity of Sexual Assault Victims

Names, addresses and phone numbers of victims of incidents of sexual assaults shall be deleted from any information being released to the public unless authorized by the Chief of Police. Victims of rape or an assault with intent to commit the offense of rape shall not be released to the public in accordance with Georgia law.

E. Sensitive and Confidential Operations

Information concerning activities of the Narcotics Unit, or any special police operation necessarily deemed to be confidential by the officer in charge of the operation shall not be disclosed, except after the expressed permission of the respective officers in charge, appropriate division commander or Chief of Police.

F. Suicide Notes

The contents of a suicide note, or electronically recorded message is to be considered personal and confidential. No member shall make such written or recorded statements public. The fact that a suicide note exists may be reported without further comment.

G. Withholding Information

At the time information is denied to the press in the face of a legitimate inquiry, the denial shall be supported by a courteous, logical and adequate explanation which can be justified upon further inquiry. Failure to do this can unnecessarily damage the positive efforts to build good police/press relations.

H. Names of Armed Forces Personnel

If news media representatives arrive at the crash scene of a military aircraft, they are to be advised to stay away from danger areas and reminded that when the military crash team arrives, a service information officer will assist them. Requests for information directly concerning the military (such as the names, ranks and missions of military personnel involved) should be referred to military authorities. Only accurate, information directly concerning the Auburn Police Department investigation of the crash is to be given and, whenever possible, that information should be coordinated with the proper military authorities.

1. Information concerning military personnel involved in civilian automobile, train or plane crashes will be released in the same manner as though the servicemen were a civilian.

2. Cooperation of news media photographers should be requested but no force should be used by Auburn Police personnel to prevent their taking photographs at military crash scenes. Military authorities should, however, be advised that photographs have been taken and, if possible, they should be supplied with the name of the photographer and the agency for which he works.

Photographers should be reminded that photographing classified equipment is a federal criminal offense as well as being detrimental to national security. They should be advised to obtain authorization from the proper military officials before taking or publishing photographs of military equipment, which may be classified.

I. Weather and Road Conditions

Members on patrol observing changes in highway or weather conditions which would endanger, or interrupt traffic will immediately notify their Patrol or CID commander. Such information shall be made available to the public and the news media. Requests from a television or radio station for the services of a member or highway conditions will be complied with whenever possible.

J. Recognition of Department Personnel

Names of members should be incorporated into news releases if the PIO and/or Patrol or CID commander determines that the members are deserving of special attention due to their actions relating to the incident.

K. Publication of Department Personnel

Members are prohibited from releasing stories or statements concerning the policies and/or operations of the Auburn Police Department to magazines, periodicals or other similar publications without the written approval of the Chief of Police.

VII. Public Information

A. General Provisions for Requests for Information

The public has an abiding interest in law enforcement and in the activities of the Department. The news media and members of the public frequently direct inquiries to the department seeking information on a variety of subjects. Generally, there are two types of requests for documents the Department receives. These are either under the Georgia Open Records Act or through a Subpoena to Produce Documents. While it is the aim of the department to fulfill such requests, it is not always possible to do so. Whether to release information or to grant interviews will be determined according to the facts of each case. All requests for Open Records shall be in accordance with the "Open Records Request and Inspection Procedures" set forth within this policy and posted in the lobby of the Auburn Police Department.

All Open Records requests sent to this department will be coordinated through the Records Manager. The Records Manager will evaluate the request to determine if any exceptions exist that would preclude the release of the information. For example, a request for personnel records kept by the Department would be delivered to the Office of the Chief of Police. Completed requests will then be retrieved by the Records Manager, who will contact the requesting party and decide to disseminate the requested information.

When applicable, a record of the amount of time utilized to collect the requested information will be maintained. A record of the expenses associated with completing the request should also be kept. These expenses include the number of copies made, audio/video tapes, photographs, etc. The Record Manager will be responsible for calculating their respective cost of fulfilling the request.

Under the Georgia Open Records Act, there is a

three-day limit for either producing documents and/or responding to a request for documents. The limit begins on the next business day that the original request was received. Criminal penalties are attached for failing to complete the request in a timely manner. If a request cannot be completed in the lawfully allotted time, the supervisor responsible for completing the request will utilize the standard response form detailing the reasons for the delay. (see Records Manager)

Subpoenaed Documents

When a Subpoena to Produce Documents is received, it is the responsibility of the employee that the subpoena is addressed to respond to it. The Records Manager will notify supervisor of the respective unit of the employee to whom the subpoena is addressed.

Exceptions to Open Records

Public disclosure is not required for the following information:

Family Violence incident reports where no arrest has been made, only the victim is entitled to the report;

Georgia Uniform Motor Vehicle Accident Reports documenting accident reports occurring on state, county, and city roadways, and those occurring on private property, except upon the submission of a written statement of need (see attached form) by the requesting party, with the exception of the drivers of vehicles involved; requests for traffic accident reports should be directed to the Support Services, utilizing the accident request form;

Supplemental reports made pursuant to a follow-up/criminal investigation that is still pending are not a matter of public record. Supplemental reports in general are documents describing actions or events that occurred after the initial incident report. This may include, but is not limited to statements, lab tests requests or results, investigator reports, etc.

Criminal History and Driver's History Files: Generally, these files are not a matter of public record. State and Federal laws governing the security and privacy of Criminal Justice Information Systems require that access and dissemination of Criminal History Information and Driver's History Information be restricted to authorized persons. It should be noted that O.C.G.A. Sec. 35-3-38 provides that anyone who "knowingly" or "negligently" releases or allows information to pass to

unauthorized persons is guilty of a felony. Violations of this policy will not only result in severe disciplinary action, but also may result in criminal prosecution.

If, however, the GCIC/NCIC records are a part of a case file, the information is public record, unless its disclosure would constitute an invasion of privacy.

Wanted Checks

These files are not a matter of public record and State and Federal Law prohibit their dissemination. This information is restricted to authorized personnel only.

Requests for information/documents described in 'd' and 'e' of this policy should be directed to the TAC supervisor.

Employee Personnel Files

These files are generally a matter of public record and are available to citizens upon request, but it is permissible to redact the social security number, financial information, insurance/medical information, day/month of birth for any person contained in the records. Additionally, for sworn law enforcement officers, it is also permissible to redact the home address and telephone number and the identification of the officer's immediate family members or dependents.

Internal Investigation Files

Investigative files of a government agency relating to the suspension, firing, or investigation of complaints against a public employee are subject to the Act's disclosure requirements 10 days after the investigative record is submitted to the agency for action or the investigation is otherwise concluded.

General Orders, Personnel Orders, Special Orders, Policy and Procedure Memorandums to all Police Department Personnel, Minutes of Departmental Meetings. These documents are a matter of public record and are available to the public for a copying fee.

Requests for information/documents described in '7', '8', and '9' of this policy should initially be directed to the Records Manager.

For additional records categories regarding matters of disclosure, refer to the Georgia Law Enforcement and The Open Records Act manual.

Release of Confidential Information Prohibited

Any employee of the Department who, during the course of their employment, obtains information which is considered confidential by Departmental policy, local, state, or federal law, will not disclose

such information. This includes, but is not limited to medical information, including AIDS information, GCIC information, etc.

Any employee who is unsure of the confidentiality of Police Department documents/information will treat the information as confidential. That employee will immediately inquire through the chain of command as to the confidentiality of that document/information.

11. Copies of police reports will be made available to members of the media in accordance with federal and state statutes.

12. News media interviews of subjects in custody are not granted without first consulting the district attorney having jurisdiction. Officers may not prevent brief comments by arrestee to reporters while in public places (e.g. at the arrest scene or in the hallway adjacent to the court).

B. Permission for Use of Police Facilities

Normally, the Department will not grant permission for its equipment or the interior of its facilities to be used for television, motion pictures or other entertainment productions. However, when coverage is required for recording interviews, news documentaries, news releases or events of an unusual nature, representatives from the news media or public information programs may be allowed to use their equipment inside police facilities under supervision.

C. Cooperation for Feature Articles or Programs

Requests for Department cooperation in preparation of articles for individually considered and, if approved by the Chief, for permission for the interviewing of department personnel and the photographing of police facilities will be limited to the scope of approval. Officers participating in the preparation of such articles should ascertain the scope of approval and should be cautious not to exceed those limits. Officers should exercise care and discretion so as not to make statements or convey information which, if later quoted, may create a misunderstanding or compromise the effectiveness of the police service.

D. Responsibilities to Supply Information

Frequently, due to public expectations and because of accessibility, an officer is called upon to supply information both related and unrelated to the law enforcement function. An officer should appropriately answer questions put to him that apply to the immediacy of an operational situation and to routine duty or refer the person to the proper individual or agency for such answers. When a request is made for information about a police matter, an officer should decide if he is in possession of sufficient facts and is qualified to respond and whether the person making the request is a proper person to receive the information. Generally, an officer should be open in his dealings with the public and, unless there is reason to the contrary, he should supply requested information. He should, however, be cautious to avoid representing as fact that which is his opinion.

E. Public Information Programs and Education

The department conducts various information and crime prevention programs to educate the public and to eliminate specific crime problems. In addition, the department cooperates in developing new programs in those areas where the relationship between any group, or the public, and the department may be involved. In so doing, the probability of crimes being committed may be reduced and the effectiveness of the department enhanced.

F. Tours of Auburn Police Facilities

Many people rarely have an occasion to enter a police station or to witness activities, which support line operations. To acquaint the public with the law enforcement task, the department will hold "open house" and upon request, conduct tours of police facilities. The scope of such tours will be dependent upon security requirements and personnel availability.

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Christopher Hodge Date

Chief of Police

OPEN RECORDS REQUEST AND INSPECTION PROCEDURES

In accordance with O.C.G.A. 50-18-94 and 50-18-71(a), the following rules will be adhered to, and documents will be inspected under the supervision of the Records Custodian.

All open records requests received will be reduced to writing either by the requesting party or by Support personnel taking the request on the appropriate form.

All open records requests received after 1:00 P.M., will be attributed to the next business day.

All open records requests shall be responded to within three business days from the date that the request is received by the Records Custodian, excluding weekends and holidays.

All documents inspected will be under the supervision of the Records Custodian or her designee.

For persons inspecting documents, no purses, briefcases, bags, etc. will be allowed, only one file/item will be presented at a time for inspection and said person shall be in full view of the Custodian at all times. If original documents are being inspected, no ink pens or markers will be allowed. The Custodian will supply a pencil and paper for limited notes.

Documents may be inspected Monday through Friday between 0800-1200 hours, and 1300-1600 hours.

Payment of cash or money order is required at the time that the documents are picked up for requests estimated at $500.00 or less. If payment is by a business or personal check, the documents will be made available upon the check clearing the bank.

For large requests estimated over $500.00, a payment of half of the total amount is required before any research or retrieval begins, and the remainder of the bill is required at the time that the documents are available for pick-up.

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 15**
Effective Date: July 1, 2018 Revised: 07/01/2018

Review: 10/30/2018

Subject: Traffic and Parking Enforcement

Purpose

The purpose of traffic law enforcement is to reduce or eliminate traffic accidents through preventive patrol and active enforcement. Officers have the responsibility to enforce the traffic laws and as such, must be familiar with Georgia statutes that apply to traffic law enforcement.

II. Procedures

A. Traffic Enforcement Activities

The goal of traffic enforcement is to reduce traffic accidents and gain voluntary compliance with traffic laws. Directed enforcement measures will be used to assign traffic enforcement personnel and equipment to specific geographical locations to provide preventive patrol for specific categories of traffic violations.

Analysis of traffic accidents will be done by the crime analyst on a monthly basis.

Analysis of traffic enforcement activities will be performed at least on a monthly basis. The traffic complaints received during the month will be reviewed as well as the citations written to determine

if adequate enforcement is being applied to identify high accident rate and complaint locations; school zones, and roadway conditions.

Directed enforcement shall be undertaken in those areas where analysis of traffic accidents and violations indicate that special attention is needed. Patterns of causes and or sudden increases in the number and severity of accidents, crime data or trends, or violations are reasons for extra enforcement activity at a given location. When law enforcement becomes aware of a particular problem that may or may not be reflected in accident report data, steps will be taken to correct the problem.

Traffic law enforcement is the responsibility of all uniformed police personnel regardless of specific assignment. All officers are charged with observing, detecting, and preventing traffic law violations and taking appropriate corrective action. Enforcement not only involves arrest and citations, it includes effective warnings to drivers and pedestrians, and will be applied without regard for such factors as attitude, intent, or excuse.

The patrol commander or his/her designee will be responsible for the planning, analysis, monitoring, coordination and administration of traffic enforcement and traffic activities. The responsibilities include, but are not limited to:

1. Traffic Control

a. Motor Vehicle Collision investigation;

b. Operation of speed measuring devises;

c. Parking control;

d. Compilation, review and comparison of traffic collision data and traffic enforcement activities;

e. Implementation of enforcement techniques and procedures;

f. Deployment of traffic enforcement personnel special detail; and

g. Evaluation of traffic enforcement activities.

2. The Patrol Commander, or his designee, will ensure that traffic safety materials are readily available to the public.

B. Physical Arrest

A physical arrest will be made if a driver is determined to be driving while his license is suspended or revoked.

In cases involving excessive speed violations, reckless driving, or serious injury by vehicle, the officer should use professional judgment and take into consideration any extenuating circumstances when deciding what enforcement action to take. As a Departmental guide, at speeds in excess of 50 mph over the posted speed limit, the officer is strongly encouraged to require the violator to post bond.

There may be other incidents in which a violator should be physically arrested. The decision to affect a physical arrest should be based upon sound legal principles as opposed to peripheral issues, such as the violator's "attitude

C. Notice to Appear Citation

The issuance of a traffic citation is applicable in the majority of cases for those violators residing within the boundaries of the judicial jurisdiction in which the case will be adjudicated. Non-residents of Auburn/Barrow County should be issued a traffic citation and released, unless circumstances indicate the violator may not return for court appearance, or post payment of fine.

1. The traffic citation should be issued to all violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations and parking violations.

2. When a driver displays a valid driver's license, an officer may issue a copy of charges in lieu of physical arrest in all traffic cases.

3. Citation books shall be issued to officers by the clerk of court or designee. Issued citation numbers, the officer's name, and date shall be recorded in the traffic citation logbook. Officers should turn in their old citation book upon obtaining a new book. Officer shall be issued only one book at a time, unless approved by their immediate supervisor, who will notify the clerk, granting this permission. Traffic officers may obtain two books without a supervisor's approval. Officers shall report any lost or stolen citation(s)/book(s) to his supervisor, and complete a miscellaneous report documenting the same.

4. Citations may be voided by an officer only after consulting with his/her supervisor and the Patrol Commander.

5. Citations that cannot be accounted for on the citation record will be noted by the clerk of court, who will contact the officer's supervisor. If the citation cannot be accounted for, the officer will complete an incident report to account for the lost or destroyed citation. Once a report has been filed, the court clerk will note the citation disposition (lost, destroyed, etc.) on the citation record.

D. Written Warning

A written warning is a proper alternative by officers in response to a minor traffic infraction committed in those areas where traffic accident experience is minimal. Written warnings are also appropriate for those violations which occur within tolerances generally allowed by the agency and

endorsed by the courts. These tolerances would include speeds in excess of the legal limit, but less than a speed for which a citation or arrest would result. It is also applicable to running a stop sign at a speed slower than walking at intersections where traffic accident experience is slight. Written warnings may also be issued in traffic crashes at officer's discretion. Officers shall be encouraged to cite the at fault driver in any accident regardless of the amount of damage.

E. Enforcement Policy

The following guidelines are provided to assist officers in making decisions as to whether or not a traffic citation and/or arrest is warranted.

1. Speed violations: Enforcement action may depend on the location of violation, such as a congested area, school zone, etc. or the road and weather conditions. Generally, officers may give written warning for speeds of 11-14 MPH over the speed limit and written citations for 15 MPH or more over the speed limit. This guideline does not apply to designated strict enforcement area(s). In these areas, officers are authorized to issue citations for speed violations more than 11 MPH over the posted speed limit. Officers operating radar will follow applicable Georgia law.

2. Other hazardous violations: Consider the degree of hazard, place, previous accident history of location, current directed patrol emphasis, etc. Hazardous violations may include laying drag, reckless driving, improper lane change, or other similar violations that create a hazard.

3. Public Carrier/Commercial Vehicle Violation: Officers should consider time, location, and degree of hazard and any citizen complaints.

4. Other Non-Hazardous Violations: Should be a clearly convictable case in court. It may depend on time, location, degree of hazard, and previous accident history of location. Officers should consider warnings unless repetitive or flagrant.

5. Multiple Violations: Officers may cite for all identified traffic violations. However, the officers should normally choose the most serious violation for issuance of a citation and issue warning citations for all other traffic violations, unless, in the officer's judgment, multiple citations are warranted.

6. Newly Enacted Laws/Ordinances: Normally a grace period of 30 days, is established during which written warnings will be given. Thereafter, officers should use discretion.

7. Suspended or Revoked License: When a traffic stop is made and it is determined, through a GCIC computer check, that the subject's license is suspended/revoked, the officer shall inquire if a serve date is included on the printout. Although some of the license suspension/revocation offenses do not require a serve date, the officer must still provide the court with proof the driver received notice of the suspension. If a serve date is known, that date will be noted on the citation.

8. Following a traffic crash investigation, officers will issue the offending driver a citation for the law violation, if any, that caused the collision. In cases where the apparent damage is non-existent, or very minor officers are authorized to issue the offending driver a written warning instead of a citation. Should an officer not issue a citation or written warning, the facts leading to that decision will be clearly noted in the accident report narrative.

9. The applicability of the level of enforcement used should be based on the degree and severity of the traffic violation. If the enforcement action required a court appearance, make sure the violator knows where and when to appear. Explain any alternatives to the violator, but do not predict the actions of the court, or give any information concerning the cost of a cash bond. Always advise the violator of the following:

a. Court date;

b. Court time;

c. Court location;

d. Whether the court appearance is mandatory;

e. Violator must contact Municipal Court to determine the amount of the fine;

f. Whether or not the fine may be paid at Municipal Court prior to the assigned court date;

g. The violator must sign the citation, or he/she will be required to post a cash bond.

G. Traffic Citations/Incident Reports/Supplemental Reports

1. Accurate, timely and complete reports are basic to this Department's efficient and effective operation.

2. Citations will be printed legibly in blue ink and turned into the court clerk at the end of the officer's shift.

3. Citations will be entered in the appropriate RMS database by the clerk of court or designee.

4. All reports by uniformed personnel should be completed and submitted to a supervisor by the end of the shift. The supervisor will check each report for accuracy and completeness.

H. Accountability for Traffic Citations

All traffic citation books will be issued by the clerk of court or her designee. Each officer will be responsible for the numbered citations assigned. Records of the issuance of traffic citation books will be maintained by the court clerk and compared to records of completed citations issued.

1. Officers will be expected to account for all traffic citations issued to them. The auditing of all traffic citations will be conducted by the court personnel.

2. Once a citation has a listed court date, it will be processed and docketed for the appropriate court. Once an officer turns in a citation to the court clerk, the officer relinquishes control of the citation, and it will not be returned to the officer, even if requested. Citations containing errors may be returned to a Patrol Supervisor by the clerk of court, in order to have the citation completed for either entry or voiding.

4. If an officer's citation book is lost or stolen, the officer will immediately notify his supervisor of the incident. The Chief of Police, through the Chain of Command, will be notified in writing of the citation number(s), and this information will be forwarded to the clerk of court, so the citation can be properly cleared.

I. Traffic Patrol Procedures

1. Stationary Observation

Unmarked Vehicles: Unmarked vehicles will not normally be used in traffic enforcement duties. Officers operating unmarked vehicles should execute traffic stops only when the observed violation creates an imminent and continuing danger to other traffic or pedestrians and necessitates immediate action. This section should not be construed as prohibiting unmarked vehicles from making investigative vehicle stops for other than traffic enforcement purposes; however, the use of a marked unit to affect the stop is always preferred.

J. Parades & Festivals

Traffic direction and control for parades & festivals will be determined on an individual and as-needed basis, and need will be determined by the route and the number of people participating as specified in the parade/ festival event. The placement and utilization of manpower will be decided by the patrol commander or his designee.

K. Adverse Weather Conditions

In the event of adverse weather such as fog, heavy rain, snow or blowing debris, wherein the weather is causing an extreme driving hazard, officers will contact their supervisor who will make a determination of the type of traffic control needed. This control can be the complete stopping of vehicular traffic or the detouring of traffic to maintain a safe and orderly flow of traffic.

L. Road Hazards

1. Emergency Road Hazards - Emergency road hazards such as downed power lines, road construction, malfunctioning traffic lights, etc. will require the responding officer to provide for the safety of the public as well as maintaining the flow of traffic. The officer will immediately inform the

shift supervisor of the hazard and the shift supervisor will determine if the officer should standby until the hazard is made safe. The responding officer shall contact those departments needed to remove the hazard through the 911 Center.

2. Non-Emergency Road Hazards - Road hazards of a non-emergency nature will be reported by the officer detecting the hazard. A City of Auburn Service request "work order" will be completed by the responding officer and submitted to the shift supervisor in order to be forwarded to public works.

The Shift Supervisor, in consultation with the responding officer, will make the final determination if a road hazard is of a non-emergency nature.

M. Special Enforcement

1. Request for Re-Examination by licensing authorities: Department personnel will sometimes come in contact with drivers who, due to apparent physical or mental incapacity, are incapable of safely operating a motor vehicle.

This is not a judgment that is to be made lightly by officers, and it should be able to be documented and clearly indicated as a safety hazard before recommendations for driver re-examinations are made.

Any officer who becomes aware of an apparent mental or physical incapacity of a licensed driver, should secure the name, driver's license number, and current home address of the driver. This information, along with a detailed description of the physical or mental impairment, will be forwarded to the Patrol Commander, who will in turn forward his findings to the Chief of Police.

After reviewing this documentation, the Chief of Police has the option to seek additional information to support a legitimate safety problem, or by submitting a letter requesting re-examination of the driver to the medical examiner of the Department of Driver Services.

2. Bicycles/Pedestrians- Officers shall be responsible for enforcing laws relating to the safe operation of bicycles and movement of pedestrian traffic. Officers will exercise discretion in applying these laws. The following procedures are guidelines, which should result in a more uniform and consistent application of the law.

a. On those arteries with a substantial flow of vehicular traffic where hazardous moving violations are observed involving persons operating bicycles and pedestrian violations, the laws should be enforced. Officers are encouraged to use discretion prior to issuing citations.

b. In those areas where traffic flow is minimal and traffic accident count is low, officers should exercise discretion in enforcing the laws pertaining to bicycles and pedestrian traffic.

c. Prior to any substantial increase in the enforcement effort directed toward bicycle and pedestrian traffic, a sufficient publicity and community awareness campaign should be conducted. This is especially true in areas where these laws have previously had minimal attention.

3. Off Road Vehicles- Any person operating any off-road vehicle on the roadway shall follow all applicable traffic laws related to the specific off-road vehicle. Any person found violating these provisions may be issued a traffic citation.

The operation of any off-road vehicle on private property without the consent of the property owner, or if the off-road vehicle is not equipped with operable brakes, mufflers, or other silencing equipment, the driver can be charged even on private property.

N. Traffic Safety Checkpoints

Traffic Safety Checkpoints will be held at various times of the year throughout the City of Auburn at various times of the day. The purpose of the checks is to educate the public and create awareness concerning traffic laws. Traffic safety checkpoints are also useful in detecting drug and alcohol impaired drivers and for creating a perception of non-tolerance for substance impaired driving. All traffic safety checkpoints should follow these guidelines:

1. The Chief of Police shall authorize supervisors to conduct safety checkpoints as the resources and volume of calls allow. Supervisors will also have the authority to cancel checkpoints as needed to allow personnel to perform other tasks. The approving supervisor will ensure that the checkpoints are operated in a safe and legal manner and make corrections when needed. The Shift Supervisor is responsible for any traffic safety checkpoint occurring on his/her shift, unless the checkpoint is part of a targeted enforcement effort that is being conducted by another supervisor.

2. Officers will be courteous to the motoring public and explain the purpose of the check. The public should only be detained for brief periods. If the approving supervisor notices traffic volume becomes heavy and motorists are being exposed to excessive delays, the supervisor can authorize deviation from the standard guideline of checking every vehicle, and authorize officers to check, for example, every other vehicle, or every third vehicle, until an acceptable delay is attained. Common sense might dictate that an alternate location is used.

3. Checkpoints should be clearly identifiable as police checkpoints. This can be accomplished by using signs, traffic cones, vehicles utilizing the emergency lights, etc. The checkpoint should be situated in a location allowing the motoring public ample time to identify it as a checkpoint and stop. All officers participating in the checkpoint shall wear a reflective traffic vest as furnished by the Department.

4. Prior notice may be given whenever possible through the local media. Prior notice informs the motoring public that they may encounter a checkpoint.

5. Unless reasonable suspicion or probable cause exists, the officer should not ask any motorist questions such as where you're going or coming from, etc.

6. The Shift Supervisor, the approving supervisor, or his/her designee participating in the checkpoint, shall enter all enforcement action taken as it relates to the checkpoint in the Department's special detail database.

7. Supervisors or their designee will conduct roll call training on traffic safety checkpoints.

O. Assisting Motorist

Auburn Police Department officers will at all times assist and protect citizens and motorists that are in need upon any street or highway.

When an officer observes a stranded motorist, he will stop and ascertain what assistance, if any, is required. The officer may take any of the following actions:

1. If the vehicle is disabled upon the roadway and can be pushed to a safe location off the roadway, the officer may at his/her discretion help the person move the vehicle if safety allows.

2. Arrange for the motorists to have the vehicle towed either by owner's request or by the department list towing service.

4. Transport the motorist to the police department, to a telephone, or any other place of safety.

5. Relay the motorist's request to the 911 center for assistance in contacting a third party.

6. Emergency assistance shall be provided to motorists by police personnel in any of the following manners:

a. First aid;

b. Obtaining medical assistance;

c. Fighting Fires; and

d. Obtain fire service assistance.

All emergency requests will be radioed to the 911 Center for response.

III. Traffic Stops

A. Unknown Risk Traffic Stops

Traffic stops are potentially dangerous situations for police officers. The following steps are intended to provide maximum safety for the officer, the violator, and other users of the roadway. These

procedures are to be followed when possible and are presented from the perspective that ideal conditions exist:

1. When making a vehicle stop, the officer should notify the dispatcher, on the appropriate radio channel, of the tag number, vehicle color, any visible occupants and the location of the traffic stop prior to stopping the vehicle. The officer shall maintain radio contact throughout the duration of the traffic stop in the event the dispatcher has information regarding the vehicle or its occupants.

2. The officer should signal the violator by utilizing emergency equipment. This should be done by using the available equipment in the following order:

a. Blue lights;

b. Blue lights and siren.

3. The violator should be signaled and directed to the right side of the roadway near the curb or on a shoulder. This can be done by utilizing the public-address system.

4. On multi-lane roadways, the officer should attempt to ensure the safety of the violator during lane changes, by changing from lane to lane with the violator, until the right side is reached.

5. Should the violator stop abruptly in an undesirable location, the violator should be directed to move to a safer location. Officers should use the public-address system, if available, to instruct violators to move. If the patrol vehicle is not so equipped, and gestures are insufficient, the officer should quickly exit the patrol vehicle and give verbal instructions. If the violator is suspected of being impaired, they should not be allowed to move the vehicle after they have stopped.

6. After the violator's vehicle is stopped, the officer should position the patrol vehicle approximately 15- 20 ft. behind the violator's vehicle. The police vehicle should be positioned so the left front is offset approximately two feet to the left of the violator's vehicle. This provides safety to the officer and the violator. Emergency flashers may be used at the officer's discretion, based on the location and intensity of oncoming traffic.

7. The officer should exit the patrol vehicle and be continuously alert for any suspicious action by the violator, or other occupants of the vehicle, as well as the traffic traveling on the specific roadway.

8. The officer's approach to the violator's vehicle should be along the driver's side of the vehicle. Unless this position places the officer in unnecessary danger. The officer should take a position just behind the doorpost of the driver's door. From this position, the officer can communicate with the driver and keep all the occupants in view.

9. When traffic stops are made by two-officer patrol vehicles, the passenger officer should be responsible for radio traffic and should exit from the vehicle and act as an observer and cover for his fellow officer. At no time should the two officers approach the vehicle together.

10. At night, the procedures are basically the same with the additional necessity of exercising caution in selecting an appropriate place for the traffic stop, signaling the violator (the spotlight should not be used except in extreme situations), and positioning the police vehicle. After the stop, the headlights should be on low beam for the safety of on-coming traffic unless some suspicious activity by the driver warrants the use of high beams to keep the violator at a disadvantage. If the police vehicle has "take down lights" they should be used to monitor activity inside the vehicle.

B. Officer/Violator Contacts

The Officer/Violator contacts are activated once the officer has stopped and approached the violator to a point where communication begins. The officer should:

1. Be absolutely certain the observations of the traffic violator were accurate.

2. Decide on the appropriate enforcement action based upon the violator's driving behavior. In most cases, it is advisable to have the form of enforcement action decided prior to the initial contact with the violator.

3. Be prepared for the contact by having the necessary equipment and forms immediately available.

4. Be alert at all times for the unexpected.

5. Present a professional image, dress, grooming, language, bearing and emotional stability.

6. An officer issuing a traffic citation will make the violator aware of the requirements associated with the citation, inquiries regarding procedural matters, consequences of the violation, or other matters related to the violation will be courteously responded to within the scope of the officer's knowledge.

7. Be alert to any emotional stress exhibited by the driver. Instructions concerning the citation may have to be repeated. Always be on the lookout for the presence of alcohol/drug use by the driver and, if discovered, initiate the standard DUI investigation procedures.

8. After issuing a traffic citation, the violator must sign it. If the violator refuses to sign the citation, the officer will advise the violator that Georgia Law requires the violator to sign the citation. Refusal to sign will require the violator to post a cash bond.

9. Remember, the purpose of traffic enforcement is to obtain voluntary compliance with traffic laws.

10. When the officer has completed the traffic stop, assist the violator in safely re-entering the traffic flow.

C. The Traffic Stop Model

When a traffic stop, other than a felony stop, is made, the officer making the stop should use the following dialogue as closely as possible:

1. Good morning (afternoon or evening),

2. My name is officer (Officer's title and last name) with the Auburn Police Department.

3. The reason I stopped you is (reason for the stop),

4. Do you have a lawful reason for that?

5. (If not) may I see you driver's license and

6. Proof of insurance (the violator shall remove the documents from the wallet before the officer takes possession of the documents).

7. Make a final decision whether to issue a citation or a written warning,

8. Close by saying something such as to be careful and wear their seat belt.

The above model should be utilized whenever practical; however, it is understood that the actions of the violator may necessitate more stern actions or verbiage.

D. High Risk Stops

When a vehicle is found to be operated or occupied by a suspect wanted for a felony, the officer will notify the radio dispatcher immediately. The officer will inform the dispatcher of the location and give a description of the vehicle and its occupants. The officer will keep the vehicle in view and request sufficient assistance in making the stop. The suspect vehicle will not be stopped, unless necessary, until adequate support is available.

Note: The following technique is a guideline for handling high risk situations.

The following procedures may be used in effecting the stop:

1. The officers should attempt to stop the vehicle in a location that presents minimal danger to himself and others.

2. When conditions are appropriate and support units are available, the officer will move into position to the rear of the violator's vehicle. The officer will signal the violator to stop and will attempt to stop the vehicle on the far-right side of the roadway.

3. The officer will have his weapon accessible and ready for immediate use.

4. The primary officer will stop the patrol vehicle off set (as in a regular stop) but slightly canted to the left approximately 30-40 feet behind the violator's vehicle.

5. At night, all lights including the spotlight will be focused on the interior of the violator's vehicle.

6. The driver of the primary patrol vehicle will open the driver door but will remain in the driver's seat in a position allowing maximum cover and still having the public-address system available. If the vehicle has no public-address system available, the officer will give loud voice commands. To avoid conflicting or confusing instructions only one officer (preferably the primary officer) will attempt to communicate with the occupants of the violator's vehicle.

7. The initial officer (primary officer) shall be in charge of the traffic stop and is responsible for the positioning of back-up units. Placement of back-up units will vary according to location and nature of the stop. Generally, the first back-up officer will position their vehicle to the left of the primary vehicle stopping even with that vehicle slightly canted to the right

Additional back up units will be positioned by the primary officer. Officers in one of these units will exit from the driver's side of the patrol vehicle and will take a covered position in the primary officer's passenger side seat, at their vehicle or other place of cover which will not interfere with other officers or the stop. No back-up units will be positioned in such a way that it would create a crossfire situation.

8. When the vehicle stops, or when police vehicles are in place, the officer who initiated the stop will begin communication with the violator.

9. The driver will be directed to remove the key from the ignition and to keep it in the right hand.

10. The driver will then be directed to roll down the window and to open the vehicle door from the outside, if possible, using the left hand.

11. The violator should then be told to exit the vehicle facing away from the officers with both hands raised.

12. After an initial visual search is made, the violator will be told to walk backwards toward the officers. If only one occupant is visible, the officer should tell the violator to stop and open any rear doors on the driver's side. After opening the door, the violator should be instructed to either stop at

the trunk and throw the keys onto it or to move toward the trunk keyhole and while following officer instructions, open the trunk, step to one side, and then close the trunk leaving the key in the key hole. Once done, the violator should then be instructed to walk backwards, with hands raised, toward the officers until told to stop.

Note: All violator movements should be done while facing away from officer.

13. When the violator is at the front bumper of the patrol vehicles, the violator is told to stop and to get down on both knees and then cross the ankles. Once this is done, the secondary officer moves from cover, after holstering their weapon and readying the handcuffs for application and approaches the violator. While taking cover behind the violator, the officer applies handcuffs. After cuffing, the officer moves the violator, using an escort hold, to the rear of the secondary patrol unit to conduct a complete search of the suspect. This person should then be placed in the secondary unit. When this person has been handcuffed, searched, and secured, other occupants of the vehicle should be removed using the above listed procedures.

Note: Stops following pursuits are to be considered high risk stops and are to be conducted as such.

IV. D.U.I. Enforcement Policy

A. General

It is the policy of the Auburn Police Department to reduce alcohol and/or drug related traffic violations. This is accomplished by strict enforcement of the laws of the State of Georgia and the ordinances of the City of Auburn that are related to the operation of motor vehicles while under the influence of intoxicants.

It shall be the policy of the Auburn Police Department to stop, arrest and prosecute any person who is driving a motor vehicle while under the influence of alcohol and/or drugs to the extent that his/her ability to operate that motor vehicle safely is impaired.

B. Officer Safety During DUI Investigations

1. While conducting field sobriety tests, the officer may be vulnerable to assault. Therefore, the tests should be administered at a SAFE distance from the flow of traffic and with an additional officer standing by. Select a place that is most advantageous to the officer. Preliminary Breath Tests may be given in the patrol car if the officer feels that is the safest place.

2. To lessen the chance of acquiring a communicable disease, the officer should use caution while handling the mouthpiece after the test. In most cases, the officer should use the plastic wrapper to grab the mouthpiece to discard it.

C. Preliminary Breath Test Instrument

1. The device should be calibrated at least annually by authorized personnel, regardless of the number of tests performed. It will be the shift supervisor's responsibility to ensure all devices are made available to the testing personnel upon request.

2. The Patrol Commander shall ensure a log is maintained to record the calibration. The log should include the device serial number, the person performing the calibration and the fact that the device(s) was functioning properly.

3. Routine maintenance consists of changing the battery when needed. This should be done quarterly.

4. The instrument may be carried in a coat or shirt pocket during cold weather, in order to maintain it at operating temperature, otherwise it should be stored in its case.

5. Repairs will only be made by authorized and fully trained personnel from vendor/s selected by the Chief of police or his designee.

6. Do not allow a suspect who has been smoking to blow into the device until five minutes after he has stopped smoking.

D. DUI Detection

1. Routine Patrol: A police officer may observe, while on routine patrol, erratic driving behaviors that may be indicative of an impaired driver, such as, crossing center line, frequent speed changes, improper lane changes without cause, etc.

2. Non-Moving Violations: A police officer may encounter an impaired driver, after making traffic stops for equipment violations, such as, no taillights and then realize he is in contact with an impaired driver after face to face contact.

3. Traffic Accidents: A police officer will frequently contact an impaired driver during the investigation of a traffic accident.

Note: Care should be taken to ensure that the signs of intoxication and/or impairment are not resulting from of any injury or medical problem but are related to the consumption of alcohol and/or other drugs.

4. Traffic Safety Checkpoints: The checkpoint is beneficial in that it emphasizes prevention of the impaired driver problem. The officer does not have to wait for hazardous driving, or a traffic accident to occur before action is taken. Traffic Safety Checkpoints must be established within existing Departmental policies.

E. DUI Arrest

Drivers operating their vehicles in any manner which would raise a concern as to their sobriety or other abnormal conditions should be stopped and the cause of the erratic driving obtained. From a legal standpoint, officers must remain cognizant of the two basic elements of DUI.

1. Subject was operating a motor vehicle, or in actual physical control (as determined by statute).

2. Officer had probable cause to believe that subject was under the influence of an intoxicant (as defined by statute).

The fact that the driver did not operate the vehicle in a "less safe manner" should not prevent an officer from taking some type of enforcement action. In determining what enforcement, the officer should attempt to ascertain the potential danger a driver may present to himself and to the public and consider, in the marginal incidents, whether a driver's BAC is rising or stabilized.

3. Examples of Detection Cues

a. Turning with a wide radius

b. Almost striking object or vehicle

c. Weaving

d. Straddling center or lane markers

e. Appearing to be drunk

f. Driving on other than designated roadway

g. Driving into opposing or crossing traffic

h. Slow response to traffic signal

I. Turning abruptly or illegally

j. Stopping inappropriately

k. Accelerating/Decelerating rapidly

l. Headlights off at night

m. Swerving

n. Following too close

o. Drifting

p. Speed slower than 10 mph below speed limit

q. Tires on center lane marker

r. Braking erratically

s. Signaling inconsistent with driving actions

4. Cues that may be observed during actual stop:

a. An unusually fast compliance to the blue-light and siren or a so-called "screeching halt," either on or off the roadway;

b. A slowness or hesitancy to comply;

c. Seemingly ignorant of the attempts to stop the vehicle;

d. Attempts to out-run the police; and/or

e. Any unusual movement inside the vehicle which would generally indicate attempts to dispose of alcohol and/or containers or to switch drivers.

5. The officer should be alert for any signs of alcohol/drug intoxication on every traffic stop. Some of the following examples may be indicators of the driver's true condition:

a. Odor of alcoholic beverage on the breath

b. Poor coordination

c. Slurred speech

d. Attitude reflecting alcohol influence

1. Signs of nervousness;

2. Excessive self-confidence;

3. Unusual cheerfulness;

4. Apparent hesitancy complying with lawful orders or instructions; and/or

5. Difficulty in understanding simple questions or instructions.

Note: Some injuries and diseases to the central nervous system make a driver appear intoxicated. The officer should be aware and consider this in his decision.

F. Field Sobriety Tests

If trained, the officer should perform the battery of court-validated Standardized Field Sobriety Tests:

1. Horizontal and vertical gaze nystagmus;

2. Walk and turn;

3. One leg stand;

4. A preliminary breath-testing unit may be used to verify the presence of alcohol after the subject has performed the standardized battery of tests.

The tests should be administered in the exact order and manner in which the officer was trained, to maintain court validation. In the event that the complete battery of tests cannot be attempted by the suspect due to physical and/or medical reasons, other test(s) may be used that the officer has experience in administering. Tests may be terminated at any time if the officer has reason to believe that the driver is:

a. Not under the influence;

b. Under the influence and not capable of safely completing the test. If the contact officer follows this option, the officer should clearly articulate in the narrative section of the arrest report the reason for termination.

G. Procedures for DUI Arrest

It shall be the individual officer's discretion as to what action shall be taken based on all his observations. If the driver is to be arrested for driving under the influence of intoxicants, the contact officer should be able to clearly articulate the probable cause for arrest based on all observations. If an arrest is made, the arresting officer shall ensure that the following is completed:

1. Verbally inform the driver that he is under arrest for DUI.

2. Read the applicable implied consent warning to the driver at the scene and at the time of arrest. Begin a twenty-minute observation period of the suspect.

3. If the arrest is made in a hostile environment, the officer should proceed to the nearest area of safety, stop the vehicle, advise of implied consent, and note the reason for the delay in the incident report.

4. The officer will transport the suspect to the nearest facility with an Intoxilyzer for a breath test, or to Northeast Georgia or Gwinnett Medical Center for a blood or urine test.

5. When the driver submits to the State-administered chemical tests and is charged with DUI, the driver is to be given the option of the additional tests at their own expense.

6. The standard arrest report will be completed as well as the appropriate citations. A 180-day driving permit will be attached to the bottom of the violator's copy of the DUI citation, if the violator's BAC was below .08 grams, if he is suspected of being under the influence of drugs, or the violator is not subject to mandatory suspension, based on the violator's BAC.

H. Securing the Vehicle of Suspected DUI Driver

The security of a suspected DUI driver's vehicle is the responsibility of the department once that driver has been removed from the vehicle by an officer. Officers shall not leave the vehicle unattended while taking the driver away from the scene of the traffic stop. The officer will make arrangements for the security of the driver's automobile by either:

1. Calling a sober, responsible person to the scene to take possession of the vehicle with the owner's consent;

2. Calling the contract wrecker service and impound the vehicle; or

3. Calling another unit to stand by the vehicle until a determination of the driver's condition can be made. Officers are cautioned, however, not to tow the vehicle if there is any doubt in their mind that the driver will not be charged.

I. Miranda Warnings - DUI Cases

Since Miranda only applies when police questioning occurs after a suspect is under arrest, Miranda will normally not apply in DUI investigations. If the suspect is placed under arrest for any offense prior to conducting any part of the DUI investigation, Miranda must be advised.

V. Chemical Test

A. Breath Test

1. If a breath test is designated, the driver will be transported to the testing device. A 20-minute observation period (transport time will be included in this time frame) will be conducted by either the arresting officer or breath test operator before a breath test is administered. It is the operator's responsibility to ensure the 20-minute period is observed. The purpose of the observation period will be to insure any alcohol held in the motorist's mouth at time of arrest has dissipated. In addition, the observing officer shall ensure the motorist does not vomit, regurgitate, or otherwise ingest or place anything in his mouth.

2. Any breath test administered shall be conducted by a certified Intoxilyzer operator.

3. After completing the breath test, the Intoxilyzer log sheet will be completed and the test card will be completed and signed by the Intoxilyzer operator.

4. Other tests (i.e. blood, urine, and/or bodily substances) shall be administered by certified medical personnel or other persons specified by the Auburn Police Department using kits provided by the Department.

5. If an officer has probable cause to believe that the driver of a commercial vehicle is in violation of OCGA 40-6-391, an alcohol screening device examination can be used to support a violation. A reading over .04 grams may indicate a violation of OCGA 40-6-391 depending on the results of an evidentiary test.

B. Blood Test

1. If a blood test is designated, the driver will be transported to a location, usually Northeast Georgia, Gwinnett Medical Centers, or closest Fire Station, where qualified personnel will draw a blood sample.

2. The arresting officer must observe the test.

3. The officer shall insure the technician drawing the blood seals, labels, and transfers the sample to the officer to maintain chain of custody.

C. Urine Test

The officer may administer a urine test using urine bottles furnished by the department. When doing so, the officer must observe the collection of the sample in question and then take possession of the bottle. The officer will then package the sample according to instructions.

NOTE: Blood and urine samples will be submitted to the GBI Crime Lab in accordance with Departmental and GBI procedures. Urine testing is not a viable option in testing for blood alcohol concentration and is not to be used for that purpose.

D. Additional Tests

1. Once the arrestee has submitted to the required State Administered Chemical Test(s), the subject must then be given the opportunity to obtain additional chemical test(s) by qualified personnel of his own choosing. This opportunity must be given immediately after the completion of the State's test.

2. The arrestee will be transported to the testing facility. Should the facility require cash payment before taking the sample, and the person does not have the funds, the officer must assist the accused to obtain the funds by;

a. Allowing the accused to call someone to bring the funds;

b. Taking the accused to an ATM machine;

c. Any other reasonable action approved by a supervisor.

3. The officer will not sign forms that indicate the Department is requesting the service or indicating any liability for the test.

4. The arrestee will be given the sample for testing.

E. Refusal to Submit to State Administered Test(s) and Administrative License Suspension (ALS) Procedures.

If the arrested subject refuses to submit to the state administered chemical test(s) following the initial request, the subject will be permitted to submit to and complete the test or tests if the subject voluntarily reverses his initial decision within a reasonable time period. The existing circumstances will determine the time period that is reasonable.

a. If the subject refuses to submit to a test at the time of the request, subsequently expresses a desire to submit and then refuses to complete a test, subsequent consideration of a desire to alter his decision will not be given.

2. The results of breath test or the refusal to submit to a breath test shall be noted in the report.

3. If the driver refuses to submit to the State administered chemical test after being advised of the consequences of the refusal, and after being requested to submit to a test, or tests, or if the driver submits to a test or tests and the results are 0.08 or above if over 21 years of age, or 0.04 or above, if operating a commercial motor vehicle with a commercial motor vehicle driver's license or 0.02 and above, if under 21 years of age, the officer must take the following steps:

a. Complete a Law Enforcement Sworn Report (Form DPS 1205) and indicate if the driver refused the tests, or the result was an alcohol concentration of 0.08, 0.04 or 0.02 grams or more.

Note: Do not complete the form if blood or urine test results are not known. Complete the DPS 1205(s) when results are returned.

b. The arresting officer is required to confiscate any driver's license or permit on the person at the time of the arrest.

c. The officer shall issue the driver a driving permit if he has a valid license, which will allow that person to drive until the administrative suspension becomes effective. The license restrictions and classification are to be added on the permit by the arresting officer and made authentic by the arresting officer's signature and I.D. number.

Note: The arresting officer is required to validate the driving permit on the DPS 1205 if the violator's license is valid at the time of arrest, whether or not the violator signs as well. The arresting officer MUST personally hand-deliver the yellow copy of the DPS 1205 to the violator.

d. The report will be mailed to the Department of Driver Services by a designated person within courts or records. The officer will maintain a copy of the Law Enforcement Sworn Report and all other copies.

F. Reporting Requirements

1. Law Enforcement Sworn Report if applicable;

2. Incident Report;

3. Vehicle Impound Report, if applicable;

4. All applicable citations;

5. One copy of the Intoxilyzer test card;

VI. Traffic Engineering

While on patrol, an officer may encounter traffic situations that are unsafe and/or restrict the smooth orderly flow of traffic. Notice of a potential problem can come from many different sources. These sources may include neighborhood watch groups, citizen contacts, letters from citizens, other city employees, other government agencies, and personal observations of officers. Once notified of traffic engineering problem officers shall forward a written request to the Patrol Commander via the immediate supervisor through a memorandum, email, or service request.

The Patrol Commander shall compile the necessary data needed to deny or confirm a need for traffic engineering. This data will be collected from central records, traffic analysis, and/or surveys. The Patrol Commander will make a written recommendation regarding changes to ordinances, new ordinances, the use of traffic control devices, or other engineering improvements to the Chief of Police. The Chief of Police may then forward this recommendation to the City Administrator for referral to the GDOT or the City's Public Works Department.

The Patrol Commander shall participate in traffic management planning meetings as needed. The Patrol Commander shall evaluate all serious traffic crashes, along with GDOT and the City's Public Works Department, to determine if engineering might prevent future crashes.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 15-1**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/30/2018

Subject: Traffic Citations (Special Procedures)

I. Purpose

The purpose of this chapter is to establish procedures for the issuance of traffic citations or non-issuance of citations in special situations.

II. Policy and Procedure

A. Non-Residents

If a violator's state of residence is a member of the Non-Resident Violator Compact, the officer may release the person on a copy of the citation, and will advise the violator that if the citation is not paid, or if he does not appear in court on the date indicated, the Georgia Department of Motor Vehicle Safety will notify the appropriate driver's license authority of the violator's home state, and the driver's license will be suspended until the fine is paid. If a violator's state of residence is not a member of the Non-Resident Violator Compact, the violator must post a bond. The violator will be escorted to the Auburn Municipal Court, if during regular business hours, or if after hours, to the Gwinnett County Jail to post a bond. The citation should be marked "Posted Bond" in the remarks section of the citation, and appropriate copies forwarded to the Court Clerk. As of April 1996, the following states are not members of the Non-Resident Violation Compact: Alaska, California, Michigan, Montana, Oregon, and Wisconsin. Violators holding a license from one of these states must be escorted to the Auburn Municipal Court or to the Gwinnett County Jail to post a bond.

B. Juvenile Offenders

If a driver is 16 years old or younger, with or without a valid driver's license, and the offender violates a law or ordinance governing the operation of a motor vehicle upon the highways or street, and if a citation is written, it should be directed to the Juvenile Court. No court date should be given either verbally or in writing; the Juvenile Court will handle the notification as to when the juvenile is to appear. The summons section of the citation should be clearly marked "JUVENILE".

A Juvenile Complaint Form and incident report shall accompany the following traffic violations whether the juvenile is arrested or released with a citation:

a. Homicide by Vehicle;

b. Manslaughter;

c. Driving Under the Influence; (DUI)

d. Failure to stop and render aid;

e. False affidavit relating to ownership of vehicle;

f. A felony in the commission of a crime of which involves a motor vehicle;

g. Racing on the highway or street;

h. Fleeing or attempting to elude an officer;

I. Fraudulent or fictitious use of a license;

j. Hit and run or leaving the scene of an accident;

k. Laying drag; and/or

l. Display of another person's license

A Juvenile Complaint form may also accompany other citations where the officer feels that additional information surrounding the circumstances of the violation would be beneficial to the court.

C. Legislators

All legislators, state or federal, shall be free from arrest during legislative sessions or committee meetings, and in going thereto or returning therefrom, except for treason, felony, or breach of the peace. When legislators are in session, citations or physical arrest shall not be initiated without prior approval of the arresting officer's immediate supervisor. (Ga. Const. Art.III, Sec.IV, Para. IX)

D. Diplomatic and Consular Immunity

1. The person of a diplomatic agent shall be inviolable. He shall not be liable for any arrest or detention. The receiving state shall treat him with due respect and shall take all appropriate steps to prevent attack on his person, freedom, or dignity. (Vienna Convention on Diplomatic Relations, Article 29-31, 23 U.S.C. 3227; 23 U.S.C. 254a et seq.)

2. The term "diplomatic agent" includes the head of a mission, (generally an ambassador), of a foreign government, and members of the diplomatic, administrative, and technical staff of a mission. (22 U.S.C. 254a).

3. The members of the family of a diplomatic agent forming part of his household shall..." enjoy the privileges and immunities afforded the diplomatic agent". (Vienna Convention on Diplomatic Relations, Art. 37).

4. Private servants of embassy personnel have no immunity.

5. In the absence of a specific treaty, Consular Officials are not entitled to diplomatic immunity. (Hall v. Coppell, 74 U.S. 549, 19 L. Ed 244,247).

6. The Vienna Convention on Consular Relations, Article 41-42, 21 U.S.T. 78, provides that:

a. The receiving state shall treat Consular Officers with due respect and shall take all appropriate steps to prevent any attack on their person, freedom, or dignity.

b. Consular Officers shall not be liable to arrest or detention pending trial, except in the case of a grave crime, (felony offense that endangers the public safety), and pursuant to a decision by the competent judicial authority.

c. Except as specified above, Consular Officers shall not be committed to prison.

d. If criminal proceedings are instituted against a Consular Officer, he must appear before the competent authorities.

7. If a Consular Officer, employee, or members of their families are taken into custody, the U.S. Department of State should be promptly notified.

8. The term "Consular Officers" includes Consul Generals, Consuls, Vice Consuls, and Consular Agents, who are official representatives of a foreign government accredited to the United States. (Vienna Convention on Consular Relations, Art. 1.)

Honorary Consuls are not entitled to immunity under Article 41. Georgia extends the same privileges and immunities as are extended to Consulate General of foreign countries to the Coordination Council for North American Affairs of the Republic of China (Taiwan). (OCGA 50-1-1)

9. Family members of Consular officials are not entitled to immunity. (Vienna Convention on Consular Relations, Art. 57.)

10. Traffic violations by Consular Officers:

The U.S. Department of State has taken the position that "authorities in all jurisdictions of the United States would be free to issue regular traffic tickets or summonses to any driver with diplomatic or consular status, who fails to observe traffic laws and regulations." (7 Digest of Int'l L. 17, p.172.)

In DUI cases where a Consular Officer is considered a danger to himself or others, the U.S. Department of State advises that a law enforcement officer may:

a. Take the Consular official to the station or a location where he may recover sufficiently to drive safely;

b. Take him to a telephone to call someone to drive them home;

c. Call a taxi for him;

d. Take the official home; and/or

e. In all cases involving a Consular official, a superior officer should be contacted.

11. Verification of Status of Persons for Whom Immunity is Claimed

A person claiming immunity is required to produce satisfactory evidence that he is entitled to immunity. The U.S. Department of State issues identification to diplomatic agents and Consular officials accredited to the United States. (7 Digest Int'l. L. 8, p.108) The Georgia Secretary of State issues identification cards to honorary consuls and members of the families of career Consular officials who are stationed in Georgia.

In any situation in which a law enforcement official needs to establish entitlement to Diplomatic or Consular immunity, and the person asserting it cannot produce satisfactory evidence thereof, i.e., identification card issued by the U.S. State Department, or the official wishes to verify that the employment from which the person's immunity or that a family member derives is still valid, confirmation of the correct status, or wishes advise concerning a particular situation, the official can telephone the U.S. Department of State as follows:

During regular hours, the Office of Protocol, U.S. Department of State.

a. For Diplomats: (202) 647-4510

b. For International Organization employees: (202)647-1402

c. For Consular Officers: (202) 647-1404

d. For United Nations employees: (202) 415-4131

After normal hours, all calls should be made to the Command Center of the Office of Security, U.S. Department of State as follows:

a. (202) 647-7277

b. (202) 415-4444 (United Nations employees)

E. Privilege of Military

The members of the organized military forces shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at drills, parades, meetings, encampments, and the election of officers; and going to, during, and returning from the performance of any active duty, as such members. (O.C.G.A. Sec. 17-4-2)

No doubt the legislative purpose of the immunity statutes was to prevent civil interference with the military on active duty in the performance of duty. This purpose will be served only if the immunity is asserted at the earliest opportunity. The legislative purpose is defeated if the military personnel allows himself to be deterred from the performance of his duty and then raises the privilege for the sole purpose of avoiding the criminal sanctions which he faces. [140 Ga.App.441(5)]

Military shall be composed of the Army National Guard, Air National Guard, and the Georgia State Guard when organized. [O.C.G.A. Sec. 38-2- 2(10)]

NOTE: Any sheriff or peace officer may apprehend persons subject to the Georgia Code of Military Justice (GCMJ) upon reasonable belief that an offense has been committed, and that the person apprehended has committed an offense. (O.C.G.A. Sec. 38-2-340) All members of the Georgia organized militia are subject to the provisions of the Georgia Code of Military Justice. (O.C.G.A. Sec. 38-2-322)

F. Witnesses

Witnesses who come into, or pass through Georgia, pursuant to a summons issued under the "Uniform Act to Secure the Attendance of Witnesses", are immune from arrest or the service of civil or criminal process, in connection with matters which arose prior to the witness coming into the state under the summons (OCGA Sec. 24-13-96).

G. Foreign Nationals

The United States is a country home to many different cultures and nationalities. As such, based on Article 36 of the Vienna Convention on Consular Relations, whenever a member of this Department arrests, or takes into custody a person other than a United States citizen, the arresting officer will ask the arrestee if the person desires to have the arresting officer contact their home country's embassy or consular official. Any refusal or desire to contact an official, and the results of the contact, will be documented in the narrative of the incident report.

Several countries require notification, regardless of the wishes of the violator. It is the arresting officer's responsibility to determine the violator's country's status and to inform a consular official as required by Article 36 of the Vienna Convention on Consular Relations and then document such notification in the arrest report. Officers are provided a Consular Notifications and Access Reference Card which lists instructions for arrest and detentions of foreign nationals, and the mandatory

notification countries. The information may also be obtained at the Department of State website,) 736-7559.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 15-2**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/30/2018

Subject: Traffic Accident Investigation

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I. Purpose

The purpose of this policy is to establish guidelines related to traffic collisions, including providing emergency assistance to the injured, protecting the collision scene, conducting on-scene, and follow-up investigations.

II. Policy

It is the policy of the Auburn Police Department to investigate all traffic accidents within the jurisdiction of the City of Auburn. Response to serious accidents will include providing initial emergency services (as needed) and recording short-lived evidence and restoring normal traffic flow. Serious accidents involving death or serious injury shall be investigated by GSP or other investigating entity/s as directed by the Chief of Police. Response to less serious accidents will be influenced by availability of personnel and workload. The following type accidents are considered as serious accidents:

A. Accidents involving death or injury

B. Accidents in which one or more vehicles and/or drivers left the scene

C. Accidents involving impairment due to alcohol and/or drugs

D. Accidents involving public vehicles or property

E. Accidents involving hazardous materials

F. Accidents involving disturbances between principals

G. Accidents that create major traffic congestion

H. Accidents that result in damage to the extent that towing is required

III. Procedure

A. General Investigation Procedures Involving Some Property Damage

The following will be conducted by the initial officer receiving a traffic accident call:

1. Upon arrival, the officer will assume command of the scene (until relieved) and determine if there are injuries requiring emergency medical attention. This is to be accomplished through personal observations and/or asking all involved persons if they require medical attention, and when needed to call for EMS if not already enroute. The officer will also advise 911 when rescue and/or wrecker service is needed and coordinate positioning of officers for traffic control.

2. When serious bodily injury (death is likely or prosecutable as a felony offense), death, or extenuating circumstances exist, a GSP traffic unit (or other investigating entity as directed by the Chief of Police) will be notified.

In this case, vehicles are not to be moved unless necessary to preserve life or prevent further collisions.

3. The initial responding officer shall attempt to identify any potential fire hazards such as down power lines, spilled fuel, or actual flames. If these exist, Barrow 911 should be notified to have fire control unit(s) enroute. If hazardous materials exist, the officer shall continue in accordance with III (G). If there is a disturbance between the parties involved which has become violent, or has the propensity to become violent, the investigating officer shall call for additional officers. The priority will be to defuse the volatile situation.

4. Obtain driver's license and verify each vehicle's insurance status through the state's database by running the involved vehicle's license plate through GCIC via Barrow 911.

5. Question and obtain names and addresses from any witnesses. When it is necessary for a witness to leave the scene before the investigation is completed due to a pressing appointment or some type of emergency, obtain the necessary information as quickly as possible and allow the witness to leave.

6. Investigate the collision to determine the cause of the accident. Note the position of all vehicles involved and take measurements if necessary. If the accident causes major traffic congestion, the officer at the scene will call for additional units as needed and inform the Shift Supervisor. Additionally, the officer may call for barricades, traffic cones, or wreckers as needed.

7. After the preliminary investigation is completed, clear the roadway quickly, and refrain from blocking any portion of the roadway while completing the report. The officer is to turn off the vehicle's emergency lights. This action will usually allow traffic to flow faster by attracting less attention.

8. The wrecker service will clear the roadway of debris at the accident scene. An officer will remain with the vehicle(s) until removed by a wrecker service or by an authorized individual.

9. After investigating a reportable motor vehicle accident, and when a violation of a traffic law has occurred, the offending driver shall be issued the appropriate citation(s).

Note: According to O.C.G.A. Sec. 40-6-273, the driver of a vehicle involved in an accident resulting in injury to, or death of any person, or property damage to an apparent extent of $500.00 or more, shall immediately, by the quickest means of communication, give notice of such accident to the local police department if such accident occurs within a municipality. If such accident occurs outside a municipality, such notice shall be given to the office of the county sheriff or to the nearest office of the state patrol.

10. The investigating officer shall be authorized to remove any valuable property (larger amounts of currency, jewelry, firearms, etc.) from any vehicle being towed if the person(s) involved are unable to care for the property. All property will be returned to the owner before the end of the investigating officer's shift or the officer should complete a property and evidence sheet and secure the items in Property and Evidence at the Auburn Police Department for safe keeping. The officer shall advise the owner or other responsible person concerning the location of the property. All other items will be left in the vehicle and noted on the Vehicle Inventory Sheet. This form shall then be submitted to the Shift Supervisor, who will forward the document to the Records Section for storage.

11. Complete the Traffic Accident Electronic Reporting Form, including the narrative page and sketch diagram.

B. Follow-up Investigation

After the officer has completed the on-scene investigation, if the driver and/or passengers of any vehicle involved were transported from the scene because of injuries, the officer will conduct a follow-up investigation at the Emergency Room, if approved by the Supervisor, obtaining all the information necessary to complete the report. Generally, the follow-up investigation, if needed, may involve obtaining additional vehicle owner information, verification of insurance and/or driver or

passenger information. Depending upon the extent of injuries and/or the existence of fatalities, the following activities may be included in the follow-up investigation:

1. Taking of statements from witnesses and principals

2. Reconstruction of the accident scene and/or the use of expert or technical assistance

3. Preparation of formal reports to support formal criminal charges. In such cases, all follow-up activities will be conducted by the traffic officer assigned the investigation.

C. Accident Involving Serious Injury

Note: According to O.C.G.A. Sec. 40-6-394, a serious injury accident occurs when someone, without malice, causes bodily harm to another by depriving him a member of his body, rendering a member of his body useless, seriously disfigures his body or a member thereof, or by causing organic brain damage which renders the body or member useless through the violation of O.C.G.A. Sec. 40-6-390 (reckless driving) or O.C.G.A. Sec. 40-6-391 (DUI). This is a felony offense.

1. The initial officer receiving the call will arrive on the scene and park outside of the scene area.

2. Upon determination that the accident involves serious injuries (the offending driver has injured another person other than himself), the initial officer will advise E-911 to notify the Shift Supervisor. The Shift Supervisor will contact GSP or other designated investigating entity.

3. The accident scene will be protected as a crime scene. Other traffic will be diverted or directed around the scene. The responding traffic officer will relieve the officer in charge and assume command of the scene, to include responsibility for the investigation of the crash. All pertinent information will be relayed to the investigating officer.

4. Any perpetrators, suspects, or witnesses at the scene will be detained by the initial officer, either at the scene if at all possible, or if injured, at the medical center for later investigation.

5. No items, such as vehicle parts, or body limbs should be disturbed or removed from the accident until photographed and processed by investigating officer/s. This does not prevent personnel from erecting barricades or other type shields to prevent on-lookers from viewing the body or body parts.

6. No wreckers or spectators will be allowed to enter the accident scene until authorized.

7. The initial responding officer, or any other officer that assisted with the incident, will complete a supplemental report outlining his activities, to be included in the investigative report.

8. The investigating officer will complete all investigative reports and will be responsible for coordinating with the accident reconstructionist, and/or Traffic Supervisor, in concluding the investigation, including initiating any criminal charges that may be forthcoming.

10. The investigating officer will be responsible for clearing the accident scene and impounding vehicles. The impounding wrecker service will clear the roadway of debris at the accident scene.

11. The following reports will be a part of the felony investigation of a serious injury collision and completed by the investigating officer/agency such as GSP:

a. Georgia Motor Vehicle Accident Report

b. Investigation Report, detailing the complete investigation

c. Witness Statements

d. Arrest Booking Report (if applicable)

e. Results of state administered chemical tests on victim and/or all involved drivers, when probable cause exists to believe one or more of the drivers is impaired by alcohol and/or drugs

f. Warrants (if applicable)

g. Medical Information relating to the collision

h. Photographs (to be attached later)

i. Accident investigation report

D. Accidents Involving Fatalities

In the event a fatality collision is reported, or if a collision victim's death is imminent, the following procedures will be followed:

1. The Chief of Police and the Patrol Commander will be notified by the Shift Supervisor. Accidents involving fatalities will be investigated by GSP or other investigative entity/s as directed by the Chief of Police.

2. The GSP officer or other investigating officer, upon arrival, shall relieve the officer in charge of the scene, and shall assume responsibility for the scene. The assigned investigating officer will complete the vehicle accident report and initiate the appropriate criminal charges.

E. Hit and Run Accidents

1. The first officer to arrive on the scene shall:

a. Administer first aid and advise Barrow (or respective location 911 services) when emergency equipment is needed

b. Obtain information and give lookout on suspect's vehicle

c. If the hit and run accident involves a fatality or serious injury, notify the Shift Supervisor, who will then notify the investigating officer/agency. If a fatality, the Chief of Police and Patrol Commander shall be notified.

2. The officer receiving the call when it does not involve a serious injury or fatality will handle the investigation and report as follows:

a. Investigate and, if possible, determine the cause of the accident

b. Obtain any other evidence that would aid in identifying suspect's car, to include photographs

c. If possible, give additional information for lookout broadcast

d. All evidence collected at the scene should be submitted into Property/Evidence or uploaded onto the host under the incident's case number

e. Complete a vehicle accident report and mark clearly on the report that the accident is a hit and run

f. Complete an incident report. The follow-up investigation shall be the responsibility of the reporting officer

F. Private Property Accidents

Accident investigations on private property will not be conducted unless the following offenses are present:

1. Driving under the influence

2. Habitual Violator

3. No insurance

4. Reckless driving;

5. Leaving the scene of an accident/striking an unattended motor vehicle

6. Laying drag

G. Accidents Involving Hazardous Materials

In the event of a train derailment or a traffic accident suspected to involve hazardous materials, the responding officer shall:

1. Notify the Barrow 911 Center for Fire Department assistance and advise the type of hazard if known.

2. Assume command of the scene until relieved and notify the Shift Supervisor of the situation.

3. Move and keep people away from the scene and its environs.

4. Request additional police assistance to establish a perimeter and coordinate responding officer's approach so access to the scene can be controlled.

Note: When approaching an accident scene involving hazardous cargo, officers should maintain a great distance upwind of the scene, until the nature of the material can be determined. Distance and direction may be the only defense against the effects of some materials.

5. Not walk into or touch any spilled material.

6. Avoid inhalation of all gases, fumes, and smoke, even if hazardous materials are not involved. Do not assume that gases or vapors are harmless because of lack of smell.

7. Based upon the extent and severity of the possible or actual contamination, the supervisor may establish a Command Post near the accident scene and shall coordinate activities according to the Emergency Response Plan as outlined in Chapter 16-12, of the Auburn Police Department's Policies and Procedures.

H. Accidents Involving Impairment Due to Alcohol and/or Drugs

When investigating accidents involving impairment due to alcohol and/or drugs, the officer shall act as outlined in III. A. (1-9), of this Chapter, then begin the DUI investigation. If the subject is under arrest for any other offense, the officer conducting the investigation must advise the subject of Miranda prior to beginning the DUI investigation.

1. If the subject has been transported to a medical facility or is about to be transported to a medical facility, the investigating officer shall go immediately to the facility and advise the subject of Miranda, (if already under arrest) and Implied Consent, and request a blood and/or urine sample.

2. The officer should attempt to get the sample(s) prior to any medications or I.V. being administered.

I. Wrecker Service

The following procedure for obtaining wrecker services will be used:

1. The officer requesting service should make their request through the Barrow County E-911.

a. If the officer is requesting the wrecker service, only the contract wrecker services provided by the City (next list wrecker) shall be used.

b. The investigating officer, not the wrecker driver, is responsible for filling out the automobile impound/inventory report. An automobile impound/inventory report will be completed on every police impound. The form has three (3) copies. Once completed, one copy will be given to the wrecker driver, one copy will go to the owner/driver, and one copy will be forwarded to the support services division.

c. An officer will stand by and not leave the scene, until after the wrecker has cleared the scene with the vehicle in tow.

2. Accident victims may use the wrecker service of their choice when:

a. The vehicle involved is not causing an immediate traffic hazard and will be moved within a reasonable time.

b. When a private wrecker is used, the parties involved may be required to make contact with the company themselves.

c. When a wrecker is required, and the drivers are able to communicate, determine from them if they want a wrecker for their vehicle (in cases where there will not be an impound by the investigating officer). If asked, the officer is authorized to advise Barrow E-911 of the owner's request for a specific wrecker company.

J. Accident Reports

A report shall be completed for all accidents that occur on public roads, streets, and highways of the State, including City and County roads, within the corporate limits of the City of Auburn. The accident report should be completed in accordance with the guidelines set forth in the booklet titled Georgia Uniform Motor Vehicle Accident Report Instruction Manual, and in compliance with the format specified in the Auburn Police Department policy, Chapter 14.

At times, officers will be dispatched to conduct an accident investigation where the accident occurred at an unknown location, or after parties have entered into a civil agreement for an accident that is not required to be reported under state law. In these instances, the officer will complete a miscellaneous information report detailing the known facts in the narrative.

In a case of a delayed report, an accident report will be completed, if an individual reports the crash within seven days of the collision and the elements mentioned in the foregoing paragraph do not apply. In these instances, the officer will complete the accident report, to include a sketch, based on the details reported by the complainant.

K. Accidents Involving City of Auburn Vehicles

A thorough investigation will be made of all circumstances involving city vehicle accidents resulting in injury to city personnel and/or damage to city vehicles, and city-owned property. Accident reports involving Police Department vehicles will be forwarded to the Chief of Police as soon as possible, for review and recommendation; and to Office of the City Administrator at City Hall. The Chief of Police should be notified as soon as practical after such an accident occurs. Accident reports involving City vehicles will be forwarded to the Office of the City Administrator as soon as possible.

1. In addition to the above, required reports for city use only, as they relate to corrective action taken, etc., will be completed by supervisory personnel and turned in on all accidents (vehicular) involving City personnel.

2. The following guidelines are to be followed in reporting accidents involving Police Department vehicles:

a. The driver shall notify Barrow E-911 of the accident, give the location and other pertinent information, and request that a supervisor be dispatched to the scene, if able to do so.

The driver shall notify his/her patrol commander at once or the chief of police if unable to reach the patrol commander. It is the policy of Auburn Police Department to request the assistance of the Barrow County Sheriff's department to investigate and report all serious accidents involving police department vehicles. Minor accidents may be investigated and reported by a 2nd party Auburn Police Officer upon direction from command staff. In any case, the Shift Supervisor is to respond to the scene and notify appropriate command staff.

b. An accident report will be completed, as well as an incident report, depending on the severity of damage, whether people are injured, etc., at the discretion of the supervisor.

c. The supervisor or traffic officer conducting the investigation will prepare the appropriate accident report. If the collision occurred on a public highway, the supervisor or traffic officer will issue a citation to the party responsible for the accident if the apparent damage exceeds $500.00. If the damage is less than $500.00, a written warning may be issued at officer discretion.

d. In cases involving grievous bodily injury or death, the Georgia State Patrol will be contacted to conduct the official investigation.

e. Injured citizens will not be transported to the hospital in police cars.

Note: Statements of drivers are recorded by the investigating officer at the scene utilizing assigned on-body audio/video recording devices

Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 15-3**
Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/31/2018

Subject: Traffic Direction and Control

I. Policy

The Auburn Police Department will carry out its responsibility for traffic direction and control by providing, managing, and training appropriate personnel and alternate resources to expedite the movement of pedestrians and vehicles. Only sworn or auxiliary personnel are authorized to direct traffic.

II. Purpose

The purpose of this chapter is to establish uniform procedures for the provision of traffic direction and control.

A. Traffic Direction at Accident Scenes

1. Minor traffic accidents requiring an accident report, do not present a major problem relative to traffic direction. In these cases, the officer should note the position of each vehicle and other relevant physical evidence, and have the vehicles moved to a safe location, restoring traffic flow, and then complete the accident report.

2. In serious accidents requiring a thorough investigation, the scene may need protection for an extended period of time. In these cases, the investigating officer shall follow these procedures:

a. Summon sufficient assistance to handle traffic direction responsibilities

b. Utilize sufficient equipment to protect the scene (barricades, traffic cones, etc.)

c. Detour traffic as necessary

d. Give priority attention to collecting the information necessary at the scene to facilitate restoring normal flow of traffic

e. Restore the scene to a safe condition (replace signs, etc.)

f. Continue traffic direction duties until traffic flow is normal

B. Manual Direction of Traffic

1. VISIBILITY - Personnel shall wear their issued reflective jacket or reflective vest when directing traffic. During adverse weather conditions, personnel shall wear a reflective jacket or high visibility raincoat when directing traffic. To indicate that the officer is present for the purpose of directing traffic, he should: Position himself so that he can be seen clearly by all, usually in the center of an intersection or street; stand straight with weight equally distributed on both feet; allow hands and arms to hang easily at his sides except when gesturing; stand facing or with his back to traffic which he has stopped, and with his side toward traffic he has directed to move.

2. STOPPING TRAFFIC - To stop traffic, the officer should first extend his arm and index finger toward, and look directly at, the person to be stopped until eye contact is made, or that person is aware, or it can be reasonably assumed that he is aware of the officer's gesture. Second, the pointing hand is raised at the wrist, so that its palm is toward the person to be stopped, and the palm is held in this position until the person is observed to stop. To stop traffic from both directions on a two-way street, the procedure is then repeated for traffic coming from the other direction, while continuing to maintain the raised arm and palm toward the traffic previously stopped.

3. STARTING TRAFFIC - To start traffic, the officer should first stand with shoulder and side toward the traffic to be started, extend his arm and index finger toward, and look directly at the person to be started, until that person is aware, or it can be reasonably assumed that he is aware of the officer's gesture. Second, with palm up, the pointing arm is swung from the elbow only, through a vertical semi-circle until the hand is adjacent to the chin. If necessary, this gesture is repeated until traffic begins to move. To start traffic from both directions on a two-way street, the procedure is then repeated for traffic coming from the other direction.

4. RIGHT TURNS - Right turning drivers usually effect their turns without the necessity of being directed by the officer. When directing a right turn becomes necessary, the officer should proceed as follows. If the driver is approaching from the officer's right side, his extended arm and index finger and gaze are first directed toward the driver, followed by swinging the extended arm and index finger in the direction of the driver's intended turn. If the driver is approaching from the officer's left side, the same procedure may be followed utilizing the left arm.

5. LEFT TURNS - Left turning drivers should not be directed to affect their movement while the officer is also directing on-coming traffic to proceed.

Therefore, the officer should either direct opposing vehicles to start, while avoiding left gestures directed at turning drivers, which leads them to complete their turn only when there is a gap in the oncoming traffic, or to stop, or hold oncoming drivers, after which the left turning driver can be directed into his turn. The officer's right side and arm should be toward the oncoming traffic, and the left side and arm should be toward the left turning driver. After stopping on-coming traffic by using the right arm and hand, the right hand should remain in the halt gesture, then the extended left arm and index finger and officer's gaze is directed toward the driver who intends to effect a left turn. When the left turning driver's attention has been gained, the extended left arm and index finger are swung to point in the direction the driver intends to go. In order to clear the lane occupied by a driver who intends to make a left turn, but cannot because of oncoming traffic, he can be directed into the intersection and stopped adjacent to the officer's position until the left turn can be safely completed. The driver should be directed into the intersection by pointing toward him with the extended arm and index finger, which is then swung to point at the position at which the officer wishes the driver to stop and wait for clearing traffic. In the alternative, the driver may be directed to move with one arm and hand gesture while the other arm and hand are utilized to point to the position at which the driver is to stop. After the driver is positioned within the intersection, the officer may either halt oncoming traffic and direct the completion of the turn or permit the driver to effect the turn during a natural break in the oncoming traffic.

C. Signaling Aids

1. The whistle, if used, is to get the attention of drivers and pedestrians. It is used as follows:

a. One long blast with a STOP signal.

b. Two short blasts with the GO signal.

c. Several short blasts to get the attention of a driver or pedestrian who does not respond to a given signal. Establish eye contact as soon as possible.

2. The whistle should be used judiciously. It should not be used to indicate frustration. The volume should be just that sufficient to be heard by those whose attention is required.

Therefore, whistle blasts directed at pedestrians should be moderate in volume. The whistle should be used only to indicate stop, go, or to gain attention. When its purpose has been achieved, the officer should cease sounding the whistle. If the whistle is utilized continuously, it ceases to hold meaning for drivers and pedestrians.

3. The voice is seldom used in directing traffic. Arm gestures and the whistle are usually sufficient. There are numerous reasons why verbal commands are not used. Verbal orders are not easy to give or understand and often lead to misinterpretations, which are dangerous. An order which is shouted can antagonize the motorist.

Occasionally, a driver or pedestrian will not understand the officer's directions. When this happens, the officer should move reasonably close to the person and politely and briefly explain his directions. No officer shall exhibit loss of temper by shouting or otherwise indicate irritation toward those who do not understand, or who do not wish to obey the officer's directions.

4. The flashlight can be used to stop traffic by slowly swinging the beam of light across the path of oncoming traffic. The orange traffic cone shall be attached to the end of the flashlight when directing traffic. After the driver has stopped, arm signals may be given in the usual manner with the vehicles headlights providing illumination.

This procedure is to be used in conjunction with all relevant existing Departmental policies, procedures, rules and regulations.

D. Traffic Control at Critical Incidents

The goal of traffic direction and control at critical incidents is to ensure that efficient, continued traffic flow is maintained. Based on the severity and scope of the incident, vehicles and pedestrians may be detoured slightly to avoid certain areas within a specific area or be directed completely away from a designated area. Critical incidents can involve fires, natural or manmade disasters, crime scenes, or collision scenes.

1. Officers engaged in traffic direction and control services at fire scenes, or other critical incident scenes, will ensure access to and egress from the scene by Fire Department personnel and other emergency vehicles such as ambulances, or other law enforcement vehicles.

2. No unauthorized vehicles or pedestrians will be allowed into the controlled scene. In the case of fires, no vehicles will be allowed to cross fire hoses without the approval of the senior fire official on the scene.

3. Parked vehicles which interfere with critical incident scene operations may be towed as needed.

E. Traffic Direction During Periods of Adverse Road and Weather Conditions

1. The Shift Supervisor will request dispatchers to notify the local radio stations, public works, the Auburn Fire Department, and other public safety agencies of adverse road conditions that will affect the motoring public.

2. Departmental personnel will provide traffic direction and control services at the scene of all downed power lines, broken gas lines, water mains, or construction sites, when these incidents unnecessarily endanger the safe movement of traffic through the area.

3. The Shift Supervisor may close a street, if in his opinion, the surface conditions and terrain, create an unusually hazardous condition. The Supervisor should request assistance from the proper

agency in alleviating the problem and request public service radio announcement in reference to the closure. Other public safety agencies will also be notified.

F. Traffic Control Devices

1. Temporary traffic control devices such as cones, barricades, etc., may be issued by APD or obtained from the Public Works Department, for special events or emergency situations. The Shift Supervisor will have authority to request these devices and determine the location for using them.

2. Temporary devices will be removed when the event or emergency is over and will be returned to the Public Works Department.

3. In cases where traffic is congested because of a special event, police emergency, or malfunctioning traffic control device, and the traffic control device needs to be repaired or placed on flashing, the Public Works Department will be called to the scene. Officers will not manually operate traffic control devices unless requested by GDOT (or other state-approved entity in control of said device/s) and shown how to perform such operation.

G. High Visibility Clothing

1. All personnel will wear their issued high-visibility reflective traffic vest when working traffic.

2. All officers will wear their issued/approved headgear when working traffic during special events.

H. Escorts

1. Funeral escorts are provided by the Barrow County Sheriff's Department. Funeral Directors will be required to notify the Barrow County Sheriff's Department at least one hour in advance of routine processions. At least 24 hours advance notice and specific times of particularly large or potentially large processions will be required, so that the Department can plan a free-flowing traffic route, and arrange for sufficient personnel to handle the escort. This will greatly improve the smooth flow and reduce officer idle or waiting time. All notices will be immediately relayed to the effected Shift Supervisor by the call taker.

Any funeral escort will be provided by marked uniform patrol cars only. The patrol car(s) will utilize its emergency lights at all times during the escort. The patrol vehicle, with its escort, may proceed past a red traffic signal or a stop sign, only after coming to a complete stop and checking that traffic has seen and stopped for the emergency vehicle. Assistance should be obtained by other police officers to block traffic as needed. The purpose for the blocking of the traffic is to keep the procession together and moving in an orderly fashion.

2. Requests to escort public officials or dignitaries must be approved by the Chief of Police

3. Police vehicles will not be used to escort any emergency vehicle which has its own operating emergency equipment, or private vehicles on emergency runs. Police officers may facilitate the movement of other emergency vehicles by assisting with traffic control at key intersections. Officers will request EMS personnel for medical emergencies.

4. Requests for escorts for large or oversize vehicles, as well as vehicles transporting hazardous or unusual cargo, will be coordinated through Patrol Commander. It will be that supervisor's responsibility to ensure that the person or company requesting the escort has completed a city permit and has complied with other applicable laws or ordinances before the escort is conducted. Once approved, the escort will be conducted by marked police vehicles only. Officers engaged in the escort are authorized to direct or limit traffic along the route, to facilitate vehicular movement and completion of the escort.

5. Officers will not engage in emergency escorts involving private vehicles. Instead, officers should determine the nature of the emergency and then summon the appropriate emergency aid (fire, EMS, etc).

I. Special Events

Special events such as parades, sporting events, highway construction and maintenance, picketing, etc., may require special traffic plans, which cover all aspects of traffic control and direction. The Special Events Planning Guide will be used for planning, logistical needs, organization of the event, and will serve as an after-action report.

Upon learning of a special event, the Chief of Police will promptly designate a person to supervise and coordinate the event. The following tenets shall be considered during the planning, and will be documented, if applicable, on the Special Events Planning Guide:

1. Written estimates of traffic to include:

a. Ingress and egress of vehicles and pedestrians

b. Provisions for parking

c. Spectator/crowd control

d. Public transportation

e. Assignment of point control duties and relief

f. Alternate traffic routing

g. Temporary traffic controls and parking prohibitions

h. Emergency vehicle access

i. Appropriate area for media coverage

2. Crowd control and potential crime problems

3. Contingency plan for traffic control and direction.

4. Use of special operations personnel if needed

5. Logistical requirements

6. Coordination inside and outside the agency

_____

Christopher Hodge Date

Chief of Police

Auburn Police Department

Special Event Planning Guide

Event: _____

Event Date: _____

Posting Date: _____

APD Coordinator: _____

I. Division/section/unit contacts:

Patrol: _____

CID: _____

Traffic: _____

SIU: _____

Support: _____

Other: _____

Other: _____

Other: _____

II. City of Auburn and Other Agency Support

Department:_____Name:_____ Phone:_____

Department_____ Name:_____ Phone:_____

Department:_____Name:_____ Phone:_____

Notes:_____
_____
_____
_____
_____
_____
_____

III. Citizen Contact(s):

Name:_____ Phone:_____ Phone:_____ Name:_____
Phone:_____ Phone:_____

Notes:

_____
_____
_____
_____

IV. Traffic and Crowd Control

Estimated number of persons at the event: _____ Based on: _____

Estimated volume of traffic: (circle one) N/A light medium heavy

Attach a map designating traffic route and direction control points (Include street closings and barricades)

V. Preplanning:

Notes:

_____
_____
_____
_____
_____
_____

_____
_____

VI. Personnel requirements

Complete and attach a list of all personnel to be used during the event. Be sure to include each employees date, time, and location to report along with the name of the person they should report to. Include a description of the proper uniform and equipment needed.

Complete and attach a list of all personnel assignments, duty location, time on station, and supervisor.

Give written instructions on time and/or method to be relieved from duty.

VII. After action summary: (include problems identified and actions taken)

_____
_____
_____
_____
_____
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_____
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_____
_____
_____

Submitted by:_____ Approved:_____

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 15-4**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/31/2018

Subject: Use of Radar

_____

I. Policy

The Auburn Police Department will only use speed-measuring devices which meet or exceed the performance specifications established by the Georgia Department of Motor Vehicle Safety under O.C.G.A. Sec. 40-14-1 and 40-14-2.

II. Procedures

A. The municipal or county government must obtain a permit from the Department of Motor Vehicle Safety. Permits are not available to any local government where law enforcement officers or court officials are paid on a fee system, O.C.G.A. Sec. 40-14-2 (b). Applications for permits must name the streets and roads where the radar will be used. The speed limits on those roads must be approved by the State Department of Transportation, O.C.G.A. Sec. 40-14-3.

B. Each county or municipality using radar must erect signs, at least 30 by 24 inches in area, which warn motorists that speed detection devices are in use. The signs should be erected at each point where a highway (part of the State highway system) intersects the corporate limits of the municipality or the county boundary, O.C.G.A. Sec. 40-14-6. In Ferguson v. State, 163 Ga. App. 171, (1982) and again in Royston v. State, 166 Ga. App. 386 (1983), the defendants complained because the evidence showed that at some points where there should have been signs, there were none. The Court of Appeals noted that the code section did not contain a specific exclusionary provision, applied a substantial compliance standard, and affirmed the convictions.

C. Any county or municipal police officer using stationary radar must be sure that the vehicle from which the device is being used is visible to approaching motorists for a distance of at least 500 feet, O.C.G.A. Sec. 40-14-7. (The obvious purpose of this section is to protect motorists from speed traps. It previously required the radar device to be visible at a distance of 500 feet and applied to state officers as well as local law enforcement agencies. See Dardin v. Rapkin, supra.)

D. Evidence of speed obtained by county or municipal officers through use of radar is inadmissible as evidence if it was obtained: within 300 feet of a speed reduction sign within the limits of an incorporated municipality; within 600 feet of a speed reduction sign outside an incorporated municipality; within 30 days after the speed limit was reduced in the area the evidence was obtained, O.C.G.A. Sec 40-14-9.

E. Radar shall not be used by municipal officers within 500 feet of any warning sign erected pursuant to O.C.G.A. Sec 40-14-6.

F. Radar shall not be used by municipal officers on any portion of a highway where there is a grade more than 7 percent O.C.G.A. Sec. 40-14-9.

G. Each county or municipal officer using radar, must, prior to issuing a citation, inform the alleged speeder that he has a right to request that the officer test the radar device for accuracy. If a test is requested, and the device does not meet the manufacturer's minimum accuracy requirements, no citation can be issued. The device must be removed from service until it has been calibrated and

recertified by a technician with at least a second-class radiotelephone license from the FCC, O.C.G.A. Sec. 40-14-5. All calibration checks will be logged in the officers Radar Log Book. To ensure that each certified Radar or Laser operator remains in compliance with both state law and rules set forth by the Georgia Department of Motor Vehicle Safety, it is the department's policy to conduct an accuracy test of these units prior to placing them into operation, and again before their use is discontinued. It shall further be the department's practice to maintain a daily log for each of these devices, in which the officer will document the times of the accuracy test as mentioned above, as well as the unit's antenna number, counting unit number, tuning forks numbers, and total hours of operation. Laser logs will vary slightly but will need to include testing site distance information. Finally, these logs shall be maintained by each certified officer and immediately produced to his designee, or any supervisor, upon request.

H. County and municipal officers can use radar to make speeding cases only: in properly marked school zones, one hour before, during and one hour after the normal hours of school operation; in properly marked residential districts (thoroughfares with speed limits of 35 miles per hour or more are not considered residential districts); in any area, provided the alleged speeder is exceeding the posted speed by more than 10 miles per hour, O.C.G.A. Sec. 40-14-8.

I. Proving the State's Case at Trial

In view of the foregoing, there is obviously more to proving the State's case than asking the officer to tell what happened. The Supreme Court, in Wiggins v. State, 249 Ga. 302, (1982) discussed what is required of the state in a speeding case made as a result of radar use by the state patrol. The decision indicates that the state can rely on the business records rule for the introduction of the necessary proofs which are not within the personal knowledge of the arresting officer. The officer should bring to court the following or assure its readily available through Auburn Municipal Court prosecutor:

1. Documents from the Department of Public Safety showing the device used has been approved for use by the Department.

2. A copy of the FCC license issued to the Department allowing the use of radar.

3. The certificate, or a copy of it, showing that the radar device used has been tested for accuracy by an FCC licensed technician prior to being placed into service, and annually thereafter, if it has been in service more than one year.

4. Certificates showing the accuracy of the tuning forks the officer uses in testing the device during each tour of duty.

5. The officer's log book showing the results of his daily tests.

6. The certificate issued to the officer by the Georgia Peace Officer Standards and Training Council certifying the officer as a radar operator.

7. The log book will be maintained by each officer where the results of the tests performed by the officer at the beginning and end of each shift are recorded.

The business record rule should be an adequate vehicle for the introduction of the evidence which is not within the personal knowledge of the arresting officer:

J. Other Considerations:

1. The admissibility of evidence gained by use of radar speed detection device properly may be raised by a Motion in Limine although the motion may be styled as, or in the form of, a motion to suppress, and the trial court has discretion to hear the motion pre-trial or to reserve ruling on the admissibility of the evidence until it is offered as evidence during the trial Wiggins v. State, supra at 303.

2. It is imperative that radar units are properly maintained. The Patrol Commander or FMSO will establish procedures to ensure:

a. programmed maintenance, proper care, testing, and calibration of all Auburn Police Department owned speed measuring devices;

b. that adequate maintenance, calibration and operational record systems, suitable for introduction in court, are developed and maintained;

c. and that operators receive proper certification, periodic in-service training and recertification.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16**
Effective Date: July 1, 2018 Revised: 07/01/2018

Review: 10/31/2018

Subject: Patrol

I. Policy

It is the policy of the Auburn Police Department to provide police services to all persons within the geographical boundaries of the City of Auburn, Georgia.

II. Purpose

The Department is charged with the responsibility for: the protection of life, individual liberty and property; the preservation of peace, the prevention of crime and disorder; the detection and arrest of violators of the law; the enforcement of state law, city ordinances, and the provision of public service to the community. This means the police function must be broadly interpreted to include many tasks other than the enforcement of laws.

III. Rules and Regulations

A. Scope of the Police Function

To meet these demands, Patrol Division provides emergency and non-emergency services to the citizens of Auburn, Georgia, 24 hour a day, every day of the week. This is accomplished by the use of scheduled shifts. Officers are required to report for duty 15 minutes prior to their scheduled shift for the purpose of roll call. Additionally, the Patrol Division covers a wide scope of police services. Among the services provided are:

1. Law enforcement
2. Traffic enforcement
3. Investigation of criminal activities
4. Investigation of suspicious people and activities
5. Maintenance of law and order
6. Crime prevention
7. Security inspections of commercial businesses, private residences, and public property
8. Community services
9. General assistance to the public
10. Other services as required by the situation and the public

Patrol Officers will make preliminary investigations of crimes, prepare necessary reports, protect, process, and maintain crime scenes, control public gatherings, render miscellaneous police field services, and arrest offenders in violation of law's and ordinance's.

B. Personnel

Personnel will be assigned to the Patrol Division by the Chief of Police or his designee. Officers are assigned to shifts based on manpower needs. The Patrol Division is comprised of the following:

Shift Patrol and Support Services

Shift Patrol and Support Services

Shift Patrol and Support Services

Shift Patrol and Support Services

Each of the four squads is supervised by a Sergeant who reports to a designated Patrol Lieutenant. Each shift will work on a 12-hour schedule as follows: A and B squads are scheduled 0700 to 1900 shift, and C and D squads 1900 to 0700 shift. All squads work two days, off two days, work three days, off two days, work two days then are off three days during a two-week period.

1. Members of the Department should recognize that service to citizens of the community is a major objective of the police and that this service can and must be rendered by all divisions and all ranks. Members should try to assist citizens who are victims of crime, those who need emergency help, or those who need assistance or who would otherwise be inconvenienced by the Department's failure to act. This kind of service can range from giving simple directions and advice to travelers, to providing victims of crime with reassurance and support.

2. Officers are assigned to shifts by the Patrol Commander and are assigned to zones by the Patrol Sergeant (as needed). The primary purpose of assigning officers to zones is to set accountability for the zone to a group of officers, to maintain uniform patrol coverage throughout the geographical limits of Auburn, Georgia, to minimize the distances between calls, and to reduce response time.

3. Officers assigned to Patrol Division shall attend a Roll Call briefing beginning 15 minutes prior to the 0700 or 1900 hour in the patrol room of the Auburn Police Department. Roll call briefings are designed to accomplish the following:

a. Inspection of personnel and equipment by a supervisor as prescribed by policy.

b. Notifying patrol officers of changes in schedules and assignments.

c. Briefing patrol officers with information regarding Patrol Division activities, unusual situations occurring in the community, wanted persons or changes in their status, stolen vehicles and property, the status of major investigations, and an avenue for two-way exchange of information between officers of different squads, and detectives and patrol officers.

d. Conduct training to keep officers apprised of changes in the law, policy, procedure and other departmental matters.

C. Crime Prevention and Community Relations

An important, though often overlooked, function of the police is crime prevention. In many ways crime prevention is a more worthwhile function than after-the-fact investigation and apprehension activities. For this reason, crime prevention will be a shared responsibility of all department personnel. In addition to suppressing crime through visible, aggressive patrol, officers can accomplish long term crime prevention objectives by informing citizens of ways to protect themselves and their property from criminal acts, through encouraging their cooperation with criminal justice agencies and by participating in school programs involving the youth of the community. Because the conduct of each Departmental employee reflects on the department as a whole, the burden of achieving the Departments Community relations objectives will be shared by all employees of the Department

D. Order Maintenance

Another broadly interpreted function of the police might best be defined as that of a manager of social order, a role which would include such activities as preventing or settling neighborhood and family disputes, providing traffic escorts and directions, assisting ill or injured persons in need of emergency help, etc.

E. Patrol Objectives

The patrol operation exists to provide 24-hour a day police protection to the citizens; to prevent the occurrence of street crimes through visible preventive patrol; to respond rapidly to all requests for emergency police service; to improve the criminal apprehension rate by conducting thorough preliminary on-the-scene investigations where appropriate; to reduce traffic congestion and accident hazards through systematic enforcement of traffic laws and ordinances; to respond to motor vehicle accidents; to aid victims and to investigate the circumstances of the accident; to assist citizens in dealing with legal, medical, social or humanitarian problems through direct crisis intervention and/or making correct referrals to agencies equipped to deal with such problems; and to improve police/community relations through increased quality and quantity of contacts between citizens and the police.

F. Preventive Patrol

Although the patrol officer's work is often dictated by requests for service, a considerable portion of the officer's work day is normally available for preventive patrol. In order to make productive use of their available time, officers should plan their patrol to focus on specific problems within their zone.

1. Patrol Members

The key to the prevention of street crimes is aggressive, preventive patrol. To this end officers are encouraged to make increased contact with persons in their zone, to utilize field observation reports where appropriate, and to be aware of known criminals and their activities.

2. Knowledge of Area

It is essential that patrol officers know the physical characteristics of their area of responsibility as well as the current crime problems in those areas. Additionally, they should become acquainted with residents and business persons in their areas, gaining knowledge about the habits and idiosyncrasies and to investigate any unusual conduct. Patrol officers should be skilled in the detection of criminal and vice activities and should be willing and eager to conduct their own preliminary investigations and then refer information to others within the zone, and the Department.

3. Preventive Action

Patrol officers should be conscious of and alert for conditions which are conducive to crime and should take the necessary preventive measures whether this be advising a storekeeper of crime hazards, mediating a family dispute which could escalate into an assault or homicide, or handling a drunken person.

4. Problem Solving

The essence of community-oriented policing is the Department's commitment to problem solving. Employees of the Auburn Police Department will strive to assist citizens in solving individual and neighborhood problems. The patrol commander shall be responsible for facilitating appropriate police response to identified criminal or quality of life concerns within specified areas in order to formulate proactive enforcement.

G. Commitment of Resources

Police as public service employees have an obligation to each citizen and to all citizens. Ideally, the Department would be able to satisfy each obligation equally, but in reality, this is not the case. Requests from individual citizens for special services such as increased patrol, the use of radar, premises checks, etc., should be carefully evaluated in terms of total departmental commitments before any promises are made. If such a service is proposed, It is incumbent upon the officer making the proposal to take immediate steps to ensure the request for service is being processed, and to qualify the promise by informing the citizen that other demands may make it impossible to comply with the request.

H. Escorts

1. Emergency Escorts

Police vehicles will not be used to escort other vehicles (civilian or marked) on an emergency run. Assistance at intersections can be rendered. The supervisor can determine the need on a case by case basis to minimize danger.

2. Public Officials and Dignitaries

Request to escort public officials and dignitaries must be approved by the Chief of Police.

I. Patrol Hazards

To ensure that officers perform their duties effectively and safely, a system of communications has been established. This system of communications allows for potential and actual police hazards to be identified and disseminated to counteract them.

1. Sources

a. Information gathered from officers in the field who identify hazards.

b. Complaints or information reported by citizens.

c. Road hazards, utility hazards, natural hazards, etc. encountered by officers shall be reported immediately. In those situations in which immediate attention is vital to the public safety the officer shall, upon approval of the supervisor, notify the appropriate city employee and standby until given further direction by the supervisor.

d. Persons, areas or events existing or anticipated which have come to the knowledge of the Police Department and which may affect police operations, strategies, or tactics.

e. Communications from surrounding cities or Public Safety Departments forwarding information about hazardous situations which can affect the service area.

f. Developments in investigations which does or could present a hazardous situation.

g. Crime analysis and expected trends.

2. Dissemination Methods

a. Internal memorandums read at roll call.

b. Verbal exchange of information between squads by supervisors and officers at shift change.

c. Joint roll call briefings between Patrol and CID divisions.

d. Bulletin boards.

e. Broadcast by the Barrow 911 dispatcher.

f. Radio communications between officers in the field via mobile and portable radios.

Once an actual hazard or potential police hazard has been identified and the information has been disseminated to the affected components, all attempts shall be made to determine the most efficient patrol techniques to counteract the hazard.

J. Tactical Response to Calls

The police unit shall be parked a reasonable distance from the entrance to the location of the call.

1. Park the vehicle properly and as close to the curb as possible. Park about half a block prior to arrival to avoid signaling your arrival.

2. If there are additional weapons in the car, they should be removed or locked in the car depending on the type of call.

3. Approach the building from an angle to reduce the possibility of an attack from the inside.

4. In case the immediate presence of the police is required to protect a person from possible death or injury, the first officer on the scene will enter the building, notifying the radio operator of his intentions.

5. If a situation calls for one or more back-up units to respond in addition to the zone unit, the first car on the scene should maintain a safe position until one of the back-up units arrive.

6. When approaching a doorway, knock on the door and stand to either side of the entrance.

a. This position keeps the person opening the door off balance.

b. In the event of violence, the officer is in position to defend himself.

c. When the officer is making the initial approach to any building, he should take notice of any movement inside, such as persons, running silhouettes, or flashlight movement.

7. The interior of the building must be given careful consideration.

a. The possibility of more than one-person present poses a threat to the security of the officer. The officer should keep all persons in front of him.

b. Suspects or persons placed under arrest are probably familiar with the interior of the house or building.

c. Do not let persons get hats, coats, etc. Get the article for them if it is needed but search the article before giving it to the person.

d. Do not let the arrested person wander around inside.

e. All persons arrested and being transported to another location will be handcuffed in the rear and placed in the rear seat of the transporting unit.

8. Never consider a call as routine.

a. Opinions must not be formed about calls being routine before arrival at the scene.

b. Be governed by the circumstances after arrival.

c. In the event of difficulties or violence being encountered, request assistance through Barrow E-911. If possible, refrain from further action until the arrival of assistance.

7. The first officer to arrive at the scene has definite responsibilities.

a. Cover the most likely avenue of escape.

b. If there are injuries involved, administer first aid and request rescue if needed.

c. If suspect has left the scene, obtain a description and issue lookout.

d. Take charge of and process or protect the crime scene, preserve evidence, and identify witnesses.

e. If it is determined that additional assistance is needed, notify Barrow E-911.

f. Prepare the appropriate report. If the zone officer is not present, the first officer arriving is responsible for the report.

g. When serious calls (shootings, robberies, cuttings, nature unknown, etc.) are unfounded, Barrow E-911 is to be notified at once.

h. On calls of an emergency nature, notify Barrow E-911 of the circumstances of the call as soon as possible. Keep Barrow E-911 informed of the situation if out of service for an extended period of time.

Note: Remember that a superior officer is monitoring the situation and has the authority to designate duties and responsibilities and send assistance as he deems necessary.

K. Officer Needs Help Call

Units responding will operate with blue light and siren. They will be very observant and cautious when arriving at the scene if the exact situation is not known. When the situation is under control or

an assisting officer's services are not needed, he should immediately notify Barrow E-911 and return to service. Only those units directed to remain at the scene by the superior officer will do so.

1. Extreme caution should be used in responding to an officer needs help call. Remember that many other officers will be responding with blue light and siren and the intersection you use could be the same one used by another responding officer.

2. If you are to assist the officer that needs help, you must first arrive there safely.

L. Response to Silent/Audible Burglar Alarms

It is the responsibility and policy of the Auburn Police Department to respond to silent and audible alarms as quickly as possible. Further, it is the responsibility and policy of the Auburn Police Department to thoroughly check the structure serviced by the alarm to insure there is not a burglary which is/has taken place. In performing this function, the officer must remember that the persons who commit these crimes should be considered dangerous. Due to this danger and the danger to private citizens, the officer must approach these calls with the utmost alertness and professionalism. To become careless and unprofessional can lead to disaster.

1. Officers will respond to 10-4 checks from Barrow E-911 and give their location.

2. The first officer on the scene should inspect the premises to the best of his ability to determine if there is any evidence of entry.

3. If there is no evidence of entry, the officer should check with Barrow E-911 to see if the alarm has been re-set or the key holder is en route to the scene.

a. If the silent alarm has not been re-set, or the audible alarm continues to ring, Central Communications should be instructed to make every effort to locate the key holder.

b. If there will be a considerable time span prior to the key holder arriving at the scene, the officer will return to service and advise Central Communications to instruct the key holder to call Central Communications upon his arrival on the scene so that the officer can return.

c. If Central Communications cannot locate the key holder or some other responsible person, the officer is to check the building as thoroughly as possible.

4. If the officer determines entry has been made, the officer will immediately notify E-Barrow 911 of such entry and request assistance. The officer will then attempt to cover the location from the outside and wait until assistance arrives before searching the building.

5. In the event of a storm causing numerous alarms, the officer will consult his Superior Officer for instructions.

6. When the key holder responds, do not allow him to enter until the building is cleared. If he insists the officer shall warn him that the Auburn Police Department will not be responsible for his safety and this will be documented in the report.

M. Managing Disputes

The role of law enforcement officers in non-criminal, civil disputes is that of an impartial keeper of the peace. The role of law enforcement officers in criminal disputes is to restore order, quell disturbances and to make the necessary arrests for violations of law.

Civil (Non-Criminal) Disputes is defined as: non-violent confrontations between two or more persons which does not involve a breach of the peace or the commission of an unlawful act.

1. The following procedures will be used for handling non-criminal disputes:

a. Stand-by Situations

Officers are requested to stand by to prevent assault or breach of the peace while personal articles such as clothing, health and grooming aids are removed. In this situation, the officer shall remain on public property or roadway unless admitted to private property by a lawful occupant or claimants of such property until or unless there is a violation of the law. When entry into private property and/or the removal of property is denied to a claimant by another who is in possession, the following procedures will be used:

b. The officer shall advise the claimant that claims to personal property will not be enforced by the Department but may be by the Sheriff's Office with the appropriate papers.

c. If attempts are made to recover personal property over the objection of another, misdemeanor assaults which occur outside the officer's presence will not be cause for a warrantless arrest unless the officer can establish probable cause and the offense falls into one of the statutorily provided warrantless arrest.

d. If a confrontation between two or more persons develops into a brawl or breach of the peace, both or all disputants will be subject to arrest.

2. When handling disputes which do not involve weapons or a criminal offense under family violence the officer shall:

a. Park in a manner that allows safe approach and an opportunity to evaluate the situation.

b. Separate and interview disputants in a calm and unbiased manner.

c. Get disputants to offer or suggest alternatives for resolving the dispute.

d. Maintain third party neutrality while restoring normal communications between disputants.

3. Orders of the Court

Officers of the Department shall enforce only local and current orders of the court which specifically direct the Sheriff or his duly constituted deputies and/or police officers to execute the order of judgment.

a. After a restraining order has been served violations, of the order, which occur after the order is served, must be reported by the complaint to the court which issued the order. The officer responding will document the reported violation in an incident report but will only make an arrest with the prior standing order of the issuing judge to arrest upon violation.

b. Enforcement of violations of a local court order must originate from the court with an arrest warrant. Officers shall not make warrantless arrests for violations of civil court orders. Verbal orders by a judge will not be executed.

c. A conditional order of the court which orders the arrest of a person shall not be executed unless the order is current, and verification of the order and its provisions can be established at the time of arrest.

4. Criminal disputes are defined as any confrontation between two or more persons which involves breaches of the peace, potential for violence, and/or misdemeanor assaults committed in an officer's presence, as well as related felonies. Procedures for handling criminal offenses (assaults and disturbances) are as follows:

a. In violent or felony disturbances, or when weapons are involved an assisting patrol unit will be dispatched. When an assisting patrol unit is unavailable for dispatch, a supervisor shall be dispatched.

b. In violent or felony disturbances, or when weapons are involved, responding patrol units should coordinate a simultaneous arrival, if possible.

c. Responding unit(s) will park in a manner that allows safe approach.

d. Responding officer(s) should attempt to observe disputants and to hear and evaluate the nature and extent of the dispute before making their presence known.

e. The responding officer(s) shall separate and calm disputants and attempt to establish normal speaking conversation.

f. Officers should maneuver themselves into a position where disputants are facing away from each other while officers are facing each other. In this position, each officer can see the front of one disputant, and the back of the disputant who is facing the second officer.

g. Officers shall determine if there is cause for an arrest without a warrant.

1. Upon probable cause and in accordance with the laws of arrst an arrest may be made.

2. Disputants will be advised of procedures for initiating criminal prosecution when there is insufficient probable cause (or need) for arrest without a warrant.

3. Officers may attempt to bring disputants back together to develop alternatives to conflict, or to obtain further aid or counseling.

N. Child Custody Disputes

When an officer receives a call to settle a dispute concerning the custody of a child, the officer must first determine which person or persons have legal custody. If the child is currently in the custody of anyone having the legal right to custody of the child, the officer will take no action to change the custody of the child and submit a miscellaneous report. If a legal document can be produced by either party that delineates visitation the officer will take no action to enforce the order, however a report may be written if the propensity exist for a domestic incident to occur. The officer may advise the appropriate party of the procedures that should be taken to regain custody through judicial remedy.

O. Building Checks and Searches

One method of reducing the threat of burglary is through police-initiated building inspections. By checking, the officer can lessen the probability of an occurrence or quickly ascertain that a crime has occurred. If a crime has been committed, a search should collect significant data on the method of operation, the point of exit and entry, the time frame, and other information imperative to the timely reporting of the preliminary investigation.

1. Checking Buildings as a Part of Patrol

If leaving his vehicle, an officer must advise Barrow E-911 when checking a building or group of buildings.

a. Give the exact address or location of the building to be checked.

b. If it is suspected that a prowler is in the building or in the vicinity, additional officers should be requested.

c. Always carry a flashlight when checking buildings.

d. When searching the area, hold the lighted flashlight away from and to the side of the body in the non-gun hand.

e. Attempt to maintain a continuous beam from the flashlight as intermittent bursts will affect the officer's vision in a dark room.

f. Check all doors and windows thoroughly.

g. Depress the latch or turn the knob when checking doors. Inspect padlocks for signs of tampering or defects.

h. Inspect the window sills for pry marks and disturbance of dirt and particles.

i. Be familiar with the normal appearance of the building.

j. Look for any unusual conditions such as lights not turned on or window shades drawn.

k. Be familiar with the general appearance, location of safes, and cabinets as well as furniture and equipment arrangements.

l. Officers should be constantly aware of the possibility of a security guard being on the premises.

m. Check for ladders, barrels, boxes, etc., against wall of building which may indicate possibility of prowlers on roof.

n. Be alert for "lookouts" in the vicinity. They are usually in a place where they can observe an officer's movements and yet be seen by associates on the inside. If located, the lookout should be apprehended immediately only if it appears he will flee before assistance arrives.

o. Be observant for any subject with a walkie talkie radio as he may be a lookout (use of C.B. radio is not uncommon).

p. Be alert for unusual noises.

q. Check buildings more than once during a watch if time permits.

r. Do not get into the habit of checking a building at the same time each day or night.

2. The following procedures shall be used when an open or unlocked door or window is discovered.

a. Notify Barrow E-911 at once, giving the address of the building and what has been detected; request a backup officer and additional assistance if needed and repeat location.

b. Do not enter the building until the backup officer arrives.

c. Guard the most likely avenue of escape.

d. When assisting officer arrives, disclose your location by radio.

e. Search the building.

f. Do not mistake a security guard for a prowler.

g. The investigating officer will notify the Barrow E-911 operator by telephone if possible, giving him the exact location. The Barrow E-911 operator will notify the keyholder and request that he respond to the scene. Upon completion of notification, the Barrow E-911 operator will notify the investigating officer if the keyholder will respond.

h. One officer will remain at the scene until keyholder arrives. If unable to contact the owner or representative, the building will be secured as well as possible.

i. Necessary reports will be prepared.

3. Searching a Building

a. Contact the supervisor to determine if a K-9 Unit is available. The ranking officer at the scene will be in charge of the search. If no ranking officer is present, the officer assigned to the zone in which the building is located will be in charge. In the event the zone officer is not present, the first officer receiving the call or discovering the condition will be in charge.

b. Officers will be posted outside the building to prevent possible escape of prowlers before the building is entered by the search party.

c. Number and position should be such that all exits from the building are visible to the officers.

d. The officers must remain at the assigned places until the search is completed.

e. Slowly open the door about one inch, stand back away from the door, listen for a moment.

f. Open the door cautiously and enter.

g. Buildings with two or more floors will be searched from the bottom up, securing or controlling any elevators and stairways.

P. Responding to Persons with Mental Illness

Mental disability, mental illness, and substance abuse are linked together because they each represent a form of abnormal behavior that comes under the umbrella of Mental Health services. Sometimes however, there is a breakdown in the system, and law enforcement officers become involved. For this reason, it is important that every officer have knowledge of the specific

characteristics common to each group, as well as information necessary to deal effectively with the mentally disabled, mentally ill, and substance abuser.

As a peace officer, it is not necessary to learn how to diagnose a person who appears to be abnormal. It would be helpful to be aware of some of the characteristics of the major mental disorders in order to become more skilled in dealing with mentally ill people. Mental illness can develop at an early age or at any age. It is sometimes treatable and even curable. It can also reoccur without warning. Mental illness crosses all socioeconomic lines and no group is immune. Some signs to look for are:

a. Any change in behavior

b. Strange loss in memory

c. Belief people are plotting against him

d. Grand ideas about himself; believes he is God

e. Talks to himself

f. Hears voices

g. Sees visions, smells strange odors, has peculiar tastes

h. Has bodily ailments that are impossible, even when nothing is physically wrong.

Sworn employees of the Auburn Police Department shall receive in-service training on Responding to Persons with Mental Illness annually and civilian employees shall receive refresher training at least once every three years. If available, an officer who has received Crisis Intervention Team (CIT) training should be summoned to the scene of calls involving persons in crisis due to mental illness. Upon arrival, CIT officers will assume the primary role in handling calls of this nature. If a CIT officer is not available the responding officer shall:

1. In dealing with persons with mental illness, it is your responsibility to handle the person in a professional manner being aware that a person with some sort of mental illness can pose a real threat to officer safety.

2. Take steps to calm the situation. Where possible, eliminate emergency lights and sirens, disperse crowds, and assume a quiet non-threatening manner when approaching or conversing with the person. When no violent or destructive acts have occurred, and do not appear impending, officers should avoid physical contact.

3. Move slowly and do not excite the disturbed person. Provide reassurance that the police are there to help and the person will be provided with appropriate care.

4. Communicate with the person in an attempt to determine what the problem is. Relate your concern for their feelings and allow them to express their feelings. Where possible, gather information on the subject from friends or family members and request professional assistance if available and appropriate to assist in communicating with and calming the person.

5. Avoid topics that may agitate the person. Guide the conversation towards topics that help bring the subject back to reality.

6. Always attempt to be truthful.

7. Summon appropriate medical attention if needed.

8. It is important to get as much information as you can. Some questions you can ask are:

a. Is the person agitated, calm, withdrawn, a threat, or communicative?

b. What about his past or recent history that may have led up to this situation?

c. Has he ever been like this before? Was he taken for treatment?

d. Does he have a long-standing psychiatric problem?

e. What emotional outburst started the situation?

Sometimes it is not possible to find out the answers to these questions. In this situation, it is important to: Position yourself in relation to the individual to minimize being struck or hit by flying objects or gunfire. Once safety is established, talk to the person in a calm, non-threatening manner.

a. Use time as your ally; avoid rushing the person

b. Make slow, cautious moves

c. Use a low, calm voice

d. Introduce yourself and tell the person why you are there

e. Let the person vent his feelings too

f. Listen between the lines and observe body language

g. Don't lie for any reason

h. Display a helpful attitude, no matter how verbally abusive the person becomes.

9. Local Resources for Handling the Mentally Ill

In the event an officer needs additional help in dealing with a person with mental illness, there are several resources available.

a. for most recent list of resources, contact your supervisor.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16-01**
Effective Date: March 1, 2018 Revised Date: 03/01/2018

Review Date: 10/31/2018

Subject: Communications

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I. Purpose

The purpose of this SOP is to prescribe the policies and guidelines of the Auburn Police Department regarding Radio Communications.

II. Statement of Policy

It shall be the policy of the Auburn Police Department all officers using a radio for two-way communication follow proper and accepted guidelines,

III. Discussion

Effective radio communications are necessary for the efficient operation of the Auburn Police Department. Officers should follow accepted and established guidelines as set down by the Federal Communications Commission and Barrow County Central Communications,

Proper communications guidelines are necessary to ensure that all possible information is transmitted and received by different units, officer safety is enhanced, and the Auburn Police Department is represented in a professional

manner.

The Auburn Police Department will maintain 24-hour two-way capability providing continuous communication with Barrow County Central Communications in order that the Police Department's mission shall be successfully completed.

IV. Definitions

RADIO -Any device capable of transmitting and receiving wireless voice transmission via electromagnetic energy emission/detection.

V. General Responsibilities

A. Shift Supervisors are responsible for ensuring that proper radio communications guidelines are followed by assigned personnel and to take appropriate action to resolve problem areas that may jeopardize the overall effectiveness of the communications process. In addition, Shift Supervisors will:

1. Maintain a sufficient number of in-service officers;

2. Have at least one supervisor remaining in-service at all times to provide immediate supervision over emergency situations, regardless of location, until the normally assigned supervisor can handle the matter. Barrow County Central Communications shall advise supervisors when they are the only remaining in-service supervisor and they should delay going out-of-service until further notice;

3. Keep a reasonable complement of manpower so that field services are not impaired by permitting officers to go out-of-service. Situations such as meal breaks may have to be delayed if other field officers are otherwise involved in previously-authorized activity;

4. Prioritize call assignments as necessary; and

5. Understand that the initial officer assigned to the incident will be assigned a case number, when necessary, unless otherwise directed by the Shift Supervisor.

B. Barrow County Central Communications is responsible for:

1. Providing 24-hour toll-free telephone access for emergency calls for service.

2. Making initial call assignments to officers;

3. Maintaining the status of all officers;

4. Notifying the appropriate Shift Supervisor if at any time there is not a Uniform Patrol Division unit available to answer a call;

5. Recording whenever an officer goes out-of-service;

6. Ensuring that an appropriate number of officers are dispatched to serious calls such as robbery in progress or burglary in progress calls. Whenever possible, at least two officers should be dispatched to all Priority One and Priority Two Calls, or to any call involving potential injury to responding officers or members of the public.

7. Notifying other agencies when officers request assistance;

8. Relaying emergency notifications or information when direct contact with the officers is not possible or practical under the circumstances

9. Providing immediate playback of recorded telephone and radio conversations while maintaining a continuous recording of radio transmissions and emergency telephone conversations within the communications center.

Recordings shall:

a. be retained in compliance with the Georgia Records Retention Act guidelines as published by the Secretary of State's office;

b. be secured in their handling and storage;

c. be made available for review to Police Department officials who are

engaged in their official capacity.

Providing copies of recordings, incident printouts, etc.• to Police Department personnel who submit a written request to the Barrow County Central Communications Administrative Assistant. Provided, however. said request must be made in the lawful discharge of the Police Department employee's duties or official capacity in order to be filled.

10. Providing officers. complainants, victims. witnesses, or any person seeking law enforcement or medical assistance translation services via telephone when a party does not speak the English language fluently.

VI. Radio Guidelines To/From Officers

A. All Uniform Patrol Division personnel are required to advise the dispatcher of the following situations:

1. On or off duty;

2. When a call is received;

3. On scene arrival;

4. In/out of service;

5. Exit vehicle; or

6. The status of the situation.

B. Officers assigned to a zone will remain in that zone unless relieved or instructed by a supervisor to leave the zone.

C. All personnel will use their assigned radio number during radio transmissions. All personnel will use assigned portable radios to maintain contact with Barrow County Central Communications when the officer is away from his/her unit. If an officer does not have a portable radio or the portable radio cannot be used to make contact with Barrow County Central Communications, then the officer will use other methods to maintain contact.

D. In the event that it becomes necessary for units from the Auburn Police Department to interact with units from other agencies, Auburn Police Officers will precede their radio number with the designation "Auburn Police Department" and the officer's number.

E. When transmitting, officers should use the approved Auburn Police Department's Ten Code Communications System (see Attachment). In unusual circumstances, plain language will be used to make sure the message is clearly understood.

F. Transmissions should be clear and concise and only pertinent information should be conveyed. If necessary, information can be relayed over landline or by cell phone.

G. When involved in self-initiated activity, officers should provide information in a designated format. This will ensure that the proper information is relayed and that the dispatcher can enter the information into the computer system. For example, if the officer were going to stop a vehicle, during the initial call he/she would advise the dispatcher that they were going to stop a vehicle. The dispatcher would then advise the officer to continue with the traffic stop.

H. When an officer calls in a vehicle tag number to the dispatcher, it should be given in the following format:

1. Give the vehicle tag number phonetically: "Alpha Bravo Charlie 123";

2. Repeat the tag number as it appears: "ABC123"; and

3. If the information requested is for an out-of-state tag, the name of the state should be given first and then the tag number.

Anytime numbers are called into the dispatcher the numbers should be given and then repeated. If letters appear in the number such as in a Vehicle Identification Number, they should be given phonetically.

J. When officers are calling in a traffic stop, abandoned vehicle, or a type of activity where the location is given, the location will be given to the dispatcher first after the dispatcher acknowledges the officer.

K. When checking driver's license status or requesting an NCIC check on a subject, the following format should be used:

1. Last Name, First Name, Middle Name or initial (the names should be spelled out if there is more than one common spelling);

2. Date of birth;

3. Race of subject; and

4. Sex of subject.

L. When checking a driver's license, the Operator License Number should be checked first and if that information does not return, the name and DOB should be used if it is available.

M. When checking a driver's license from another state, the name of the state should be given first and then the subject information.

VII. Notification & Dispatch of Supervisors

A. The Barrow County Central Communications will immediately notify the Shift Supervisor, regardless of their duty status, of all emergency calls to officers under their command. A Shift Supervisor will respond whenever any of the following calls for service are received:

1. Burglary in progress;

2. Any violent crime in progress;

3. Homicide or report of death;

4. Officer needs help;

5. Chase in progress;

6. Officer injured or killed;

7. Any reported discharge of a firearm by a officer;

8. Any use of force incident involving an officer resulting in injuries;

9. Any officer involved in a vehicle accident; or

10. Any other call as needed.

B. Shift Supervisors have the authority to override the dispatch concerning the unit(s) dispatched and prioritization of calls.

Priority of Calls

A. In order to manage calls for service, Central Communications shall prioritize calls for dispatch as

follows:

1. Priority One: Those calls requiring immediate dispatch to a potentially life-threatening situation (e.g., violent crime in progress, traffic crashes with injuries, officer needs assistance, bomb threat, confirmed alarm);

2. Priority Two: Those calls requiring immediate dispatch, but not of an emergency nature (e.g., traffic crashers without injuries, unconfirmed alarm, suspect has left the scene);

3. Priority Three: Routine calls for law enforcement service that require the presence of an officer (e.g., thefts, burglaries, and other crimes against property) or any report of criminal activity that does not represent a present threat or danger or that has occurred in the past; and

4. Priority Four: General calls for information for which an on-scene officer is not requested or required.

B. Call Stacking

Priority One & Priority Two calls shall be dispatched immediately. If a unity is not available to respond, Central Communications will notify the Shift Supervisor who will in turn decide how to handle the emergency situation. Dispatchers must be prepared to advise a Shift Supervisor if there is a unit that can be diverted from a lower priority situation.

2. Priority Three calls will be dispatched after priority one and two calls are completed. Whenever there is a significant delay, the complainant will be notified by the dispatcher, if possible, of the officer's expected time of arrival.

Emergency Traffic

A. Whenever any unit or a dispatcher makes an emergency transmission, all non-emergency radio traffic on that channel will cease until the emergency condition is lifted. All non-emergency radio transmissions will be re-routed to an alternate channel, which will be monitored by an additional dispatcher.

B. The dispatcher shall broadcast a "10-3" (stop transmitting) and "10-33 (emergency) and will notify units going in-service (10-8) of the emergency.

C. When advised by the officer or Shift Supervisor handling the situation, the dispatcher shall terminate the emergency condition and permit the resumption of normal radio operations.

D. If a unity fails to respond to the radio after being called, the Shift Supervisor shall be notified and will be responsible to initiate the proper action to determine the officer's safety and status.

Communications Standards

A law enforcement organization's professional level is most often exhibited through their radio communications. Other agencies and many private citizens monitor law enforcement communications. With this in mind, officers of the Auburn Police Department should always use the radio in a professional manner. The following guidelines should be used in all communications:

A. Be brief, yet concise when providing information;

B. Speak clearly and at a voice level that can be easily heard and understood;

C. Us the 10 Codes whenever possible;

D. Try to maintain a level voice while transmitting. Raising your voice will not help the radio transmission;

E. Refrain from using slang words or derogatory remarks;

F. Supervisors will not use the radio to reprimand or discipline a subordinate officer;

G. Refrain from expressing anger, disgust, or any negative emotion in communications;

H. Do not become argumentative with the dispatcher. Any problems with dispatchers will be conveyed to the Shift Supervisor for appropriate action;

I. Do not use the radio to communicate personal messages unless it is an emergency; and

J. When calling another unit, officers should use radio numbers and not names or nicknames.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16-04**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/31/2018

Subject: Foot Pursuits

I. Purpose

To establish and describe guidelines and procedures for all officers involved in foot pursuits in the performance of their duties. Pursuing fleeing suspects constitutes a basic function of law enforcement officers. Because officers are regularly involved in foot pursuits, they often become complacent about the dangers inherent in chasing suspects on foot and develop a false sense of security.

II. Policy

It is the policy of the Auburn Police Department that officers consider the external factors when they initiate a foot pursuit. These factors include the nature of the offense or call for service, the location and surrounding area involved, the type and availability of communication, the presence of physical danger, the physical condition and abilities of the officers involved, and the safety of the officers and the public.

Because unique situations arise in law enforcement, this policy cannot address all possible circumstances. Therefore, the policy will guide officers' decisions about initiating, continuing or ending foot pursuits.

III. Procedure

A police officer has the authority, at all times, to attempt to stop any individual suspected of committing any criminal offense, violation, or traffic infraction.

The Auburn Police Department allows its officers to base their decisions on whether to pursue a fleeing suspect on the degree of risk to themselves or others. While the department does not want to stop officers from capturing fleeing suspects, it does want them to consider the possible consequences of such action. Therefore, foot pursuits are not allowed under the following conditions:

A. Into vacant or occupied buildings, structures, or confined spaces without using the team concept or without authorization, except in the event of extreme urgency, such as the immediate threat to the safety of the general public or other officers.

B. If the officer believes that the danger to pursuing officers or the public outweighs the necessity for immediate apprehension.

C. If they get disarmed or lose possession of their service weapon.

D. If they lose contact with their fellow officers or the BARROW E-911 Center.

E. If they lose visual contact with the violator and become unsure of the suspect's whereabouts or continued direction of travel.

IV. BARROW E-911 Notification

Any time an officer engages in a foot pursuit, the following will be adhered to:

A. Notify Barrow E-911 of 10-80 on foot.

B. Give exact location and the direction of travel.

C. Give a description of the suspect(s).

V. Supervisor Responsibility

All foot pursuits shall be monitored by the shift supervisor. If the pursuit is not within the guidelines set forth by this policy the pursuit will be terminated. Any training deficiencies, policy violations or officer safety issues will be addressed with the involved officers.

VI. Training

At least once annually, officers will participate in training on foot pursuits as a part of a daily roll call session.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16-05**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/09/2018

Subject: Code Enforcement

I. Purpose

It is the policy of the Auburn Police Department to enforce City Codes relating to environmental issues as a necessary function of the City of Auburn. It is an accepted fact that if police allow violations to go unchecked citizen apathy will give way to crime, disorder, and public safety issues that affect the quality of life of our citizens.

II. Policy

It is the policy of the Auburn Police Department to ensure the assignment of Code Enforcement Officer(s) to address environmental issues within the city limits of Auburn. Code Enforcement officer(s) work under the direct supervision of the Criminal Investigations Division Lieutenant. Code Enforcement officers are given wide discretion and autonomy in performing their jobs and will normally work in the field with little direct supervision. When an environmental violation exists, the Code Enforcement officers shall take appropriate action in a fair and equitable manner. Citizens that are normally law abiding may be the focus of environmental code violations, these citizens will be treated with respect and dignity with the primary goal being voluntary compliance as opposed to enforcement action being taken. When a situation arises beyond the control of the code enforcement officer(s) then Barrow E-911 will be contacted immediately to dispatch a patrol officer to the involved location.

III. Definition

Code Enforcement Officer: A city employee authorized and assigned to identify, investigate, and prosecute code violations.

Code Violations: The act of not obeying the City of Auburn Ordinances enacted by the Mayor and Council for safety and a healthy environment.

A. Code Enforcement Officer Responsibilities

To ensure that Code Enforcement Officers take appropriate action, in a fair manner, the supervisor will create reporting and accountability procedures as is necessary. The code enforcement officer(s) are tasked with identifying, investigating and prosecuting code violations. These code enforcement officers are to follow the established accountability procedures to ensure that all contacts related to code infractions are properly documented.

B. Violation Investigation and Court Summons Procedures

The following shall be used as a guideline when investigating environmental violations and summoning citizens to Municipal Court.

1. A Notice of Violation shall be issued to the violator. All questions concerning the violation shall be answered and a re-inspection date given in writing.

a. The Notice of Violation is a courtesy that is given to the involved citizen with the intent to educate and demonstrate a desire to cooperate with the citizen in allowing time to comply with environmental ordinances.

b. If the citizen does not demonstrate a desire to resolve environmental issues or if the citizen has had a similar notice in the past the Officer may summons the citizen to court without first issuing a notice of violation.

2. Photographs shall be taken documenting code violations each time a citation(s) is issued. Photographs shall be up-loaded and maintained in MDS for use in court, if needed.

3. If the violation(s) is not resolved by the re-inspection date, a code enforcement citation will be issued by the Code Enforcement Officer. When the re-inspection is conducted the Code Enforcement Officer shall again photograph the violation if it has not been corrected which serves to document the fact that violation in question had not been corrected.

4. During each encounter with citizens during which time environmental code violations are being addressed/discussed the Code Enforcement Officer shall document said encounter via an audio digital recording. Once captured this documentation is to be downloaded to the department's in-house computer system.

5. Re-inspection dates will be at the discretion of the Code Enforcement Officer but will not exceed ten calendar days.

C. Case Review

The Unit's immediate supervisor shall ensure that violations are properly documented, followed up on, and monitored through random reviews of the daily activity reports that these officers generate as well as reviews of files that are created and maintained for each incident requiring enforcement action. This review will not preclude the Code Enforcement Officers from discussing cases on a more frequent basis or the supervisor from reviewing all or part of the Officer's cases on a more frequent basis to ensure the effective operation of the unit.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16-08**

Effective Date: March 1, 2018 Revised: 03/01/2018

Review: 10/31/2018

Subject: Crime Analysis

Purpose: The purpose of this directive is to establish procedures on providing statistical data and pertinent information to enhance identification of trends and patterns of criminal activity within the City of Auburn.

Policy: The Auburn Police Department will maintain data for review of different elements of criminal activity, along with specific data on each incident where applicable.

1. CRIME ANALYSIS FUNCTION

1.1. Crime analysis of regularly collected information of reported crimes and criminals is a very useful tool in the prevention and suppression of crime and the apprehension of criminal offenders.

1.2. All personnel of the Auburn Police Department will assist in this function by gathering complete and accurate data to be used by the Crime Analyst.

1.3. The Crime Analyst is responsible for providing a system to collect, collate, analyze and disseminate crime data for the purpose of supporting the Department in management and operational activities. In addition, the Crime Analyst may brief the Chief Executive Officer (CEO) and provide estimates of future crime trends based on inferences derived from crime data.

2. Procedure

2.1. Analyst:

2.1.1. The CID Commander, or his designee, will serve as the Analyst, who will review all incident reports, miscellaneous reports, arrest reports, Field Interrogation Cards, and other submitted documentation filed by law enforcement personnel. This analysis will be to identify criminal activity to determine patterns and/or trends of such criminal activity, and to identify potential and actual police hazards within the City's service area.

2.1.2. The CID Commander may designate other police or administrative personnel to assist in maintaining information derived from such reviews for dissemination of analysis information.

Crime Analysis

2.1.3. The Patrol Commander, or his/her designee, will serve as the Analyst who will review all accident reports and any other appropriate documentation filed by law enforcement personnel under his/her command. This analysis will be to determine patterns and/or trends of motor vehicle accidents, to identify potential and actual hazardous intersections within the City's service area. The Patrol Commander or his/her designee will review the annalist reports to see if special traffic enforcement actions are needed to address the findings, and if so take appropriate action to address the finding. If the report shows possible traffic engineering problems or roadway defects then the person reviewing the reports shall forward their finds to the appropriate agency.

2.2. Analysis

2.2.1. The crime analysis function will identify and analyze methods of operation of criminal activity and provide crime pattern recognition. The Crime Analyst will collect data from arrest files, incident reports, arrest reports, U.C.R. data and field interrogation data. These programs will include data identifying the frequency of crime by crime type, geographic, temporal and chronological factors, victim and target descriptors, modus operandi information, suspect descriptors, physical evidence information and suspect vehicle descriptors.

2.2.2. Information derived from the reports will be reviewed by the Analyst. Information to be reviewed for analysis includes:

Incident type and frequency

Incident location

Incident day/date

Incident time frame

Victim and target information

Suspect information (if possible)

Suspect vehicle information

Modus Operandi

Miscellaneous (property taken, weapon used, physical evidence, etc.)

2.2.3. The Crime Analyst will also be responsible for briefing the Chief of Police and the Patrol Commander on crime patterns or trends as determined by the crime analysis function. The necessity of this briefing is to keep the Chief of Police and Patrol Commander informed of trends through efforts generated by the Department, rather than through outside sources.

Crime Analysis

2.2.4. Documentation of temporal and geographical distribution of selected crimes shall be in the form of reports. The Crime Analyst shall document the effectiveness and utilization of crime analysis information through feedback and program evaluation. Surveys of the affected units should attempt to ascertain whether the crime analysis process is efficient and whether its products are effective tools for combating crime. In order to provide timely data for the crime analysis programs, data entry for incidents shall be the responsibility of the Records Section.

2.2.5. Pin maps may also be utilized for additional documentation of temporal and geographical distribution of the following crimes:

Robberies;

Commercial Burglaries;

Residential Burglaries;

Automobile Thefts; and

Entering Automobiles.

2.2.6. Pins and flags of various colors are used to readily display the locations of the above crimes by type and days of week. Electronic computer maps may be utilized (if available) for all incidents and trends when needed.

2.3. Procedures for Dissemination and Response

2.3.1. Analysis information will be distributed to Police personnel in the form of memoranda's, shift change briefings and weekly updates utilizing pin maps and statistical data.

2.3.2. Data from reports are available via the monthly reports in all locations. This allows for immediate accessibility by supervisors to assist in the identification of both criminal and traffic enforcement priorities. Report data will be collected, collated, analyzed and presented in the form of annual reports.

2.3.3. Statistics on clearances of all reported criminal activity will be maintained within the Criminal Investigation Division.

2.3.4. Information will be used for immediate, as well as long range strategies for resolving problem locations and for projecting budget structures for number of personnel and equipment needs.

Crime Analysis

2.3.5. Information distributed to sources outside of the department will be on a "need to know" basis only, such as, but not limited to, specific press releases to assist in the development of information to aid in the apprehension of individuals committing specific crimes.

2.3.6. These reports will assist the various executive, administrative and elected officials, as well as, the various division and unit commanders in developing tactics, strategies, long range plans for crime suppression, manpower and resource projections in the future.

2.3.7. When trends, patterns, or other viable results are obtained, then the Division Commander or his/her designee is responsible for disseminating this information to the appropriate personnel to take effective enforcement efforts. Examples of such personnel include but are not limited to:

Crime Suppression Units

General or Specialized Investigators

Uniformed Patrol

Traffic Enforcement

Cooperating local, state, or federal agencies

Other agencies as required

2.3.8. The CID Commander or his designee is responsible for updating the Chief of Police of the results of identified crimes trends or patterns, to include the specific enforcement efforts chosen in response.

2.3.9. Information available through the Freedom of Information Act or Georgia Open Records Law shall be released according to each applicable criterion. Crime Analysis information will also be made available to other law enforcement agencies to assist them in their crime prevention or planning activities.

2.4. Review of Analytical Process:

2.4.1. The Certification/Accreditation Manager, or other personnel as designated by the Chief of Police, will review the analysis process on an annual basis to evaluate the efficiency of the program and report these findings to the CID Commander for the purpose of maintaining or improving the status of such program.

2.4.2. Watch Commanders will submit reports to the CID Commander on an asneeded basis, indicating problems and/or suggestions and comments that reflect on the efficiency of the process.

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Christopher Hodge Date

Chief of Police

Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16-09**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/31/2018

Subject: Biased Based Profiling

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I. Purpose

Profiling can be a useful tool to assist law enforcement officers in carrying out duties. Bias based profiling, however, is the selection of individuals based solely on a common trait of the group. This includes ethnic background, race, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable group. Officers will not make traffic contacts, field contacts, or asset forfeiture efforts through bias-based profiling. The purpose of this policy is to provide guidelines for officers to prevent such occurrences, and to protect officers when they act within the dictates of the law and policy from unwarranted accusations.

II. Discussion

A fundamental right, guaranteed by the Constitution of the United States to all who live in this nation is equal protection under the law. Along with this right to equal protection is the fundamental right to be free from unreasonable searches and seizures by government agents. Citizens are free to walk and drive our streets, highways, and other public places without police interference so long as they obey the law. They also are entitled to be free from crime, and from the depredations of criminals, and to drive and walk our public ways safe from the actions of reckless and careless drivers. The Auburn Police Department is charged with protecting these rights for all.

Because of the nature of the business, law enforcement officers are required to be observant, to identify unusual occurrences and law violations, and to act upon them. It is this proactive enforcement that keeps citizens free from crime, and streets safe to drive upon, and allows detection and apprehension of criminals.

This policy is intended to assist law enforcement in accomplishing this total mission in a way that respects the dignity of all persons and yet sends a strong deterrent message to actual and potential lawbreakers that if they break the law, they are likely to encounter the police.

III. Policy

It is the policy of this department to patrol, in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce the law. Citizens will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit, an infraction of the law. Officers shall focus on a person's conduct or specific suspect information.

IV. Procedure

A. Training

Officers will receive initial and ongoing training in proactive enforcement tactics, including training in officer safety, courtesy, cultural diversity, the laws governing search and seizure, other legal aspects of bias based profiling, and interpersonal communications skills. Training programs will emphasize the need to respect the rights of all citizens to be free from unreasonable government intrusion or police action.

B. Enforcement

Enforcement activities will be accompanied by consistent, ongoing supervisory oversight to ensure that officers do not go beyond the parameters of reasonableness in conducting such activities. If any supervisor detects any questionable patterns of any officers that may be perceived as bias-based profiling, that supervisor will immediately take the appropriate corrective action, and then notify the Office of Professional Standards and the Office of the Chief of Police via email or memo, identifying the officer(s) involved, stating the behavior and the corrective action taken.

1. Motorists and pedestrians shall only be subjected to stops, seizures or detentions upon reasonable suspicion that they have committed, are committing, or are about to commit an infraction. Each time a person is stopped, the officer shall radio to the dispatcher the location of the stop, the description of the person or vehicle being detained, and the reason for the stop, and this information shall be logged, and a case number assigned via CAD. Under no circumstances shall an officer ever inform Barrow E-911 that a case number is not needed upon making a traffic stop or a 'Terry' stop.

2. Appropriate enforcement action should always be completed, in the form of a warning, citation, field interview, or custodial arrest. In instances where the officer does not issue a citation,

field interview, or execute an arrest, the officer must complete a miscellaneous report. All traffic stops, therefore, shall be documented in some form by the officer. The proper form must be filled out by the officer, and shall include the gender, race or ethnicity of the person stopped, if this information can reasonably be ascertained by physical appearance or from the driver's license or other documents provided by the individual.

3. No person, once cited or warned, shall be detained beyond the point where there exists no reasonable suspicion of further criminal activity, and no person or vehicle shall be searched in the absence of a warrant, a legally recognized exception to the warrant requirement, or the person's voluntary consent. In each case where a search is conducted, this information shall be recorded, including the legal basis and the results of the search, on a miscellaneous report unless an incident report is required. It is strongly recommended that consent searches only be conducted with written consent, using the proper department form. If the individual indicates that they will consent to a search but are refusing to sign the form, fill out the form anyway and indicate "consented to search but refused to sign", inserting initials and the signature of any witness in the signature block.

4. The video camera and audio shall be activated upon activation of the blue lights, to record the behavior of the vehicle or person, and shall remain activated until the person is released and resumes their journey.

5. In the absence of a specific, credible report containing a physical description, a person's race, ethnicity, gender or sexual orientation or any combination of these shall not be a factor in determining probable cause for an arrest or reasonable suspicion for a stop.

6. The deliberate recording of any misleading information related to the actual or perceived race, ethnicity, gender, or sexual orientation of a person stopped for investigative or enforcement purposes is prohibited and a cause for disciplinary action, up to and including dismissal.

C. Complaints of Racial/Ethnic Profiling

Any person may file a complaint if they feel they or another person has been stopped or searched because of a profile based solely on a common trait. No person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.

1. Any officer contacted by a person who wishes to file such a complaint, shall inform the citizen of complaint procedures.

2. Supervisors receiving such a report shall forward it to OPS for investigation. OPS shall inform the complainant, in writing, concerning the results of the department's investigation within a reasonable time. The report shall be provided to the Chief of Police along with findings and any suggestions for disciplinary action or changes in policy, training, or tactics if a violation has occurred.

3. On an annual basis, the department shall make public a statistical summary of all profiling complaints for the year, including the findings as to whether they were sustained, not sustained, or exonerated. The Office of Professional Standards will complete and submit to the Chief of Police a documented annual administrative review of agency practices including citizen concerns. Additionally, the Support Supervisor shall submit, to the Chief of Police, a quarterly summary of the records database reflecting contacts between officers and citizens broken down by race and gender. This report shall also be submitted to the Office of Professional Standards for review to determine if any discrepancies exist. If any discrepancies are noted, the report will be discussed at the next available staff meeting. If the discrepancies are not expelled, OPS will conduct additional audits and investigate the matter to determine if any procedural recommendations or corrective action is warranted on specific officers or groups of officers.

4. The Office of Professional Standards shall quarterly randomly review three audio/video recordings of reports filed on stops by officers. Supervisors shall respond, at random, to back up officers on vehicle stops, and shall take appropriate action whenever it appears that this policy is being violated, being particularly alert to any pattern or practice of possible discriminatory treatment by individual officers.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16-10**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/31/2018

Subject: Citizen Ride Along Program

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I. Purpose

The purpose of this policy is to establish criterion by which citizens may participate in the ride-along program with police officers, to promote and protect the interest of National Security, and to further

ensure accountability for the dissemination of Criminal History Record Information which the citizen will be exposed to, while accompanying a police officer in the lawful discharge of their duties. The citizen ride-along program allows citizens to get a first-hand view of a police officer's job function and to create an avenue for better police/citizen relations.

II. Definitions

A. Citizens - Any person currently inside the jurisdictional boundaries of Auburn, GA.

B. Sworn Officer - Any person sworn and certified as a law enforcement officer currently employed with a law enforcement agency.

C. Citizens Police Academy Student - Any person enrolled and actively attending the CPA while it is in session.

D. Explorer Program - Any person currently enrolled and actively attending the explorer's program while it is in session.

E. Citizen Ride-Along Request Form – standard form upon which the applicant explains the purpose for their request to ride. This form also advises of the possible risks and what is expected of the applicant on high risk calls.

F. Release from Liability & Indemnity Agreement and Criminal History Consent Form - standard form upon which requires completion by the potential ride along and approval by the Chief of Police prior to citizen participation in the ride along program.

III. Rules and Regulations

Each citizen must submit to a criminal history background check as a criterion for approval by the Chief of Police, by signing the Release from Liability & Indemnity and Criminal History Consent Form. Only sworn police officers as defined in this policy will be exempt from this process. The ride-along program recognizes seven categories of persons that may ride with Auburn Police Officers. They are as follows:

A. Students Enrolled in the Citizen Police Academy

Students enrolled in the CPA may ride two times for up to eight hours each time during each calendar year in which they are participating in the academy.

1. Students wishing to ride-along must sign the CPA ride-along log on a first come first serve basis.

2. The logbook will be maintained in the Support Division with the police clerks, except that it may be moved to the training office during CPA class to allow for sign-up.

B. Sworn Officers

Sworn Officers from other jurisdictions may only ride-along once per year and then only with the written approval from the Chief of Police or his designee. Off-duty Auburn Police Officers may ride-along only with written permission from the Chief of Police or his designee.

C. Citizens

Citizens may ride-along on a one-time basis for a maximum of eight hours. Prior written approval from the Chief of Police or his designee must be obtained prior to the ride-along.

D. Explorer Program

Explorer's, eighteen years of age or older, may ride one time for four hours. The child's legal guardian must request in writing that the child be allowed to ride. The guardian must also sign the Rider Consent Form.

E. Guidelines for Riders

All persons riding must obey the following rules:

1. All riders must sign the Riders' Consent Form.

2. Riders, including sworn officers, will not possess any weapon(s) while riding. (Sworn officers actively employed in law enforcement are exempt from this rule).

3. Riders must remain in the patrol vehicle upon response to a call, except at the discretion of the officer or the supervisor.

4. Riders may not operate any police vehicle or any equipment in the vehicle except in a life or death situation.

5. Riders may not become involved, either verbally or physically, in any call except in a life or death situation.

6. Riders will not be allowed to ride if they are under the influence of alcohol or any other drug.

7. Supervisors will assign riders to the officer, with the exception of spouse riders. Upon arrival, the riders are to report to the on-duty supervisor.

8. No person under eighteen years of age may ride absent specific policy allowances or other situations specifically authorized by the Chief of Police.

9. Only one rider will be allowed at any one-time period. Riders will sign-up to ride in the ride-along book which will be maintained in the Support Division.

10. Riders are required to dress in business casual attire while riding (examples: slacks, khaki pants, collared shirt).

F. Responsibilities of Officers

Officers that have been assigned a rider will make every effort to be cordial to the rider and to answer questions the rider may have about police operations. The officer will keep in mind that he is responsible for the safety of the rider. The following rules shall be adhered to:

1. Officers will not engage in high-speed pursuits with riders in the vehicle.

2. At no time will an officer respond to a crime in progress reportedly involving violence if the officer feels it may place the observer in danger. If the officer feels that it is necessary, the observer will be deposited at a public location (such as the police department or other place of safety as agreed upon by the officer and the ride-along) until the officer or another officer can return to continue the ride along.

3. If a personality conflict or any other conflicts exist, the officer shall immediately report this to the supervisor.

4. If, in the officer's opinion, the rider violates any rule or creates an unsafe situation for the officer, himself or any citizen, the officer shall immediately return to the police department and inform the supervisor.

5. Officers that are still on probationary status will not have riders assigned to them, except upon approval by the Chief of Police.

IV. Request Procedures

Each ride along candidate must submit the proper paperwork prior to riding. Copies of the required paperwork will be maintained in the Records Section. Once the paperwork is completed, and signed by a witness, it should be returned to the Records Section. A certified GCIC terminal operator will complete the required GCIC query, attach the results of the query to the application, and forward it to the Support Commander, or designee for review of policy compliance. The Support Commander will then forward all information to the Chief of Police for approval.

A. The applicable Release from Liability & Indemnity Agreement and Criminal History Consent (Patrol Vehicles) form must be submitted by all ride along candidates except sworn police officers.

B. Ride along applicants over the age of 18 must complete and submit a Citizen Ride-Along Request. Anyone under the age of 18 must have a parent or guardian submit a Explorer program Ride-Along Request on their behalf.

C. All ride along candidates must sign a GCIC Awareness Statement prior to riding.

City of Auburn
Police Department
A Community Oriented Law Enforcement Agency
Chris Hodge
Chief of Police

_____

Christopher Hodge Date

Chief of Police

RELEASE FROM LIABILITY & INDEMNITY AGREEMENT

AND CRIMINAL HISTORY CONSENT

(PATROL VEHICLES)

I, _____,(print full name) Address _____, race/sex,_____/_____, SSN#_____, DOB_____ Phone #_____, being 18 years of age or older, in consideration of my being able to ride in a patrol vehicle belonging to the City of Auburn and which is assigned to the City of Auburn Police Department and my being allowed to accompany members of the City of Auburn Police Department on patrol or other police activities, do hereby agree as follows:

a. That I release the City of Auburn, Georgia, The City of Auburn Police Department, and their agents and employees from any liability to me or the estate of my son/daughter/ward as a result of any damage to property of my son/daughter/ ward, injury to my son/daughter/ward, or the loss of the life of my son/daughter/ward sustained as a result of his/her riding in a patrol vehicle or participating in the above named activity.

b. That I agree to hold the City of Auburn, Georgia, the City of Auburn Police Department, and their agents and employees harmless for any loss sustained by them as a result of any damage or injury caused by my son/daughter/ward, and I agree to indemnify said City Police, agents and employees for any loss incurred thereby.

c. That this agreement shall remain in effect until cancelled in writing to the City of Auburn Police Department by myself or another adult with authority to do so.

I hereby request and authorize the Auburn Police Department to receive Criminal History Record Information on me, which may be in the files of any state or local criminal justice agency as a condition for permission to ride in any police vehicle.

Signed on the _____day of _____, 20____.

_____ _____

Witness Participants Signature

City of Auburn
Police Department
A Community Oriented Law Enforcement Agency
Chris Hodge
Chief of Police

Permission is granted for the above-named individual to ride in vehicles assigned to the City of Auburn Police Department and to accompany members of the department on patrol and other police related activities.

_____ _____

Chief of Police Date

Citizen Ride-Along Request

I would like to ride with an officer of the Auburn Police Department for the following reasons: _____. I have read and signed the release form and I understand the provisions and liabilities. I understand that because of the nature of patrol functions that I maybe in greater risk of receiving an injury due to a physical encounter or from being involved in a traffic accident. I understand and agree that I may not be allowed to accompany officers on certain types of calls. I understand that I may be asked to exit a patrol vehicle at a safe location and wait for the officer to return or another officer to escort me back to the Auburn Police Department.

If you are approved to ride with a Auburn Police Department officer you must adhere to the dress code. All riders are required to dress in casual business attire (examples: slacks, khaki pants, collared shirt). When you arrive at the Police
Department to ride along you must first sign in with the support division and then report to the on-duty supervisor so he can assign you to an officer.

Name: _____

Telephone: _____

Best time to call: _____

_____

(Signature)

_____

(Please Print Name)

_____

(Date)

Revised: 05-12-10

City of Auburn
Police Department
A Community Oriented Law Enforcement Agency
Chris Hodge
Chief of Police

RELEASE FROM LIABILITY & INDEMNITY AGREEMENT

AND CRIMINAL HISTORY CONSENT

(PATROL VEHICLES)

I, _____,(print full name) Address _____, race/sex,____/____, SSN#_____, DOB_____ Phone #_____, am the parent or guardian of_____

_____, (print full name) Address_____

_____, race/sex,___/___, SSN#_____, DOB_____ Phone #_____, who is a member of the Teen Citizen Police Academy and 14 years of age or older, in consideration of my child being able to ride in a patrol vehicle belonging to the City of Auburn and which is assigned to the City of Auburn Police Department and my child being allowed to accompany members of the City of Auburn Police Department on patrol or other police activities, do hereby agree as follows:

a. That I release the City of Auburn, Georgia, The City of Auburn Police Department, and their agents and employees from any liability to me or the estate of my son/daughter/ward as a result of any damage to property of my son/daughter/ ward, injury to my son/daughter/ward, or the loss of the life of my son/daughter/ward sustained as a result of his/her riding in a patrol vehicle or participating in the above named activity.

b. That I agree to hold the City of Auburn, Georgia, the City of Auburn Police Department, and their agents and employees harmless for any loss sustained by them as a result of any damage or injury caused by my son/daughter/ward, and I agree to indemnify said City Police, agents and employees for any loss incurred thereby.

c. That this agreement shall remain in effect until cancelled in writing to the City of Auburn Police Department by myself or another adult with authority to do so.

I hereby request and authorize the Auburn Police Department to receive Criminal History Record Information on my child, which may be in the files of any state or local criminal justice agency as a condition for permission to ride in any police vehicle.

Signed on the _____day of _____, 20____.

_____ _____

Witness Parent/Guardian Signature

City of Auburn
Police Department
A Community Oriented Law Enforcement Agency
Chris Hodge
Chief of Police

Permission is granted for the above-named individual to ride in vehicles assigned to the City of Auburn Police Department and to accompany members of the department on patrol and other police related activities.

_____ _____

Chief of Police Date

Revised: 05-12-10

Explorer Program Ride-Along Request

I would like for my child to ride with an officer of the Auburn Police Department. I have read and signed the release form and I understand the provisions and liabilities. I understand that because of the nature of patrol functions that my child maybe in greater risk of receiving an injury due to a physical encounter or from being involved in a traffic accident. I understand and agree that my child may not be allowed to accompany officers on certain types of calls. I understand that my child may be asked to exit a patrol vehicle at a safe location and wait for the officer to return or another officer to escort him/her back to the Auburn Police Department.

If your child is approved to ride with a Auburn Police Department officer they must adhere to the dress code. All riders are required to dress in casual business attire (examples: slacks, khaki pants, collared shirt). When you and your child arrive at the Police Department to ride along you must first sign your child in with the support division and then report to the on duty supervisor so he can assign your child to an officer.

Your Name: _____

Your Child's Name: _____

Telephone: _____

Best time to call: _____

_____

(Signature)

_____

(Please Print Name)

_____

(Date)

Revised: 01-28-11

GEORGIA CRIME INFORMATION CENTER

AWARENESS STATEMENT

Access to Criminal Justice Information, as defined in GCIC Council Rule 140-1-.02 (amended), and dissemination of such information are governed by state and federal laws and GCIC Council Rules. Criminal Justice Information cannot be accessed or disseminated by any employee except as directed by superiors and as authorized by approved standard operating procedures which are based on controlling state and federal laws, relevant federal regulations, and the Rules of the GCIC Council.

O.C.G.A. §35-3-38 establishes criminal penalties for specific offenses involving obtaining, using, or disseminating criminal history record information except as permitted by law. The same statute establishes criminal penalties for disclosing or attempting to disclose techniques or methods employed to ensure the security and privacy of information or data contained in Georgia criminal justice information systems.

The Georgia Computer Systems Protection Act (O.C.G.A. §16-9-90 et seq) provides for the protection of public and private sector computer systems, including communications links to such computer systems. The Act establishes four criminal offenses, all major felonies, for violations of the Act: Computer Theft, Computer Trespass, Computer Invasion of Privacy, and Computer Forgery. The criminal penalties for each offense carries maximum sentences of fifteen (15) years in prison and/or fines up to $50,000.00, as well as possible civil ramifications. The Act also establishes Computer Password Disclosure as a criminal offense with penalties of one (1) year in prison and/or a $5000.00 fine.

The Georgia Criminal Justice Information System Network is operated by the Georgia Crime Information Center in compliance with O.C.G.A. §35-3-31. All databases accessible via CJIS Network terminals are protected by the Computer Systems Protection Act. Similar communications and computer systems operated by municipal/county governments are also protected by the Act.

By my signature below, I acknowledge that I have read and understand this Awareness Statement.

Print Name:

Signed: Date:

Witnessed: Date:

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16-12A**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/31/2018

Subject: Civil Disturbance

I. Purpose

During civil disorder, the Department's mission is the protection of life, property, and the restoration of law and order. This mission may be accomplished by dispersing unauthorized assemblages and by increased patrolling within the disturbance area. To prevent commission of lawless acts, the Department may present a show of force, establish road or area blockades, disperse crowds, employ chemical agents, or start such action necessary to apprehend and perform other required operations. The Chief of Police, or his designee, shall coordinate the Department's response to civil disorder.

II. Policy

It is the policy of the Auburn Police Department to protect life and property, and to restore law and order in the event of civil disorder.

III. Definitions

CIVIL DISTURBANCE: An unlawful assembly that constitutes a breach of the peace, or any assembly of persons where there is imminent danger of collective violence, destruction of property, or other unlawful acts.

IV. Procedure and Regulations

A. Authority for Plan Implementation

During times of civil disturbance, the Chief of Police will have full authority over all civilian law enforcement inside the City of Auburn. The Patrol Commander or other officer(s) designated by the Chief of Police will assume the responsibility as Incident Commander.

The Incident Commander is authorized to implement this plan and is responsible until relieved. Appropriate notification of implementation must be through the proper Chain of Command.

The Incident Commander will be in command of the situation as to the strategy, tactics and actions of all responding agencies, by communicating orders to the designated officer in command of the responding agency.

B. Departmental Resources

1. The Incident Commander shall determine what, if any, additional Departmental resources are required in terms of personnel and/or equipment.

a. Additional personnel may be called or placed on stand-by in accordance with Chapter 16-12, Unusual Occurrences Plan.

b. Mutual Aid from surrounding jurisdictions may be requested by the Incident Commander.

c. Assistance from Georgia State Patrol and/or other State and Federal agencies may be requested.

d. Military/National Guard assistance may be requested through the Chief of Police through the Mayor in accordance with applicable laws.

2. Equipment needs beyond that readily available to the Incident Commander will be coordinated through the Chief of Police, or his designee.

a. Equipment such as shotguns, O.C. spray, gas masks, riot helmets, shields, less lethal weapons, etc., are either assigned to individual officers or are stored at the Police Department. Access may be given to any officer with the immediate approval of the Shift Supervisor, or other applicable supervisor.

b. Additional equipment, as deemed necessary, may be requested within the guidelines of mutual aid from surrounding law enforcement agencies.

3. Communications

a. All public safety/emergency communication will be handled through the Barrow County 911 Communications Center. All marked patrol units are equipped with mobile radio systems and all personnel are assigned portable radios. The Auburn Police Department or the Department's Mobile Command Post will serve as a secondary communication center.

4. Situational maps shall be maintained at the Auburn Police Department and will be used to chart problem areas as well as track resources in the field.

C. Duties of First Responders

The duties of the first officer(s) arriving at the scene of a disturbance include:

1. Observe the situation from a safe distance and determine if the crowd is peaceful or potentially violent;

2. Notify the Shift Supervisor as to the seriousness of the situation and request additional back up to respond;

3. Attempt to identify, by observation, the leader of the group;

Protect citizens; and

5. Protect property.

D. Duties of the Incident Commander

Upon arrival at the scene, the Shift Supervisor may assume Incident Command until relieved. The Incident Commander duties and responsibilities should include:

1. Assessing the situation for seriousness and potential danger. If the situation is minor in nature, it may be handled with existing resources.

2. Maintaining communications with the dispatcher, providing such information as:

a. Estimated size of the crowd and area involved;

b. Gauging the mood of the crowd;

c. Weapons, if any involved;

d. Need for medical attention; and

e. Damage or destruction of property involved.

3. Establish a Command Post at a suitable, but safe location, (a building equipped with adequate telephone lines should be given priority consideration. Depending on the location of the event, City facilities may be a consideration.) The Agency Representative of each public safety agency, as well as others involved in coordinating response and/or implementing plans, should be advised of the Command Post location.

4. If an emergency mobilization of off duty officers is initiated, the Incident Commander will determine the staging area and equipment to be worn.

5. Instructing dispatch to make proper notifications of possible need for assistance, to include:

a. Emergency Service Unit Commander to place Tactical Unit on standby for victim extrication, etc.;

b. Fire Department to stand by in the staging area;

c. EMS request to stand by in the staging area;

d. Local hospital emergency room;

e. Barrow County Sheriff's Department;

f. Georgia State Patrol to provide patrol coverage to City and traffic direction and control.

6. Assigning a Public Information Officer to serve for the duration of the incident. The person should provide the media with factual information to prevent or dispel any rumors.

7. Coordinate with support members, field officers, and assisting law enforcement agencies as to traffic control in disturbance area (survey area).

a. Transport emergency medical supplies, as needed;

b. Request traffic barricades and/or warning signs;

c. Determine alternate routes for detours;

d. Route traffic as situation dictates;

e. Control ingress and egress of vehicles and pedestrians, as required;

f. Determine strategic locations for posting personnel;

g. Investigate traffic accidents when practical;

h. Enforce traffic laws.

8. Establish an outer perimeter sufficient to contain the disturbance and prohibit entrance into the affected area.

9. Ensure that, to the degree possible, innocent civilians are evacuated from the immediate area of the disturbance.

10. Arrange for food, water and sanitation at the scene, and at any temporary detention facilities.

11. Arrange for evidence collection at the scene through the Criminal Investigations Section.

E. Operations

1. Crowd Control: In the control of any crowd, whether peaceful demonstration or peaceful gatherings, the Incident Commander should follow these guidelines:

a. A minimum number of uniformed officers will be placed in positions for handling crowd control.

b. Officers should be positioned where physical contact with the crowd can be kept to a minimum.

c. The officers should continually assess the mood of the crowd/group and respond to those changes as directed by their supervisors.

d. Officers should not engage in any demonstrations and related conversations with the participants. It is expected that the officers will remain neutral and impartial at all times. Officers will be courteous and helpful. Officers should be reminded that expressions of friendliness may be a valuable tool in keeping any situation calm.

e. Designated personnel will be assigned to establish and maintain communications with the group/demonstration leaders. This should be done as a soon as possible and is done to keep each side informed of one another's needs and intentions. It must be continuous, clear and immediate. Emergency Services Unit Crisis Negotiators may be used to conduct or assist with negotiations.

f. Officers may be posted on rooftops or high ground areas to assist with identifying locations where individuals are propelling objects (bottles, rocks, etc.). These officers can signal or guide uniformed officers to the location of these individuals to effect an arrest.

g. Ensure that surveillance points are established to identify agitators, leaders, and individuals committing crimes, and to document and report on events as they happen. Photographic and video documentation of evidence of criminal acts and perpetrators shall be generated whenever possible.

2. Actions: Once appropriate and adequate personnel are in place, and a determination is made that assembly is unlawful, the Incident Commander or designated personnel will:

a. Approach the crowd and inform them via the P.A. system that the assembly is unlawful, and the group/crowd should disperse immediately. To avoid any confusion, avenues for departure should be announced with the instructions.

b. A time limit should be established, and no extensions allowed. The announcement should be repeated several times before the time limit is reached.

c. Audio and video recording of this process should be utilized.

d. If the crowd fails to disperse and continues its activity, the Incident Commander will, after consultation with the Chief of Police, authorize the use of force, move into the crowd for control, or initiate arrest(s). Prior to making these decisions, the Incident Commander should provide for transportation, Fire and EMS personnel.

e. Less-lethal force: When physical arrest of identified leaders and agitators fails to disperse the crowd, the OIC may use less lethal force to accomplish these ends. In so doing, the OIC shall ensure that:

i. A clear path of escape is available for those who wish to flee the area;

ii. The use of chemical agents, smoke, or other less-lethal devices is coordinated and controlled; and

f. Use of deadly force: The use of deadly force in the control and dispersal of civil disturbances, as in other circumstances is governed by the Chapter 11, Response to Aggression/Resistance.

Specifically: Law enforcement officers are permitted to use deadly force to protect themselves or others from what is reasonably believed to be an immediate threat of death or serious bodily injury.

Caution should be taken when using firearms during civil disturbances - the arbitrary use of return fire in crowds is prohibited.

When sniper fire is encountered, or hostages taken, the Agency's policy on Hostage and Barricaded Subjects shall be followed.

F. Transportation

All Departmental vehicles will be available for transportation of officers/equipment to the scene, and for prisoner or evacuee transportation from the scene. If additional transportation is required, the Incident Commander should request assistance from County, State, and Federal agencies. Specifically, the following agencies shall be contacted for equipment and transportation needs:

1. The Barrow County Sheriff's Department;

2. The Barrow County Board of Education;

3. Barrow County Parks and Recreation;

4. The Georgia National Guard;

5. The Barrow County Emergency Management Service;

6. The Georgia Department of Transportation;

7. The Georgia Emergency Management;

8. The Barrow County Fire EMS Services.

Note: Special equipment needs will be coordinated through the Chief of Police or his designee.

G. Public Facilities Security

Attempts should be made to provide security to all public facilities threatened by any crowd to include:

1. City Water Supply

2. Fire/Rescue buildings as well as access to these

3. City Hall

4. Schools

5. Communications Center

Public Works

6. The Auburn Police Department

In any given situation, it may not be necessary to ensure the security of each listed facility, or only those that are in an affected area. The decision to ensure security, by assigning personnel to a particular location, shall be left up to the discretion of the Chief of Police or the Incident Commander.

H. Arrests

During a civil disturbance involving large numbers of people, violations of the law will inevitably take place. In some instances, it may be necessary to take immediate action to apprehend an offender or offenders. However, in some cases, an arrest may only serve to anger a crowd and worsen the situation. Before making an arrest under such circumstances, officers should consider the nature of the violation and the mood of the crowd. If identification of an offender can be made and the arrest can wait until such time as the situation has de-escalated to a manageable level, the arrest should be made at a later time. Depending on the severity of a disturbance, the Shift Supervisor or the Chief of Police may require that no arrests be made without prior approval. When an arrest is made, the offender(s) shall be immediately removed to a location outside of the area of the disturbance and out of the view of persons involved.

I. Mass Arrests

During the course of civil disturbance, it may be necessary to make arrests of numerous individuals over a short period of time. In order for this process to be handled efficiently, safely, and legally, the shift supervisor shall ensure that:

1. Officers adhere to Georgia Statute, City of Auburn Municipal Code, and case law when making an arrest and arrest only when probable cause exists.

2. The Shift Supervisor may use the Community Service bus, the Sheriff's Department buses, and/or buses from the Barrow County Board of Education to transport arrested subjects. Additional transportation resources may be obtained through referring to IV. F of this policy.

3. Prisoners will be transported to the Auburn Police Department patrol room, at which time a supervisor designated by Chief of Police will determine which arrested persons will be charged and released, and which will go to the Barrow or Gwinnett County Jail for processing. At the scene of the arrest, the booking officer will take a digital photograph of the officer that effected the arrest with the arrested subject. The date, time, case number and charge(s) will be noted.

4. Juvenile prisoners will be transported separate from adult prisoners to the Auburn Police Department and processed. Misdemeanant(s) will be released to their guardian. The Juvenile Intake Officer will be contacted in felony cases involving a juvenile.

5. All arrested subjects will have a hearing before a Magistrate within 48 hours of arrest or be released if the arrest was made without a warrant.

6. Arrested subjects will be detained at the Barrow or Gwinnett County Jail. Any overflow will be in accordance with the respective jail policy and procedure.

7. All evidence collected will be handled in accordance with existing Departmental policies.

8. All arrestee(s) will be identified prior to having a bond set for their release. Any arrestee that refuses to identify himself will not be released until identification is made, except by order of a State or Superior Court Judge.

9. Under the terms of Mutual Aid, the Auburn Police Department will assist surrounding agencies using no more than 50% of its sworn officers at any one time. The Auburn Police Department may also request assistance from other nearby agencies and/or the Georgia State Patrol and GBI as the need arises.

In all situations, the Chief of Police or his designee will decide to assist or request assistance.

10. Arrested persons will have the right to visits by defense counsel after the booking procedures are completed, but before any questioning occurs, in accordance with Miranda restrictions. Visitation at any location other than the Barrow or Gwinnett County Sheriff's Department/s, including the Auburn Police Department, is prohibited.

11. The Chief of Police, or his designee, will maintain open communication with the District Attorney and the City Solicitor during times of mass arrest.

12. In the event of civil unrest or disturbance, a supervisor designated by the Chief of Police shall be the media relations officer for the duration of the incident. The designated supervisor shall indicate a media area where factual information will be given to the media. Rumors will be brought

to the attention of the media relations officer immediately, so they can be dispelled with factual information.

13. All arrested persons will have food, water, and proper sanitation, provided in accordance with the Barrow or Gwinnett County Jail policy and procedure. Prisoners will not be detained at the Auburn Police Department for any more time than is required for processing. During this time prisoners will have access to water and restrooms. All arrested persons requiring medical attention will receive medical attention in a timely manner.

14. Security is provided through the physical plant of Barrow or Gwinnett County Jail, Deputies, and the Jailers assigned. Security of the Auburn Police Department will be assigned to police officers by the Shift Supervisor.

K. De-escalation Procedures

1. Once the disturbance has been brought under control and the situation has returned to normal, the Incident Commander will begin de-escalation procedures to include:

a. Disengage officers as appropriate. Outside enforcement agencies should be withdrawn from the area;

b. Lower the phase of the emergency;

c. On duty officers will return to normal patrol operation;

d. The Police Department's strength should gradually de-escalate, based on assignment and time in the area of the disturbance;

e. All local services should be reestablished;

f. Personnel should be returned to their regular assignments.

2. Assign officers to remain in area of disturbances to protect from any recurrence of trouble.

3. Discontinue the Command Post.

4. Ensure that all Departmental equipment is collected.

L. Post Occurrence Duties

1. Once the situation has been brought under control, the Incident Commander will disengage officers as appropriate; on duty officers will return to normal operations; return issued equipment to appropriate authority; disengage the Command Post; assign officers to remain in area of disturbance to protect from any recurrence of trouble.

2. The Incident Commander will prepare a detailed report providing all factual information about the incident to the Chief of Police. The Chief of Police will forward necessary documentation to the City Administrator. The report shall include in order of events, the following:

a. First indication of disturbance;

b. Incidents leading up to the crisis;

c. Notification of field units/Chief of Police;

d. Establishment of field command post;

e. Notification of off-duty personnel;

f. Request for assistance to support agencies;

g. Any assistance by outside agencies;

h. Traffic/security control points by location;

i. Allocation of personnel involved;

j. Location of disturbance;

k. Casualties (killed, injured, treated and released, and identified);

l. Assessment of damage to property;

m. Number of arrest(s);

n. Date and time order restored;

o. Critique of police actions;

p. Recommendations for future planning;

q. Any budgetary matter that may have resulted from the incident.

_____

Christopher Hodge Date

Chief of Police

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16-12B**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/31/2018

Subject: Bomb Threats

I. Purpose

The purpose of this directive is to establish proper procedures for the handling of bomb threats.

II. Policy

It is the policy of the Auburn Police Department to handle bomb threat incidents in such a manner as to reduce panic, identify offenders, and reduce injury and/or property damage in an accurate and efficient manner.

III. Procedures/Rules and Regulations

This procedure identifies information to be obtained from the complainant, safety precautions for handling a bomb threat call, and techniques of searching for a bomb. Only a Bomb Disposal Technician should examine any suspect packages or containers.

A. Response to the Scene

The Patrol Division will be primarily responsible for the initial response to a bomb threat call. Response to bomb threats will be code one unless exigent circumstances justify a code two or three response.

Once the responding units are in close proximity, (about 300 Feet), of the bomb threat location the car radio, portable radio and any cellular telephones will be turned off. Some explosive devices can be activated by radio transmissions. Any communication with 911 within this 300-foot radius will be by the use of hard-lined telephones. If the bomb threat is at the Auburn Police Department all radios, including the desk radio and all portables, and all cellular telephones will be turned off.

2. The first responding Patrol Unit arriving at the scene shall locate the complainant and determine if the bomb or suspected device has been located. The decision to evacuate will rest with the person in charge of the facility at the scene. If the decision to evacuate is made, all persons shall be moved at least 350 feet from the building. Before leaving, as many doors and windows as possible

should be opened. Police may advise the person in charge that an evacuation is necessary when there are circumstances that elevate the risk. Schools and larger businesses may have established procedures and evacuation plans to aid them in decision-making during such incidents. In incidents involving school facilities, the responding officer will immediately begin coordination with the appropriate school officials to aid in their decision on whether to evacuate the involved facility. If an evacuation is initiated, then police officers on scene shall assist in that process as much as possible.

Note: Upon arrival, the officer should also encourage the complainant to ensure that they and all location representatives turn off their own radios and cellular telephones as well.

3. Police personnel will not conduct a search unless specifically requested to do so by the person in charge of the facility.

4. In the event that no bomb or suspected device is located, the primary officer will make an appropriate incident report.

B. Searches for Explosive Devices

If a search is conducted the following guidelines will be followed by the Incident Commander:

a. Establish a Command Post and ensure emergency personnel on scene checks in and is recorded as being on scene.

b. Enlist the aid of building security, custodial, and supervisory personnel to accompany each officer involved in the search.

c. Obtain floor plans if possible.

d. Assign search teams to all areas accessible to the public.

e. Search inside and outside the building.

f. Maintain control of search teams.

g. Use stairways instead of elevators, if possible.

h. Terminate all searching 20 minutes prior to the threatened time of explosion.

i. Instruct searchers not to touch a suspected device or package.

j. Techniques of Searching

1. Start of search:

a. Start outside and work inside; and

b. When searching start at the lowest level.

2. The search should be broken into three steps:

a. Exterior - The exterior search begins at the ground level. Close attention should be given to piles of leaves and refuse, shrubbery, trashcans, and parked vehicles (outside accessibility is unlimited);

b. Public Area Search - Extended outward from the building to some natural divider (curb or wall, usually 25 to 50 feet); and

c. Interior Room Search:

1. Special attention should be given to utility rooms or areas where access is unlimited;

2. Begin the search at the lowest level and work upward, completely searching each level before changing floors;

3. When searching a room, search in four levels:

Floor to waist check, chairs, desks, trashcans, anything at a level that could conceal a bomb;

Waist to eye level or top of head behind pictures, cabinets, miscellaneous on walls;

From eye level to the ceiling light fixtures, any item suspended from the ceiling, e.g., heating and air-conditioning ducts; and

Ceilings and false ceilings.

Whenever first entering a room, remain completely calm and immobile. Listen for any unusual sounds. Many times, such actions will pick up sounds indicating a device.

k. Vehicle Searches

1. Whereas a bombing in a building is normally set to detonate at a specific time an auto bomb usually has a triggering device;

2. The initial action in a vehicle involved incident is to evaluate and secure as much information as possible from the driver/owner (any threats, evidence of tampering, suspicious noises, unfamiliar objects);

3. Find out when the vehicle was last operated, was it locked, who is to be the next person in the vehicle (who is the intended target, driver or passenger?); and

4. Check the area around the vehicle for signs of tampering (marks on the ground, bits of tape, wire insulation, etc.).

NOTE: A vehicle bomb can be installed in 15-30 seconds. A detailed search emphasizing safety may take several hours depending on the situation.

C. Incident Commander Duties upon locating an Explosive Device/Suspicious Package.

1. Upon locating a bomb or suspected device, it will be the responsibility of the Incident Commander to request the GBI or Gwinnett Bomb Squad through E-911.

2. The Incident Commander will advise E-911 to dispatch the Fire Department and EMS to the site and stand by. The Incident Commander will ensure that the building that the device(s) were located in are completely evacuated and will determine if further evacuation is needed in surrounding buildings. The Incident Commander will also ensure that unauthorized persons are denied access into the evacuated area through the implementation of an outer perimeter. If additional police units are needed the Incident Commander will ensure that an all call is conducted.

3. The Shift Supervisor will proceed to evacuate the immediate area. An inner security perimeter will be established at a safe distance from the device (minimum 300 feet). Access will be restricted to all personnel except members of the EOD units.

4. With the locating of one bomb or suspected device, it should be assumed that a secondary explosive device exists. The Incident Commander will establish an outer perimeter with a distance of at least 1,000 feet from the initially located devise for public safety staging. Incident Commander will also ensure that unauthorized persons are denied access into the evacuated area. If additional units are needed the Incident Commander shall direct them to the proper location.

5. Upon arrival of the EOD team, the Senior Bomb Technician will take command of the immediate bomb scene. The Incident Commander will assist the EOD team with all resources, which are reasonable to dispose of the bomb safely.

6. Upon locating of any bomb or suspected device, the Chief of Police will be notified. The primary responding uniformed officer will make an incident report. A detective from CID will conduct a follow-up investigation.

7. Once bomb rescue operations are completed, the scene will be secured and protected as a crime scene. CID will collect and process evidence as per chapter 17 of the policy manual. If the bomb rescue efforts confirmed that the suspected device was in fact, capable of exploding, then the notification of ATF shall be required prior to such collecting and processing. If the device is determined to be fake or otherwise incapable of exploding, then the notification of ATF shall be discretionary, and rests with the Chief of Police.

8. This policy will be reviewed annually by the Chief of Police, or his designee.

D. Media Relations

The Incident Commander will be responsible for assigning a Public Information Officer who will be responsible for informing the media concerning any bomb threat. If a suspicious package is found or a bomb is detonated or recovered, a supervisor designated by the Chief of Police will act as the media relations officer for the department. The media will be denied access into the perimeter if one is established.

E. Conclusion of Search

1. The Incident Commander at the scene will notify the owner/person in authority of the building of the results of the search; and

2. The Incident Commander will make sure that all required reports have been completed and all units are back in service.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16-12C**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/31/2018

Subject: Hostage/Sniper/Barricaded Subject

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I. Purpose

The purpose of this policy is to establish guidelines and procedures for responding to and handling incidents involving a hostage, sniper and/or barricaded persons.

II. Policy

It is the policy of the Auburn Police Department to establish and adhere to a tactical plan for handling incidents involving a hostage, sniper and/or barricaded person.

A. Duties of Responding Officer(s)

1. The initial responding officer(s) should attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of support personnel, trained tactical and/or hostage negotiation personnel (unless there is an active shooter involved).

2. The first officer on the scene is the Incident Commander until relieved of that duty. The first officer on scene should safely direct other responding officers to specific locations to set an inner perimeter. The inner perimeter should confine the suspect(s) to the immediate area of the incident. An outer perimeter should be established as soon as possible a safe distance from the area preventing innocent bystanders from entering the area.

3. The Incident Commander will notify the Shift Supervisor on duty of the incident situation.

4. As soon as possible, an attempt must be made to evacuate any injured persons and bystanders in the line of fire. Evacuation routes should not expose evacuees to any offensive action by police or the suspect. All persons evacuated should be accounted for and should be available for interviews at a later time. The responding officers must also evacuate residents from surrounding homes in the immediate line of fire or as directed by the Incident Commander.

5. Initial responding officer should begin gathering intelligence information regarding:

a. Location of suspect (floor, room, roof);

b. Types of weapons suspect may have or can possibly obtain;

c. Identification of suspect, including complete physical description, mental state, and physical condition;

d. Suspect's purpose;

e. What crime has suspect committed (assault, robbery, minor disturbance, etc.);

f. Physical description of any hostage(s) and his/her physical and mental condition, communicating this information to all responding personnel; and/or

g. Location of any telephones.

B. Duties/Responsibilities of Incident Commander

The Incident Commander shall have full control over the Command Post, the operation, and all persons involved in the operation.

1. The Incident Commander is responsible for the notification and deployment of assisting personnel, including SWAT.

2. The Incident Commander is responsible for ensuring that the Command Post is on scene and properly staged and operational.

a. Command Post should be set outside the inner perimeter and inside the outer perimeter. It should be out of view of the incident scene. It should also be upwind of the incident location.

b. There should be ample parking area around that Command Post and restrooms and water should be available.

c. There will be at least one uniformed officer assigned to the Command Post for security.

3. The Incident Commander must ensure that the evacuation of all injured and other individuals possibly in the line of fire is completed. The Incident Commander must consider the safety of anyone to be evacuated, taking into account the nature of the injuries and whether the evacuation would put individuals in greater harm than leaving them in a secured place (cover and concealment).

4. The Incident Commander must ensure that EMS, Fire, and the media have staging areas.

5. The Incident Commander must ensure that a media officer is appointed and at the media staging area with up-dated information about the incident.

6. The Incident Commander will contact the CID Supervisor on duty/call to ensure a detective is immediately assigned to obtain and document intelligence, complete arrest/search warrants etc.

7. The Incident Commander, if convinced that the suspect has become destructive and irrational, should prepare for an assault action; the assault action may entail use of force to include use of chemical agents and/or deadly force consistent with the departmental response to aggression policy.

8. The authority to commence an emergency entry and/or to employ firepower will only be given by the Incident Commander. The exception to this authority will be if an officer observes an action by the suspect that places himself or a third party in jeopardy of receiving sever bodily harm or death.

9. The Incident Commander will consider the following actions during the incident as a part of the incident resolution.

a. Telephone Service: The Telephone Company can limit calls into the barricaded area to prevent the media and family members from contacting the suspect. The telephone company can also make the telephone an open microphone so that even when the phone is "hung up" it still picks up sounds inside the barricaded area. The telephone company can restrict outgoing calls from inside the barricaded area. All outgoing calls will ring to a designated police telephone. The telephone company will be concerned with privacy issues and their liability.

b. Gas Services- The gas company can cut service inside the barricaded to prevent fire and/or explosion inside the barricaded area. (Also, natural gas can be used to ambush the entry team.)

c. Electric Services- The electric company can disconnect services inside the barricaded area, so the entry team can make a "black out" entry if needed. There is also a psychological effect on the hostage taker and/or the barricaded person in that they are not in control. This may be used later as a bargaining tool for the negotiator.

d. Water Services- The water company can disconnect water services to the barricaded area. Water can be very effective in negating the effects of chemical agents that may be used in the barricaded area by the Emergency Response Unit.

e. E-911 can assist with communicating with other agencies, not on the Auburn Police Department frequency, by patching radio traffic at the E-911 console. The OIC may also issue Auburn Police Department radios and call numbers to assisting agencies.

C. Mobilization of Hostage and/or Barricaded Situation

1. The Incident Commander should exhaust all reasonable resources to bring the situation to an end before allowing the situation to become mobile unless the move serves as tactical advantage to the officers. If it has become necessary to allow a perpetrator to move from the original location of negotiations, the suspect begins to mobilize the situation, or if the suspect is already in control of a conveyance when first contained, the following plan will take effect:

a. The Incident Commander will notify the Communications Center if there is to be a movement of captor and hostage(s), and the proposed route and destination, if known.

b. The Communications Center will notify commands along the primary and parallel route not to interfere with the progress of the convoy.

c. The Communications Center will notify other agencies if pertinent, and notify command covering the location of destination if outside the City.

2. Responsibility will be maintained with the Incident Commander unless the incident shifts to another jurisdiction or is relieved by a higher authority.

3. The Commander of the new area or other jurisdiction will be briefed, and assistance of the Auburn Police Department will be offered if necessary. The Incident Commander will command the hostage transportation convoy and determine its size. Consideration should be given to the number of captors, their armament, the number of hostages and the destination. The convoy should have a minimum of four (4) vehicles.

a. Escape Vehicle

b. First vehicle: The remainder of the hostage negotiating team and two members of SWAT as a containment unit.

c. Second Vehicle: The remainder of SWAT or four members as an assault team.

d. Third Vehicle: Command Car containing the Chief of Police and the Auburn Police Department Incident Commander.

4. Communications will be maintained as to the progress and exact location of the convoy.

E. Post Occurrence Duties/After Action Reports

Members of the Criminal Investigation Division will be responsible for the scene once it has been secured for investigative purposes. Detectives will be responsible for the criminal investigation into the entire event.

1. After the occurrence of a hostage/ barricaded/sniper gunman situation, the Incident Commander/Chief of Police and officers involved in the incident will complete an after-action review as soon as possible. A report will document the event and actions will be completed by the Incident Commander and forwarded to the Chief of Police. This detailed report will include:

a. Incident Case number;

b. Date and time of incident;

c. Incident Commander Assignment;

d. Tactical Commander Assignment;

e. Staging Areas;

f. Command Post Staging/Usage;

g. all persons who participated in the incident (including supporting agencies) and the assignments they held;

h. documentation of inner and outer perimeter assignments;

i. Public Information Officer Assignment;

j. EMS/Fire Staging/Assistance;

k. Special equipment usage;

l. time spent on task/incident;

m. radio log;

n. photographic documentation of Command Post assignment board; and

o. A summary of the entire incident to include areas in which improvement is needed.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: 16-12D

Effective Date: July 1, 2018 Revised:

Review:

Subject: Unusual Occurrences/Tactical Response

DISASTER RESPONSE

The purpose of this plan is to expedite the mobilization of department personnel in an effective and efficient manner during an emergency or disaster situation. Examples of natural disasters are:

Natural disaster:

Earthquake.

Flooding.

Severe weather.

Large scale fire.

Manmade disaster:

Incidents of possible terrorism.

Deployment of weapons of mass destruction.

Violence at educational facilities.

Civil Disturbances

Policy

It is the policy of the department to effectively respond to all emergency situations occurring within the corporate limits and to bring these situations to a safe conclusion. Proper notification of emergency management, fire, emergency medical and other support services will be made when necessary. When it is evident that an emergency situation has occurred or is imminent, the Chief Executive Officer shall be notified as well as all pertinent department personnel.

Emergency Planning

The Chief Executive Officer, or his/her designee, will coordinate emergency management planning and act as a liaison to the Barrow County Emergency Management Agency and other city and county emergency services to develop and maintain emergency operations plans for the law enforcement department. The Auburn Police Department shall utilize the National Incident Management System (NIMS) and Incident Command System (ICS) for response, command and control of incidents.

Command Authority

The Watch Commander shall have command authority over all law enforcement personnel until the arrival of the Chief Executive Officer. In the absence of the Chief Executive Officer, his/her designee shall assume command authority. Coordination of activities will be made by the highest command officer with personnel from the Barrow County Emergency Management Agency, fire and emergency medical services.

Disaster Plan

In the event of a disaster, the following procedures shall be followed in conjunction with guidelines established through the Barrow County Emergency Management Agency as a guide for handling the situation in an appropriate manner:

Communications

The Barrow County Communications Center is designated as the primary communications center during emergency situations occurring within the City/County.

All of the radio equipment operates on the Barrow County 700 MHz system. All Barrow County public safety agencies have access to several common radio channels which will allow person-to-person communication.

Situation Maps

The Incident Commander will obtain maps which may be used for planning and tactics in a disaster situation. The zoning map located in the Watch Commander's office is the primary map for use during an incident. The Permits & Inspections Department has complete maps of businesses and streets within the City of Auburn that can be used.

Field Command Post

Normally, the command post will be the Law Enforcement Headquarters because of the security and resources available to this location. However, there occasionally must be a field command post located at a site closer to a particular incident. The Incident Commander shall select a field command post site when needed with particular attention to the safety of personnel and the ability to protect that site. The site may change if a situation escalates or the problem shifts to another location. Whenever possible, the command post will be designated in advance of the action plan. Maps of the affected area shall be maintained in the field command post.

Chain of Command

To provide for unity of command during a disaster situation operation, which may involve personnel from other agencies, a scene or incident commander is necessary. This person exercises command and control over all civil law enforcement resources committed to an operation. The senior law enforcement officer will be in charge of the overall scene and of all law enforcement resources at the scene of any unusual occurrence until relieved by a higher-ranking officer. This will include all law enforcement and civilian resources from other law enforcement agencies.

Whenever a SWAT call-out is necessary for additional specialized manpower, hostage, or high-risk situations, the SWAT Commander will be in charge, unless the Chief Executive Officer assumes overall command.

Casualty Information

Information relating to fatalities and/or injuries shall be made public by Chief Executive Office, Uniform Division Commander or the designated Public Information Officer.

Upon obtaining an identification of a deceased or injured victim of a fire, criminal act, accident or other misfortune, the Chief Executive Officer will assign personnel to notify the next of kin prior to

releasing the name and address to the news media. If the next of kin has not been located after a reasonable length of time, this information may be released after approval of the Chief Executive Officer or his/her designee.

A "reasonable length of time" will be determined after examining all areas of concern and circumstances and may vary accordingly.

Community Relations / Public Information

The Chief Executive Officer or his/her designated Public Information Officer shall serve as the media liaison officer during any disaster situation. Information designed to control rumors will be promptly disseminated to the news media, as well as responses to inquiries by the news media.

Court/Prosecutorial Liaison

Incidents may occur during which specialized legal assistance is required. Should such a need arise, the Barrow County District Attorney's Office should be contacted at 770-307-3040. The "on duty" attorney will contact other required resources within their office if needed.

Other Law Enforcement Agency Support

Mutual aid assistance shall be requested through proper channels as outlined in O.C.G.A. Section 36-69-1 et seq. and the guidelines of this plan. Formal requests for mutual aid may be made telephonically or by teletype on the GCIC computer system when time allows per requests from the Shift Supervisor. The following agencies will be among the first asked for assistance:

Gwinnett County Police Department

Barrow County Sheriff's Department

Winder Police Department

Statham Police Department

Georgia State Patrol

Georgia Bureau of Investigation

The Auburn Police Department will maintain a liaison with all of the City/County Departments and various legislative authorities to keep them aware of any needed resources.

Military Assistance

In the event that National Guard assistance (Military support/Martial Law) is needed in a matter of a public safety emergency, the chain-of-command to the Mayor / City Manager will be followed, who

will officially request the service of the County Emergency Management Agency, who will in turn notify the Georgia Emergency Management Agency (GEMA), who will then notify the Georgia National Guard for assistance.

Public Facility Security

Any public facility may become a target during unusual occurrences. As soon as possible, security of the Auburn Police Department and the City Municipal Complex will be instituted.

Normally, personnel requested on mutual aid from other agencies will be used to provide security for these facilities.

Traffic Control

It shall be the responsibility of the Auburn Police Department to take charge of traffic control. The perimeter of the incident area must be secured, and traffic may need to be routed around the scene. The decision about traffic control should be made by the Watch Commander.

Uniformed sworn officers should be used on all traffic posts. If officers are needed at the incident scene, Mutual Aid should be requested from adjacent agencies to man these traffic posts.

It shall be a responsibility of the traffic posts to ensure that only authorized and necessary persons are permitted to respond to the scene. Unnecessary personnel at the scene only contribute to confusion and are usually counter-productive.

At the first opportunity, the routes prohibited to traffic shall be blocked with moveable barricades, flashing lights and other visible barriers until traffic is permitted access again.

Equipment Requirements

Officers shall report in uniform with gun belt, radio and personal equipment from their own agencies when called in for mutual aid or emergency mobilization. The senior supervisor on duty will immediately assess the equipment needs of the situation and see that any equipment in addition to that issued to every officer is distributed. If specialized firearms or other rescue equipment is necessary, such as repelling gear or automatic weapons, the SWAT Team will be activated.

Special equipment or emergency supplies shall be requested on an "as needed" basis from any of the following agencies by Communications at the direction of the Incident Commander:

Barrow County Emergency Management.

Barrow County Fire Department.

Barrow County Emergency Medical Service.

Georgia Emergency Management Agency per the Barrow County EMA Director.

Georgia Department of Transportation.

Georgia Environmental Protection Agency.

Georgia National Guard per the Mayor or City Manager.

De-escalation Procedures

At the time when the Chief Executive Officer and other authorities decide that the operation has concluded, they will advise all personnel to return to normal operations and will institute all post disaster incident procedures. A GCIC teletype will be made to all involved agencies.

Post Incident Duties

Upon the conclusion of any situation or incident involving a tactical deployment, the Incident Commander shall prepare a confidential after-action report evaluating the overall law enforcement response, to include any proposed recommendations for revision of training, operational or administrative procedures. After-action reports will be forwarded to the Chief Executive Officer.

After-Action Reports

Immediately after an unusual occurrence situation, an after-action debriefing and critique will take place. The on-duty supervisor at the time of the incident shall be responsible for completing a detailed narrative report of the operation, with copies of all logs, case reports, witness statements, and other documentation attached.

Transportation

The senior supervisor on duty will immediately assess the transportation needs of the situation and take what action is necessary to secure the required transportation. City owned vehicles will be used as the primary source of transportation. However, when mutual aid is requested, all personnel responding from other agencies will be requested to provide marked law enforcement vehicles to assist with transportation needs.

When required, other specialized vehicles (such as private buses) may be requested.

Maintenance of Plan

The Chief Executive Officer or his/her designee shall be responsible for maintaining the department's disaster plan in accordance with the Barrow County Emergency Management Agency. The plan shall be reviewed, updated annually and procedural changes made in the plan, if necessary.

BOMB THREATS

Purpose

While many bomb threats are later determined to be hoaxes, they all present particularly serious response requirements for the department. It shall be the policy of this department that all responses to bomb threats be conducted systematically, efficiently and in a manner that gives primary consideration to the protection of human life. This policy provides employees with a protocol for dealing with bomb threats, actual bombings or explosives related incidents to include response, deployment, search, communications, evacuation and coordination with other agencies.

Communications

Communications Operator's Responsibilities

When a bomb threat is received by the Communications Center the operator taking the call will try to obtain as much information as possible. Information received from the caller is critical to the responding units and could prove invaluable during later stages of the incident. At a minimum, the operator should try to obtain the following;

The exact location of the device with as much precision as possible;

Time device is set to explode;

What the device looks like;

What will make it detonate;

Why it was placed;

Be alert to the exact wording of the threat;

Try to determine age, sex, race and gender of the caller and;

Note any background noises if possible.

Dispatch one unit to the location. Notify supervisor to insure he/she is aware of the incident and en-route to the location.

Advise the caller to turn off all radios, cell phones and other communications devices if a suspicious device is located.

Advise responding units to terminate radio traffic ½ mile from the location.

Prepare to notify other emergency personnel as needed, i.e., Barrow County Sheriff Department, Barrow County Fire Department and Barrow County EMS.

Notify Chief Executive Officer, Uniform Division Commander and CID Commander.

Initial Responding Unit

Bomb Threats

The Bomb Squad does not normally respond to mere bomb threats.

All units shall turn off their Laptops, mobile radio, portable radio, and cell phone a minimum distance of 300' before they reach the target location.

If possible, make face to face contact with the complainant who received the threat to obtain additional information to include;

Whether previous threats have been received;

Possible motives/suspects

Vulnerabilities of equipment and personnel

If an explosive device is alleged to be within a building but has not been located, the superior officer will contact the building owner/management or other responsible persons to determine if a search of the facility is desired.

The decision to search, evacuate or reenter a location during a bomb threat is the responsibility of the individual in charge of the property.

If the person responsible for the property desires a search of the location, it shall normally be conducted with the assistance of personnel familiar with the building and its contents.

Searches shall be done systematically. Each area/room shall start from the floor to waist, waist to eye, eye to ceiling and, finally, ceiling/false ceiling.

Officers will not declare an "all clear" or any other language that would indicate that the location is free of explosive devices. The superior officer will merely state to the responsible person that no device was found.

Suspected Device

The Watch Commander or Assistant will become the Incident Commander and remain so until the arrival of the Chief Executive Officer or Uniform Division Commander. The initial Incident Commander shall establish a Command Post and/or staging area and advise radio of the location. The Gwinnett County Bomb Squad will be immediately notified.

Officers will remain a minimum distance of 300 feet from the suspected device. All other personnel will be evacuated from within the 300 foot area.

Officers should always be aware of the possibility of secondary devices in the area.

Minimal department personnel will remain in the area of the device.

Do not touch, disturb, move or in any way cause the device to be moved or anything else in the area of the device.

Post Blast

The first superior officer on the scene will become the Incident Commander until the arrival of the Chief Executive Officer or Uniform Division Commander. The initial Incident Commander shall establish a Command Post and/or staging area and advise radio of the location.

The minimum distance for the CP/staging area at the scene of a post blast incident will be 1000 ft. from ground zero. Officers should always be aware of the existence of secondary devices in the area.

The first officer on the scene shall advise the Communications Center of the extent of the damage, number of casualties/injuries, hard to evacuate buildings and other information as necessary.

Evacuate injured parties to a location outside the perimeter. This will be done in a "load and go" manner. When EMS is on scene, they are the primary medical responders and will take the lead role in transportation, triage, and treatment.

It may become necessary to conduct traffic and crowd control operations as well. The Incident Commander shall evaluate, as soon as possible, the need for assistance from other agencies

Follow up Investigations

Upon the location of a suspected device or after a post blast, the investigation of the incident will commence. Depending on the severity of the incident, there could possibly be many different agencies assisting in the investigation such as ATF, FBI, GBI and other agencies.

The area around the suspected device (300') or ground zero (post blast 1000') shall be considered a crime scene and treated as such.

News Media

The need for public information during incidents of suspected devices and post blast investigations will be great. When dealing with the news media, refer to the media relations section of this policy.

HOSTAGE/BARRICADE INCIDENT

Purpose

The successful outcome of any barricade situation, either with or without hostages, depends upon the use of a team approach, good communication, and the effective and efficient coordination of all personnel. It is the objective of this department that working together will enable the ultimate goal of a safe and peaceful solution to be achieved.

Actions by law enforcement in barricaded person situations will vary depending upon the aggressiveness, mental condition, emotional state, or criminal background of the barricaded person. Barricaded persons will generally resist forceful action on the part of law enforcement personnel. For this reason, it is best not to immediately resort to offensive law enforcement tactics, if this is at all possible. Officers who come into contact with hostile, barricaded persons, or persons with hostages should attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of trained tactical and / or hostage negotiation personnel.

Initial Responding Officer's Responsibility

When an officer is confronted with a situation in which a potentially armed suspect has seized control of a dwelling, structure or place, immediate steps must be taken to insure the safety of bystanders and responding officers.

Evaluate the situation, avoiding confrontation, and control the affected area until the arrival of trained tactical or hostage negotiations personnel.

If the officer feels he is in direct danger or his/her presence would endanger civilian personnel, he should retire to a safe position(s) which permits viewing of any possible areas of escape and yet provides for the confinement of the suspect(s).

The officer should contain the situation and discourage the incident from becoming mobile by blocking off all escape routes.

Maintain firearms discipline. Gunfire by a barricaded suspect in the general direction of officers who are adequately covered does not justify the return of gunfire. If it is necessary to resort to gunfire, it should be limited to self-defense or to the defense of another and then only when without risk to any possible hostage(s) or civilian(s).

Notify the Communications Center by the safest means available, advising the following:

Location and physical description of barricade.

Number, description and names (if known) of barricaded suspect(s).

Reason the suspect(s) is barricaded.

Whether or not the suspect(s) is armed and, if armed, the type(s) of weapon(s) suspect(s) is using.

Number and description of any hostage(s) being held. However, the hostage's name(s) shall not be given out over the air.

Any areas or streets which may be unsafe for additional units responding to the scene.

Advise responding units not to go directly to the scene but to a location near the situation for control purposes.

If the subject should leave cover, attempts should be made to prevent re-entry if possible.

Immediately notify the Watch Commander and request that he respond to the scene.

Evacuate injured persons, if the situation permits, and arrange for medical treatment or transportation to medical facility.

Brief Watch Commander on the status of the situation and the position of all officers around the location.

Watch Commander at the Scene

Designate responding units to block off all possible vehicular escape routes.

Evaluate the situation and assign additional personnel to establish an inner and outer perimeter beyond the line of sight of the barricaded location. Citizens and unauthorized vehicles shall not be allowed within this outer perimeter.

Determine the necessity to evacuate civilian personnel from areas of potential danger and assign patrol personnel to affect their removal, paying special consideration to their safety.

Designate someone to be note taker, maintaining time line of notes regarding occurrence of events, decisions made, authorization of decisions, time and date.

Ensure that all personnel maintain firearms discipline.

Update the Communications Center of any new information.

If the Watch Commander determines the need for negotiators and/or the SWAT Team, immediately notify the Communications Center to contact Barrow County personnel.

The Chief Executive Officer and the Uniform Division Commander are to be notified and report to the scene in any S.W.A.T. call out situation.

Designate a staging area at a safe location out of sight of the barricaded location to which additional units can respond. Advise the dispatcher of its location.

Have all civilians who are evacuated from areas of potential danger, or who are leaving the inner perimeter on their own, held at a safe location for identification and debriefing.

Designate a preliminary news media (press) information area as close to the scene as practical and that safety considerations permit and establish it closer when it is safe to do so. Also, assign an officer as liaison with media representatives so that those covering the event may be kept "officially" informed of progress.

Generally, the news media area should be no further away than the staging area or closer than the command post. However, for safety reasons and to prevent exposure of officer location, the locations should not be close enough to allow the viewing of the incident.

Request that an ambulance and fire engine respond to the staging area on standby

Communications Section

The Barrow County Communications Center is designated as the primary communications center during emergency situations occurring within the City/County.

All radio equipment operates on the Barrow County 700 MHz system. All Barrow County public safety agencies have access to several common radio channels which will allow person-to-person communication.

Upon being advised of a barricaded situation, the Communications Center shall:

Immediately invoke a 10-3.

Relay to other responding units the following information as it is received from the field:

The location of any areas or streets which may be unsafe.

The location of the staging area as designated by the Watch Commander.

The location of the command post as designated by the Watch Commander.

The designated emergency response route and any connecting route.

Upon receipt of a request from the Watch Commander for the SWAT team to respond, the dispatcher shall notify the following:

Barrow County Communications Center who will notify their SWAT team of the call out. Negotiators respond with the SWAT team.

The Communications Center shall make the following notifications

Chief Executive Officer and Uniform Division Commander.

Other law enforcement agencies (i.e., Winder Police Department, Barrow County Sheriff's Office, Georgia State Patrol, Georgia Bureau of Investigation) if assistance is needed.

Additional equipment available for hostage situations includes

Helicopters, Canines and specialized surveillance equipment, if needed, will be requested by the SWAT commander. Other resources such as the Georgia State Patrol and G.B.I. shall be requested by the Incident Commander.

The dispatcher will advise the other units which are not involved in the incident to switch their radios to a designated channel.

Control of Scene

The officer-in-charge of the department will establish a central command post in a safe area and shall establish both an inner perimeter (to contain the suspect), and an outer perimeter (to prohibit unauthorized access to the area). When it appears that the situation cannot be resolved promptly and there is the possibility of danger or injury to law enforcement or general public, a request will be made to the Communications Center for a call-out of the Barrow County SWAT Team.

the SWAT Commander, the officer-in-charge of the shift will remain in command and act as the scene commander until relieved by a superior officer. The Uniform Division Commander or Chief Executive Director, upon arrival, will be responsible for command of the incident.

Once the SWAT Commander, superior officer or Chief Executive Director has assumed command, the Watch Commander will be free to return to his/her duties as overall Watch Commander for the City, if not needed.

SWAT/Negotiation Team Responsibilities

The Barrow County SWAT team is the designated SWAT team for call outs within the city. The SWAT team is configured such that negotiators respond with the call out of the unit. The SWAT team shall operate within its standard operating procedures until such time that the scene is released back to the Auburn Police Department.

Assault on a Secured Area and Use of Firepower

Continued negotiating, a lessening of demands and the uneventful passage of deadlines imposed by the perpetrator may indicate he/she is beginning to weaken. The negotiations will continue to consume time.

If convinced that the suspect has become destructive and irrational, the SWAT Commander, or his/her designee, should prepare for an assault action. Chemical agents may be utilized at the discretion of the Chief Executive Officer or his/her designee. The authority to commence an assault and/or to employ firepower will only be given by the Chief Executive Officer or his/her designee.

Mobilization of Hostage Situation

If it becomes necessary to allow a perpetrator to move from the original location of negotiations by vehicle or other means accompanied by a hostage(s), the following plan will take effect:

The Incident Commander will notify the Communications Center if there is to be movement of captor and hostage(s) and the proposed route and destination, if known.

The Communications Center will notify commands along the primary and parallel route not to interfere with the progress of the convoy.

The Communications Center will notify other agencies if pertinent and notify command covering the location of destination if outside of the City.

Responsibility will be maintained unless the incident shifts to another jurisdiction or is relieved by a higher authority. The Commander of the new area or other jurisdiction will be briefed, and the assistance of the Auburn Police Department will be offered if necessary. The Incident Commander will command the hostage transportation convoy and determine its size. Consideration should be given to the number of captors, their armament, the number of hostages and the destination. The convoy should have a minimum of four (4) vehicles.

Escape Vehicle

First Vehicle - The hostage negotiating team and two members of the SWAT Team as a containment unit.

Second Vehicle - The remainder of the SWAT Team or four members as an assault team.

Third Vehicle - Command Car containing the SWAT Commander and the Incident Commander.

Communications will be maintained as to the progress and exact location of the convoy.

As defined in subsequent sections of this Chapter, the Chief Executive Officer or the ranking officer taking command of a hostage, barricaded person, sniper, or other unusual occurrence will retain such command until some other jurisdictional responsibility arise.

Post Incident Activities

Public Information and Media Control

All injury and casualty information shall be relayed to the Public Information Officer (PIO) for media briefings. Information shall include but not be limited to number of injuries, number treated and released, number of casualties, names and ages of victims, and names of casualties once next of kin is notified.

After action Reports

Immediately after a barricaded person or hostage situation, an after-action debriefing and critique will take place. The on-duty supervisor at the time of the incident shall be responsible for completing a detailed narrative report of the operation, with copies of all logs, case reports, witness statements, and other documentation attached.

Conclusion

The Watch Commander shall debrief his/her officers and instruct each to prepare a short summary report about their duties and observations and forward the report to the Incident Commander or his/her designee.

The Incident Commander shall review the officers' summary reports with the Watch Commander and evaluate the totality of the incident.

TERRORISM PREVENTION PLAN

ATTENTION CEO: You will have to identify critical targets of opportunity in your area that may be potential targets.

POLICY

It will be the policy of this department to take a proactive stance in the war on terrorism by identifying potential targets within this agency's jurisdiction, if any. Once the targets are identified, if any, an assessment of vulnerability shall be conducted.

The Auburn Police Department will cooperate with appropriate authorities, if needed, in order to coordinate special security procedures for high risk targets. These agencies include Federal, State and County organizations.

The department participates in planning sessions, table top exercises, drills and rehearsals on an as needed basis as part of the plans for the Stepan plant, and Barrow County Airport which are identified as high risk targets.

Auburn Police Department also participates in planning sessions as a part of Barrow Co. Homeland Security Division and the Barrow Co. Emergency Management Authority.

Members of the Auburn Police Department are trained to the level of the NIMS/ICS commensurate with their position. Ongoing training as prescribed by the Office of Homeland Security shall be completed when an officer progresses to a higher rank.

The Nationwide Suspicious Activity Reporting SAR Initiative (NSI) training strategy is a multifaceted approach designed to increase the effectiveness of state, local, and tribal law enforcement professionals in identifying, reporting, evaluating, and sharing pre-incident terrorism indicators to prevent acts of terrorism.

All personnel will receive training to recognize behavior and incidents that may indicate criminal activity associated with terrorism. Their routine duties position them to observe and report suspicious behaviors or activities.

The Auburn Police Department shall utilize the NIMS/ICS model for all events of terrorism, natural disaster or other occurrences requiring a multifaceted response.

The CID commander will act as the liaison for the Georgia Information Sharing and Analysis Center (GISAC).

PUBLIC INFORMATION/MEDIA RELATIONS

Policy

The Auburn Police Department actively seeks to establish a cooperative environment in which the news media may obtain information on matters of public interest without hampering Agency operations. However, certain information will be withheld from the news media to protect the constitutional rights of an accused, to avoid interfering with an Agency investigation, or because it is legally privileged.

It will be the policy of the Auburn Police Department and its employees to cooperate with news media personnel, whenever possible, in the release of information. Release of such information shall be made without partiality and shall not be withheld in favor of a particular agency or representative.

Responsibility

The public information function of the Auburn Police Department is the responsibility of the Chief Executive Officer or his/her designee. In the absence of the Chief Executive Officer or a designated Public Information Officer (PIO), public information relating to law enforcement matters will be handled as set forth in this policy.

Media Access

Allowing News Media to access major incidents, natural disasters or Crime Scenes

Law enforcement lines may be established to prevent persons from entering the area of a serious incident or crime scene. Dependent upon the tactical situation and the likelihood of jeopardizing law enforcement operations, members of the news media may or may not be allowed in these areas. Authorization for entry is normally dependent upon the judgment of the supervisor present. While news media may be permitted in the area of a crime scene or a serious incident, they do not have the authority to be within an area which has been secured to preserve evidence, or at any location where their presence jeopardizes law enforcement operations.

News Media Not Exempt from Laws

The primary responsibility of news professionals is to report the news by obtaining information and photographs of newsworthy incidents. Their opportunity to do so is frequently at an emergency scene. An officer sharing these circumstances with news people should not obstruct them in the performance of their duty. However, members of the news media are neither implicitly nor expressly exempt from the requirements of any municipal, state, or federal statute.

Requesting Withholding of Publication

News professionals may photograph or report anything they observe when legally present at any emergency scene. When publication of this coverage would interfere with an official investigation or place a victim, suspect, or others in jeopardy, the withholding of publication is based on decisions of a cooperative press, not censorship by the Agency. Under these circumstances, officers should advise news professionals or their superior officers of the possible consequence of publication. However, officers may not interfere with news media activities as long as the news person's performance remains within the confines of the law.

Photographing Defendants

Employees of the Auburn Police Department will neither encourage nor discourage the media from photographing or televising defendants when they are in public places. Employees of the Agency shall not position or pose the accused for the benefit of the media.

Release of Information to News Media

Department personnel will not be authorized to respond to the news media regarding any event in this policy unless authorized by the Chief Executive Officer; however, the Uniform Division Commander must be informed by the Commanding Officer at the scene, as soon as possible, of any major or newsworthy incident.

The Commanding Officer on the scene of any newsworthy law enforcement incident, at which reporters are present, will give only basic information to those reporters or designate someone to fulfill this obligation.

In administrative matters, such as internal affairs investigations, disciplinary action, etc. information should only be released by the Chief Executive Officer.

Members of the Department must exercise care, common sense and discretion to avoid rendering statements or information which, if later quoted, may create a misunderstanding or compromise the effectiveness of the department.

No preferential treatment will be accorded any representative of the news media. This statement will not be construed to prohibit initiative reporting, nor will it require notifying all news media prior to the release of information.

All actual press releases will be issued by the Chief Executive Officer, or other person designated by the Chief Executive Officer.

Communications Section personnel are authorized to confirm an incident of newsworthy event to members of the news media; however, they are bound by this policy and procedure.

The Communications Section will handle the release of general information regarding current working accidents and street hazards or closings during traffic rush hours.

Release of Information Guidelines

Information Which May Be Released

The identity of an arrested adult, to include age, home address, occupation, charges, circumstances of the arrest, bond information and arresting officer's name and assignment. As a general rule, the identity of an arrested juvenile will not be released even when charged as an adult. The only exception is in those circumstances where such release would be in the best interest of public safety.

Mug shots may be released upon approval of the investigator.

The department jail log is public record and open to inspection.

Suspect Information

The existence of a suspect may be acknowledged without divulging names, as long as it will not interfere with the investigation. After apprehension and prior to being charged, a description of the suspect may be released without name or race.

Victim/Witness Information

Information concerning the name, age, address, occupation and injuries received may be released when doing so would not jeopardize the victim's life or property.

The existence of a witness may be confirmed, but under no circumstances will a witness to a crime be identified.

In cases involving a sexual assault, the victim's name and address will not be released. Only the age, sex and geographic area may be released.

Any death in the city, weather accidental, natural or by homicide or suicide, automatically qualifies for media attention. The crucial concern in releasing the identity of the deceased is to first notify the next of kin. Once the notification is made, the release of the decedent's name, age, home address, occupation, cause and manner of death is proper. A release may be made when notification has been attempted, even though unsuccessful and within a reasonable period of time (twelve hours may be considered reasonable.)

Accidents of all kinds (automobile, construction, drowning, etc.) frequently attract the attention of the news media. Information should be made available concerning the facts and circumstances of an accident as soon as it becomes available. The identity of the victim (once notification has been accomplished) should be released. Of particular importance is a statement concerning use of seat belts or other safety equipment (i.e., helmet) and whether alcohol or drugs were a factor? Note: Juveniles involved in an accident are not exempted from public disclosure and should be identified.

Information Not to Be Released

An investigator or arresting officer shall not discuss his/her case nor confirm arrest information with the news media prior to or during adjudication. Post adjudication requests for interviews shall be coordinated with the PIO.

Investigative or sensitive information involving internal affairs investigations shall not be disclosed except by authorization of the Chief Executive Officer.

Criminal History Record Information shall not be released or confirmed by law enforcement employees per GCIC Rule 140-1-02. Penalties are provided. Requests by the media to inspect an individual's arrest record will be denied. If further information is requested, referral to the District Attorney's Office may be made. Note: Charging documents filed with the court are public record.

The existence or the contents of any confession, admission, statement or alibi given by an accused or the failure to make same shall not be released.

The results of or failure of a defendant to submit to any test, such as a polygraph, Breathalyzer, etc., shall not be released.

The testimony, credibility or character of any witness or victim shall not be released.

Any opinion as to the innocence or guilt of the accused or merits of the case, such as evidence and arguments, whether or not their use in court is anticipated, shall not be released.

Transcripts, reports or summaries of judicial proceedings from which the public press have been excluded by judicial proclamation shall not be released.

The home address, telephone number or photograph of any employee of the Department, unless the employee consents (or employee's family if the employee is incapacitated) shall not be released.

Information which, if prematurely disclosed, would significantly interfere with an investigation or apprehension shall not be released. Especially prohibited are premature disclosures of unchecked leads, unverified information, and specific facts of an M.O., details known only to a suspect and information which may cause a suspect to flee or avoid apprehension.

The identity of an arrested juvenile (under 17 years of age) shall not be released. It is permissible to state the age, sex and home town. Note: Inquiries concerning juveniles charged as adults should be directed to the PIO.

The existence, but not the contents, of suicide notes may be acknowledged.

Release of Information Concerning Confidential Investigations and Operations

Only the Chief Executive Officer or PIO shall have the authority to release information relative to departmental confidential investigations and/or operations. The objective is not to keep the media uninformed but is to not jeopardize the investigation.

Release of Information When Other Public Services Agencies Are Involved in a Mutual Effort

When the Auburn Police Department and other public service agencies (Fire, EMS, Medical Examiner, etc.) are involved in a joint operation, the PIO shall coordinate with the other public service agency's spokes-person(s) to facilitate the timely release of information in compliance with the same guidelines as established earlier. If possible, a representative from all agencies assisting in the joint operation should be present for the interview with the media or should aid in the drafting of the press release.

News Releases

While most information is orally communicated, there may be instances that require a written press release. All written press releases must be approved by the Chief Executive Officer or PIO prior to release and shall include only known facts while maintaining compliance with existing directives. Press releases should generally be short in length, one page or less, yet contain sufficient information. Releases may be faxed to the local media outlets.

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Christopher J. Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized by: Christopher Hodge

Chief of Police

SOP: **Chapter 16-13**
Effective Date: May 01st, 2018

Revised: 05/01/2018

Subject: Missing and Endangered Persons Review: 10/27/2018

I. Purpose

The purpose of this chapter is to establish guidelines for the preliminary and follow up investigations of missing and unidentified children and missing adults; to define certain categories of missing persons; and to establish guidelines for the emergency activation of alert systems and response of law enforcement.

II. Definitions

A. Missing Adult

A missing adult is anyone 18 years of age or older that is being reported as missing from his/her usual location within the City limits of Auburn.

B. Missing/Unidentified Child

A missing child is anyone 17 years of age and under, that is being reported as missing from his/her usual location within the City limits of Auburn.

An unidentified child is an unidentified person, whether living or deceased, who appears to be a child and is located unattended within the city limits of Auburn.

Note: The Auburn Police Department has at its disposal the use of several outside programs to utilize in the search for missing persons or assisting in identifying located children: 'Levi's Call', A Child is Missing (ACIM), the National Locator Alert database, the National Center for Missing and Exploited Children (NCMEC), and the Safe Return Program. Such programs will be utilized, as necessary, for searching for missing persons and the safe return of unidentified persons.

C. Critical Missing Person

A critical missing person is any child under the age of twelve, or any person over the age of seventy, that is missing; or any person in poor physical, or questionable mental health; or any missing person where there is an indication of foul play. Foul play is indicated if the occurrence is grossly out of character for the person missing, or the reporting party has sufficient reason to believe foul play has occurred. Any person missing under circumstances which would lead a reasonable person to conclude that there is danger if the missing person is not located immediately (i.e., person missing outdoors in extremely harsh weather, person who requires medication, etc.) will also be considered a critical missing person.

D. A Child is Missing Alert (ACIM)

The 'Child is Missing' alert is a system that uses the local telephone networks to alert residents, via recorded message, to be on the look-out for missing children, missing disabled adults, and/or wanted persons who pose a significant threat to children in the community. ACIM is staffed 24 hours a day, 7 days a week, 365 days a year. ACIM can be used in conjunction with 'Levi's Call' and a critical missing person. ACIM can be used for the following situations: wander-off children(2-5 years); adventurers, elderly (Alzheimer's), habitual runaways where foul play is suspected; first time runaways, with or without foul play suspected, child abductions from home or other areas; and mentally/physically challenged. The officer must receive a supervisor's approval prior to activating an ACIM alert. ACIM requires that the officer be able to answer the following questions prior to contacting them, so they can broadcast an alert via a pre-recorded message:

a. Case Number

b. Name and description of missing person(s)

c. Location last seen, zip code, county and search area

d. Date and time last seen

e. Police department number for citizens to report sightings

Once the person has been located, the responding officer will notify ACIM, so the case can be closed. ACIM can be contacted at 888-875-2246, or if no answer by pager at 954-492-4778.

E. 'Levi's Call'/Georgia's Amber Alert

The 'Levi's Call is an alert initiated by law enforcement when a child has been abducted and is believed to be in danger of being harmed by his/her abductor. This alert system utilizes the Emergency Service Alert System and the Georgia Department of Transportation's changeable message boards, located along major highways around the state. The criteria for a 'Levi's Call' activation consists of the following:

a. A confirmed child abduction.

b. Circumstances surrounding the event must indicate that the child is in danger of harm or death.

c. The child is under the age of eighteen (18) years.

d. Sufficient descriptive information is available to believe that an immediate broadcast will be beneficial.

e. The abduction must be entered into the National Crime Information Center (NCIC) database.

A 'Levi's Call' bulletin will be completed and presented to the Georgia Bureau of Investigation by the assigned detective. The information required includes a description of the child; a suspect description; a vehicle description and direction of travel; where the abduction took place; where the child was last seen; and a phone number where the public can contact local law enforcement.

F. 'Mattie's Call'

'Mattie's Call is an alert/lookout initiated by law enforcement for missing disabled adults (any adult who is developmentally impaired, suffers dementia, or other cognitive impairment). The system utilizes three phases: Phase I: the "Child is Missing" system; Phase II: The Georgia Association of Broadcasters' News Net; and Phase III: the Georgia Lottery Corporation. Procedure: If it has been determined through a thorough investigation, that the missing disabled adult is in immediate danger of bodily harm or death, a 'Mattie's Call' should be initiated. Before the alert is initiated, the missing person must have been entered onto NCIC, a local and state-wide BOLO activated, and the local media notified. The 'Mattie's Call' alert form must be completed. PHASE I (local alert) of the alert system is completed by initiating the ACIM Alert (see above initiation instructions). If it is believed that the missing person has traveled outside of the local area, or there have been no results from PHASE I, PHASE II of the alert should be initiated. PHASE II is completed by faxing or emailing the 'Mattie's Call' information form, along with a photo of the missing person to the Georgia Bureau of Investigation. The information will be forwarded to the Georgia Association of Broadcasters', (GAB) News Net, and may be broadcast by local news agencies. Phase III is the State-wide alert, which is activated by contacting the Georgia Lottery Corporation and providing them with the information that has been collected. The investigating detective will provide contact telephone numbers that he/she can be reached consistently in the event of other required information for the alert.

G. 'Kimberly's Call'

'Kimberly's Call' is an alert/lookout initiated by law enforcement, for criminals who are wanted for serious crimes against persons, and who pose a serious threat to the public. The system has three phases that include: Phase I: "A Child is Missing" system, Phase II: The Georgia Association of Broadcasters' News Net, and Phase III: the Georgia Lottery Corporation. Procedure: If it has been

determined by the assigned detective, and approved by the CID Commander, this alert may be activated for suspect(s) that have active arrest warrants for serious crimes against persons. The suspect must pose a serious threat to the public. Before the alert can be initiated, there must be an active arrest warrant for the suspect; the suspect's information must have been entered onto GCIC/NCIC; a state-wide BOLO placed on the suspect; and the 'Kimberly's Call' information sheet completed. Phase I can be used if the suspect is believed to be in the immediate community from which the crime was committed, and where children are in danger of being harmed if the subject is not immediately arrested. In Phase I, the investigating detective must contact ACIM and provide information recorded on the information work sheet. ACIM will work as explained in the 'Mattie's Call' alert procedure. Phase II is intended to alert persons in the regional area where the suspect may be located. In Phase II, the investigating detective will complete the 'Kimberly's Call' work sheet, and email or fax it to the GBI. The information will be forwarded to the Georgia Association of Broadcasters' News Net and may be broadcast by local news agencies. Phase III is the State-wide alert, which is activated by the assigned detective, by contacting the Georgia Lottery Corporation and providing them with the information that has been collected. The investigating detective will provide contact telephone numbers that he/she can be reached consistently in the event of other required information for the alert.

III. Rules and Regulations

A. Missing Adult Initial Investigation

Upon receiving a report of a missing adult, the responding officer will acquire the following information:

1. An initial physical description of the individual.

2. Any leads as to the possible location (destination, mode of travel, routes, etc.).

3. The identity and location where the person was last seen, and the identity of the person who last saw the person.

4. Names and telephone numbers of relatives and friends, and any other information which may assist in locating the person.

The responding officer will initiate an immediate investigation to locate the missing person and relay such information through the on-duty Shift Supervisor. This investigation will include the following actions:

1. A broadcast made over the patrol frequency with a description of the missing person and any known circumstances.

2. Officers will also disseminate information to adjacent agencies, and to the law enforcement agencies in the jurisdiction of any known or suspected destinations.

3. Locations will be lawfully searched, if the complainant indicates a probable location or locations.

4. The officer will initiate and document an immediate entry into the NCIC/GCIC computer system. This entry will be removed if the individual is located.

5. Interviews with the reporting person, a spouse, parents, siblings, friends, employers, co-workers, or any other persons who may have knowledge of the whereabouts of the missing person. These interviews may be made by telephone or in person, but all interviews and attempts to interview will always be documented.

6. Obtain a photograph, if possible, of the missing individual and forward the photograph to CID, so missing person posters can be generated for distribution.

7. Initiate an incident report, with a narrative summary of all actions taken by the reporting officer, and any related actions known to have been taken by others. The officer shall also complete the GCIC Missing Person's Declaration, give it to the clerk on duty as soon as possible, and receive the NIC number.

B. Missing Adult Follow-up Investigation

The Criminal Investigation Section will be responsible for the follow-up investigation. The follow-up investigation will include:

1. Contacting the complainant and completing all aspects of the initial investigation that was not completed by the first responder.

2. Contacting the local media and providing them with the information and a photograph, if available, regarding the missing adult to facilitate a broadcast of this information to the public. This action can only be approved by the Chief of Police.

C. Missing Child Initial Investigation

Upon receiving a report of a missing child, the responding officer will take the following specific actions, in addition to those outlined in the missing adult investigation:

1. Notify the Shift Supervisor, and initiate a thorough and detailed physical search of areas where there are reasonable grounds to believe that the child could be located. There should always be a lawful, physical search of the home and property where the child lives, even if this is not the location they are missing from. This physical search should be made even if the parent has already conducted a search. Small children may hide and refuse to answer people calling their name. The physical search should start with the home of the missing child, and spiral outward.

2. The responding officer will contact 'A Child Is Missing', (ACIM), to report the missing person as outlined under II (D) of this chapter.

D. Unidentified Child Investigation

Upon receiving a report of an unidentified child, the responding officer will acquire the following information:

1. An initial physical description of the child.

2. The identity and location where the child was located, and the identity of the person who located the child.

The responding officer will initiate an immediate investigation to identify the child and relay such information through the on-duty Shift Supervisor. This investigation will include the following actions:

3. A broadcast made over the patrol frequency with a description of the located child and any known circumstances.

4. Officers will also disseminate information to adjacent agencies.

5. The officer will initiate and document an immediate entry into the NCIC/GCIC computer system. This entry will be removed if the individual is identified.

7. Take a photograph of the child and forward the photograph to CID, so posters can be generated for distribution if approved.

8. Initiate an incident report, with a narrative summary of all actions taken by the reporting officer, and any related actions known to have been taken by others. Document the assigned NCIC number in the narrative of the report.

9. If the child is not identified and a caretaker located within a reasonable amount of time the Department of Family and Children Services (DFACS) should be summoned to take custody of the child and complete the required Protective Custody paperwork.

E. Missing Child Follow-up Investigation

The Criminal Investigations Section will be responsible for the follow-up investigation. The follow-up investigation will include:

1. Contacting the complainant and completing all aspects of the initial investigation that was not completed by the first responder.

2. Contacting the Barrow County Department of Family and Children's Services (DFACS) to request access to any relevant information on the missing child, including: whether there is an active case; the name of the case worker; previous missing incidents; previous reported abuse cases; and other information which would lead to the whereabouts of the child.

3. Contacting the local media and providing them with the information and a photograph, if available, regarding the missing child, to facilitate a broadcast of this information to the public.

4. Entering the missing child's information and photograph, if available, on the Locater Alert database, to facilitate viewing by other law enforcement agencies nationwide.

5. Contacting the National Center for Missing and Exploited Children (NCMEC) at 1-800-THE-LOST and provide them with all available information for posting on their website.

6. Interviewing the child within 48 hours of when he/she is located and completing a missing Juvenile Debriefing Report.

F. Critical Missing Person Initial Investigation

Upon receiving a report of a critical missing person, the responding officer will take the following specific actions, in addition to those described in Missing Person Initial Investigation and/or Missing Child Initial Investigation:

1. Mobilize all resources available, which could be of assistance in locating the subject. This mobilization shall be implemented through coordination with the on-duty Shift Supervisor. Resources to consider include:

a. Notifying the news media and asking for a camera crew and/or reporter.

b. Requesting assistance from the City/County Fire Department, Public Works Department, and other City/County resources to aid in a search.

c. Requesting assistance from other law enforcement agencies.

d. Requesting a law enforcement Canine Unit, when appropriate.

e. Requesting law enforcement air support to assist in a search.

f. Requesting search assistance from volunteer groups.

2. The Supervisor shall initiate a thorough and detailed physical search of areas where there are reasonable grounds to believe that the person could be located. When a small child is involved, there should always be a physical search of the home and property where the child lives. This physical search should be made even if the parent has already conducted a search. Small children

may hide and refuse to answer people calling their name. The physical search should start with the home of the missing person, and spiral outward.

The officer will cause an immediate entry into the NCIC/GCIC computer system by submitting the Missing Person Declaration, signed by the parent or guardian. The reporting officer must notify the parents or legal guardian when the report is entered into NCIC/GCIC and note it on the report.

4. The responding patrol officer will contact "A Child Is Missing" (ACIM) to report the missing person as outlined in section II (D) of this chapter.

5. If there is a confirmed child abduction case, the CID Commander will be immediately notified, and a detective will be immediately assigned to investigate the incident. If the circumstances surrounding the abduction indicate that the child is in danger, or the child has mental or physical disabilities that would cause the child to be in danger if not properly cared for, and is 17 years of age or younger, a ''Levi's Call'' will be activated by the investigating detective.

G. Critical Missing Person Follow-up Investigation

If a critical missing person is not located within two hours, the Commander of the Criminal Investigation Section (CID) will be notified, and a detective immediately assigned to conduct a follow-up investigation. The follow up investigation will include:

1. Remaining in contact with the person making the report, to keep them apprised of the progress of the investigation.

2. Continuance of reasonable efforts to acquire additional and ongoing information about the missing person, following transmittal of the initial information available, and promptly integrating any additional information acquired into the Georgia Crime Information Center (GCIC) and the National Crime Information Center (NCIC) computer systems.

3. If the critical missing person is a disabled adult, activate Georgia's 'Mattie's Call' following a CID supervisor's review and approval.

4. If the missing person suffers from Alzheimer's Disease, contact the Safe Return program at 800-572-1122 and provide them with the information on the missing adult. Safe Return will enter the information in their database, which will assist in confirming the identity of the person if they are located by another jurisdiction.

5. If the missing person is a child and has not been located within thirty (30) days after the date in which the report was filed, request from the missing child's parents or guardians, the dental records of the missing child. The dental records shall be entered into the GCIC.

6. If the missing person is a child notify the County's Department of Family and Children Services, (DFACS), and request access to any relevant information on the missing child, including:

whether or not there is an active case; the name of the case worker; previous missing incidents; previous reported abuse cases and other information which would lead to the location of the child.

7. If the missing person is a child provide the parent(s) or legal guardian with the 24-hour State of Georgia's Clearinghouse for Missing and Exploited Children at 1-800-282-6564, for assistance to be used by parents.

8. When a missing child is located an interview with the child should be completed within 48 hours. A missing juvenile debriefing report should be completed and attached to the original incident report.

Note: When dealing with unidentified children, located runaways, or Abandoned Children all the above resources and procedures will be applied to identify and safely return the located person(s). If a guardian or parent is not located within a reasonable time, the child will be placed in protective custody as outlined in Chapter 8-2.

H. Removal of Information from Criminal Justice System

When the missing person or critical missing person is located, the officer responding will verify the information, and request to have the information removed immediately from GCIC/NCIC by the on-duty Support Services clerk. If the missing person is located by the detective completing the investigation, he/she will be responsible for requesting the removal of the missing person from GCIC/NCIC. If the 'Mattie's Call' alert was activated, and the missing person was located, the assigned detective must notify the local media, ACIM (A Child is Missing), cancel the state-wide BOLO, notify the Lottery Corporation, and notify the GBI, if News Net was utilized. If the 'Kimberly's Call' alert was initiated, the assigned detective will conduct the same notifications as with the 'Mattie's Call' alert.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16-14**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 10/31/2018

Subject: Rights of Victims and Witnesses

I. Policy

The Auburn Police Department is committed to working closely with the Barrow and Gwinnett County District Attorney's Offices. A spirit of cooperation and support of the efforts of the District Attorney's Office and other concerned private and public agencies is imperative in ensuring the rights of victims and witnesses.

A. Victims have a right to be treated with fairness, dignity, and compassion by emergency services, criminal justice personnel, news media, and the public.

B. Victims/Witnesses have a right to protection from intimidation and harm, and officers shall ensure confidentiality. Additionally, confidentiality relating to their role in case development shall be respected, as provided by law.

C. Victims/Witnesses have a right to be informed concerning the criminal justice process. This includes the status and progress of an investigation or prosecution, when the defendant is released on bail or from prison, and to be informed of all hearings and procedures, in time to exercise their right to attend.

D. Victims have a right to counsel. Assistant District Attorneys, Solicitors, and/or Prosecutors, are essentially the victims' or witnesses' attorney, and will protect the victims/witnesses' interests, and discuss the case, in layman's terms, if necessary.

E. Victims have a right to restitution for expenses of property loss incurred as a result of a crime (O.C.G.A. Sec. 17-15-1). When restitution is ordered, they have a right to have that order enforced.

F. Victims have a right to preservation of property and employment. They should be able to respond to a subpoena without fear of retaliation, or loss of wages. Victims' stolen property, once recovered, shall be returned promptly, to the rightful owner, providing photographs of the property can be substituted in a criminal proceeding.

G. Victims/Witnesses have a right to "due process" in criminal court proceedings. They should be notified, in advance, when a proceeding has been rescheduled or canceled. A victim or witness should be minimized from stress, cost, and inconvenience, resulting from their involvement in a prosecution or investigation. The victim should have the right to have a victim impact statement presented and considered prior to sentencing (O.C.G.A. Sec. 17-10-1.1).

II. Procedures

A. Preliminary Investigations

The primary responsibility for aiding a victim or witness will be the first responder to a scene. At the point of initial contact with the victim or witness of a crime, and after emergency assistance has been rendered, the initial responding officer shall render the following services, in addition to other normal investigative routines:

1. Provide information to the victim/witness about applicable rights and services (e.g. counseling, medical attention, compensation programs, emergency financial assistance, victim advocacy, etc.) and the phone number or brochure of the Victim advocacy center/s serving the Barrow and Gwinnett county areas;

2. Advise the victim/witness to contact E-911 if the suspect or the suspect's companions or family threatens or otherwise intimidates him or her;

3. Provide the victim/witness a victim's pamphlet, containing, the case number, contact information on the various services available and explain subsequent steps in the processing of the case;

4. Provide the telephone number to the Criminal Investigations Division and name of the detective, (if known by the officer), that the victim/witness can call to report additional information about the case, or to receive information about the status of the case; and

5. Refer victims/witnesses to other service agencies, both private and public, that may be of assistance.

B. Follow-Up Investigations

Scheduling line-ups, interviews, and other required appearances should be at the convenience of the victim/witness whenever feasible. Factors which should be considered in this scheduling include, the physical, financial, and emotional well-being of the victim/witness. If necessary, the Auburn Police Department will provide transportation to and from the police station for the victim/witness.

1. Whenever possible, victim/witness property taken as evidence by the Department, will be promptly returned (with the exception of contraband, disputed property, and weapons used in the course of crime). Officers should consult with the prosecutor and the Official Code of Georgia Annotated, whenever questions of law or rules of evidence are in doubt.

2. Whenever there is a traumatic incident, such as a rape, child abuse, sexual assault, an act of family violence, or other incident, which requires more than the average amount of victim/witness assistance, the victim/witness should be advised of the services of a victim's advocate, or an appropriate domestic violence shelter to assist them during the follow-up investigation.

3. When the perpetrator of a crime is arrested, the victim/witness will be notified of the arrest, the charge, and the immediate custody status. Other information required by Georgia law, such as the date of arraignment, and bail-bond information, cannot be provided by members of the Auburn Police Department. Additionally, officers of the Auburn Police Department will not inform victims/witnesses that a suspect will be held without bond.

4. The detective or investigating officer will refer the victim/witness to the District Attorney's Office for assignment of an advocate. In cases involving violent crimes, such as sex crimes, aggravated assault, aggravated battery, homicide, and similar cases, the investigating officer, or the assigned detective, should contact the appropriate office for the victim, and make frequent follow-up contacts with the victim to determine whether their needs are being met.

5. The detective or investigating officer should explain to the victim/witness the procedures involved in the prosecution of their case and their role in those procedures, if not an endangerment to the successful prosecution of the case. The detective or investigating officer should provide the contact number for the victim's advocate if an advocate has been assigned by the prosecuting court. The advocate can assist in making sure that the victim/witness understands the court process.

C. Threatened Victims and Witnesses

Threats to any victims or witnesses will be documented by a police incident report and forwarded to the Criminal Investigations Division for follow-up. Appropriate assistance/protective measures will be determined by the nature of each individual case, the level of threat, and the resources available to the Department.

Appropriate assistance may range from arrest of the individual making any threats, to simply talking with the threatened person.

If the Police Department becomes aware of danger to a victim or witness, every effort will be made to promptly contact, alert, and offer appropriate assistance/protective measures to the threatened person. If outside this jurisdiction, the member learning of such threat will also notify the affected police department.

Protective measures may include the following:

1. Traces and/or recordings of telephone threats;

2. Patrol officers notified, and more frequent additional patrol directed specifically to the victim's neighborhood and home;

3. Escorts or surveillance, upon request, from the victim's home or business to their car, to ensure that they are not being stalked or followed;

4. Persuading the victim to take up temporary residence at a relative's home or at a hotel, until court injunction and/or arrest can be made;

5. Use of on-duty police officers at a fixed post outside the victim/witness location (note: this solution should only be used when other alternatives are not feasible);

6. Coercive protection, detention, and custody of a material witness to a homicide, or other serious felony, when there is likelihood that there will be violence against the victim/witness, (note: this solution should not be used without specific permission from the Auburn Police Department and the appropriate prosecutor);

7. Documentation of all reports of threats or intimidation on an incident report, to be read at roll call by all officers coming on-duty. The Solicitor's or Prosecutor's Office will be promptly notified of any threats received.

D. Orientation of All Employees

The Training Officer will be responsible for the training of all existing personnel and any subsequent personnel in the agency's role in any available Victim/Witness Assistance Program/s and Victim Advocacy Programs. Initial and subsequent training may be accomplished through standard roll call training.

E. Victim Assistance Services to Police Personnel

Whenever Auburn Police employee has been killed, or seriously injured, as a result of a line-of-duty incident, Department personnel shall attempt to render appropriate assistance. Such assistance may include, but not be limited to any of the following:

Timely and compassionate notification of the spouse, next of kin and other family members;

2. Assisting the family of slain or injured personnel at the hospital;

3. Supporting the family at the funeral and burial of slain employees;

4. Helping the family with legal and benefits matters;

5. Counseling the family regarding finances and other possible problems;

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Christopher Hodge Date

Chief of Police

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 16-19**

Effective Date: May 1, 2018 Revised: 01/05/2018

Review: 10/31/2018

Subject: Officer Discretion

I. Purpose

To establish a standard operating procedure governing officer discretion for arrests, which has as its basis, the continuance of fostering community cooperation in the resolution of criminal activity and other community related issues. Such discretion shall be exercised in such a manner that shall not target, discriminate against, nor alienate, any citizen or foreign national.

II. Definitions

A. Officer Discretion - is the choice of a well-informed, well-researched officer to immediately complete an arrest or not.

B. Felony - a crime which is punishable by incarceration for more than one year and a fine of more than $1000.00.

C. Misdemeanor - a crime which is punishable by incarceration for less than one year and/or a fine of less than $1000.00

D. Family Violence - the occurrence of a crime between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household.

E. Probable Cause- a set of facts and circumstances, which would lead a reasonable and prudent person using all one's senses, to believe that a crime has been, is being, or is about to be committed by the person suspected.

III. Policy

It is the policy of the Auburn Police Department for any officer using his or her discretion not to complete an arrest where probable cause exists to consider the following: the offender's criminal history, the offender's behavior, Zero Tolerance Arrest Area, victims of the crime, and/or any other relevant information specific to that case. The officer must also complete an incident report which

would contain the same information as an incident report where an arrest was made, to include specific and articulated circumstances which caused the decision to be made. No crime involving family violence can be initially exceptionally cleared. No felony crime can be exceptionally cleared without a supervisor's prior approval. Consistency and a degree of consideration in the use of criminal statutes and city ordinances when charging violators is paramount in maintaining community cooperation in the resolution of criminal activity.

IV. Procedure

An officer who has considered all above listed factors and decides not to complete an arrest must obtain a case number, complete an incident report that documents the crime committed, seize any contraband or evidence of the crime, and notify his immediate supervisor. Conversely, when a decision is made to arrest, the officer will complete a detailed incident report. This report narrative will include details of any unique facts and/or circumstances which support the use of charges that are outside typical charges applied in similar situations.

As it relates to citizens and foreign nationals, the Auburn Police Department will consistently address those persons who possess and/or display a fraudulent or fictitious identification document as described in O.G.C.A. Sec. 16-9-4 (a)(4). Only in the event of the following circumstances, such violators will be charged with Possession, Display, or Use of a Fraudulent Identification Document (O.G.G.A. Sec. 16-9-4 (b):

1. There is sufficient information available to confirm that the offender is involved in the manufacture of, selling or distributing of the fraudulent documents.

There is sufficient information available to confirm the offender has also committed a separate felony offense, whether the fraudulent identification was a component of that separate offense. Nothing in this policy shall restrict the appropriate use of Identity Theft charges where a victim's financial status/condition has been impacted using such fraudulent identification.

V. Evidence Disposition

Any evidence obtained in a case that is exceptionally cleared must be marked "Destroy" by the submitting officer. The evidence technician will destroy the contraband that was marked "Destroy".

VI. Supervisor Review

All cases that are to be potentially exceptionally cleared by an officer must be first approved by his or her supervisor. It shall be the responsibility of that supervisor to ensure that the proper considerations have been reviewed and the proper reports completed.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 17**

Effective Date: July 1, 2018 Revised: 07/01/2018

Review: 10/31/2018

Subject: Criminal Investigation Division

I. Purpose

The purpose of this policy is to provide for responsibilities, staffing, and operation of the Criminal Investigations division of the Auburn Police Department. It is necessary to establish a division for the purpose of follow-up investigation on all cases which are not immediately solved by the initial responding officer's preliminary investigation, and those solved cases which are of a serious nature.

It shall be the policy of the Auburn Police Department to maintain a Criminal Investigations division for criminal investigations and to gather intelligence information. This general order contains acceptable procedures to be used by officers of the Auburn Police Department in the investigation of criminal activity; however, due to the complexity of some criminal investigations, the contents of this general order are considered minimal and officers should exhaust every effort to bring an investigation to a successful conclusion.

II. Organization and Function

The overall responsibility for the administration, operation, and personnel of the Department's Criminal Investigations division, hereby referred to as CID, will be vested with the Commander of that Division. Such Commander shall hold the rank of Lieutenant, unless otherwise designated by the Chief of Police.

The Commander will operate under the direct authority of the Chief of Police, and shall at all times ensure that he is informed of all major investigations. There will also be as many supervisors, detectives, investigators, and officers, (patrol and otherwise), assigned to the Division as is necessary to handle the caseload on a reasonable basis, and as organizational structure permits. The function of CID is to identify person(s) suspected of criminal activity, and to present criminal cases to the Barrow or Gwinnett County District Attorney's Offices for prosecution. The criminal investigations function will be performed by non-uniformed officers assigned to the Criminal Investigations Section as detectives. This directive is in no way intended to prohibit uniformed officers and support civilian personnel from gathering information regarding reported criminal activity.

III. Case Management and Control

A. Case Screening System

A system of case screening will be used to determine whether follow-up investigation will be conducted on a specific case. The objective of case screening is to apply available manpower to those investigations that have the best chance of being successful. The following procedure will be used:

1. Solvability Factors: The Criminal Investigations Division Commander, or his designee, will review each case and determine if the case is to be actively investigated, and if so, determine when progress reports are due. The Commander or his designee shall assign the case for investigation if anyone or any combination of the following solvability factors are present:

a. the suspect or accomplice has been named (i.e. full name, partial name, nicknames, or aliases);

b. a full description, or what is believed to be a distinctive partial description, of the suspect or accomplice is available;

c. significant data is available about the suspect(s) or accomplice from a photo or in-person lineup;

d. a victim or witness could possibly identify the suspect or accomplice from a photo or in-person lineup;

e. any property associated with the crime is traceable;

f. the suspect's or accomplice's vehicle license number is known completely or sufficiently to be traceable;

g. a detailed description of any involved suspect vehicle is known or a distinctive description of part of the vehicle or its contents is known and traceable;

h. a suspect's fingerprint(s) is obtained;

i. significant physical evidence, (either traceable or uniquely distinctive), is developed;

j. an unusual, distinctive, or significant modus operandi pattern is identified;

k. there was a definite limited opportunity for anyone, except the suspect(s), to have committed the crime.

l. the use of a case solvability worksheet.

During this review for assignment, the CID Commander may also distribute or refer appropriate reports to various internal Divisions or Units for informational purposes (i.e. drug arrests to the

Corporal drug investigator.) Similar distributions are also to be made to various outside governmental agencies (i.e. to the School Board when juvenile school attendees are charged with crimes, or to DFACS when child abuse/neglect incidents are reported.)

B. Assignment of Cases

All cases will be assigned to a specific detective by the CID Commander. The assigned detective shall be responsible and held accountable for the case and all investigative efforts. Attempts should be made to assign re-opened cases to the original detective unless circumstances dictate otherwise.

1. Cases to Be Assigned by Skills and Abilities: It shall be the responsibility of the CID Commander to review all incident reports turned in by the Patrol Division. The Commander will ensure that cases are assigned for follow-up investigation based on the solvability factors of each case reviewed. This decision will be based on the Commander's personal experience and any solvability factors that are indicated in the report. In cases requiring specialized skills and abilities (i.e., sex crimes, juvenile offenses, homicides, rape, etc.) the Commander may assign the case to a particular detective who possesses the special skills necessary to properly conduct the investigation. Once the assignment has been made, the detective has full responsibility of the case and is thus held accountable for the investigation.

2. Cases involving the mistreatment of children should be investigated by a detective who has received specialized training in the following areas:

a. interviewing and report writing techniques;

b. dealing with child victims of sexual abuse;

c. dealing with child victims of physical abuse and neglect;

d. familiarity with the Barrow county child abuse protocol and MDT standards.

e. the use of audio/video recording devices.

D. Case Status Control System

A Case Status Control System will be maintained real-time in the Criminal Investigations Division through the use of agency records management software and will include:

1. Name of the detective/officer assigned to the case;

2. date assigned;

3. case number;

4. incident type;

5. the status of the case.

E. Case Status Categories

Criminal Investigations Section cases will be classified in one of six (6) status categories:

1. Cleared by Arrest - An offense is "cleared by arrest" or solved for crime reporting purposes when at least one person is:

a. arrested;

b. charged with the commission of the offense; and/or;

c. turned over to the court for prosecution whether following a custodial arrest, a non-custodial arrest, such as a court summons, the filing of a juvenile complaint form, or the issuance of a traffic citation.

2. Exceptionally Cleared – An offense can be "exceptionally cleared" only when an affirmative answer can be applied to all of the following questions:

a. Has the investigation established the identity of the offender?

b. Is there enough information to support an arrest, charge, and turning over to the court for prosecution?

c. Is the exact location of the offender known so that the subject could be taken into custody now?

d. Is there some reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender?

3. CLOSED - General - After initiating an investigation no collaborating evidence or probable cause was developed to substantiate a crime or continuation of said investigation.

4. OPEN-SUSPENDED – All available leads have been exhausted, yet the case has not been brought to a conclusion and shall be reopened if/when new solvability factors develop, or the suspect has been identified.

5. OPEN - Assigned Case - The case is assigned to a detective and investigative efforts are active.

6. UNFOUNDED - After initiating an investigation, it is determined that criminal intent cannot be substantiated; therefore, no offense has been committed.

F. Case Suspension Criteria

The CID Commander may inactivate or "suspend" an investigation if he feels that the follow-up investigation has exhausted all leads but has not been brought to a satisfactory conclusion. The following criteria will be considered when suspending an investigation:

1. Absence of further leads or solvability factors;

2. Unavailability of investigative resources;

G. Follow Up Policy

Contacting a victim, complainant, or witness for a follow up investigation, after the lapse of several days, may result in the receipt of information leading to the clearance of a case. Maintaining a policy of "follow up" in investigations is valuable in building public confidence in the agency as well as indicating that the law enforcement officers are genuinely concerned about the welfare of the victim and other citizens associated with the case. Therefore, the case detective will keep the victim of each case assigned to him (and others as he deems necessary) advised of the status of the case.

1. If the case is open, the victim will be informed within 72 hours of the detective's reception of the case and kept verbally updated.

2. When a case status is changed the victim will be notified.

3. All contacts with the victim and other principals will be noted in the case report.

H. Maintenance of Case Files

Case files should be maintained on all cases in which investigative activities are ongoing.

1. Case files for active investigations will be maintained by each assigned detective in an organized manner accessible to all detectives and should contain at a minimum:

a. a copy of all preliminary investigative reports;

b. a copy of all statements;

c. results of examination of physical evidence;

d. detective assignment;

e. case status reports; and

f. any other reports or records needed for investigative purposes.

2. All assigned detective cases will be organized and arranged in the below order, and submitted to the CID Commander for final review:

a. case detective report;

b. supplemental reports of assisting detectives;

c. suspect's statement;

d. suspect's waiver of counsel;

e. witness statements;

f. arrest warrants;

g. search warrants;

h. condemnations;

I. diagrams;

j. all supporting documents, and records not generated by the Auburn Police Department including reports from other jurisdictions, copies of convictions, and court orders.

k. initial report and responding officer's supplement;

l. all evidence supporting documentation including Chain of Custody forms, Evidence records, laboratory reports; and Photographs and Audio/video recorded interviews (a recorded copy of said interview/s should be downloaded from the video recording device, or server and placed onto a CD or DVD and attached to the case file securely).

Note: The assigned detective shall check with the department Records Division to determine if any paperwork such as evidence sheets, vehicle tow sheets or other associated documents may have been filed by the officer who took the original report. As each investigation is brought to a conclusion or suspended, all related documentation will be compiled within the associated case file.

3. In the event that a detective completed an original GCIC report form, such as a recovered property report or arrest report, he will forward the original and copies to the Criminal Investigations Division Commander for review and approval and forwarding to the agency TAC.

4. All CID personnel shall proof read all reports and summary sheets for grammatical errors, accuracy and completeness before submitting to the CID Commander.

5. All closed or suspended cases will be maintained in the original file within the Criminal Investigations Division for period of 5 years. Completed case files which are older than 5 years shall be maintained in the department records archive room per prescribed records retention schedule as mandated by the state of Georgia and purged accordingly.

6. A case file log will be completed and signed when any case is taken from the CID investigative file archive. The investigative case file log will require the following information:

a. case number;

b. reason for removal;

c. date out;

d. officer's name; and

e. date returned.

7. All detective investigative activity reports of assigned status shall reflect a chronological account of the investigation, which will be divided by separate paragraphs for each investigative action. Each paragraph will begin with the date and time. The initial paragraph will consist of a review of the initial report outlining the facts of the incident and the elements of the offense.

8. Assigned cases will be reviewed thirty (30) days after the assignment by the CID Commander. Every attempt will be made to assign a case status of closed or suspended within thirty (30) days of assignment. If the investigation is ongoing, or the detective is awaiting a laboratory report to continue the investigation, another review of that case will be conducted by the Division Commander every thirty (30) days thereafter. It will be the assigned detective's responsibility to insure these scheduled reviews are completed.

9. Each detective will be subject to a case review at any time, even beyond the regular thirty-day review cycle. Such review is intended to provide a record of the performance of each detective and the progress of each on-going investigation.

I. On-Call Status

After normal operating hours the CID Commander shall provide for an "on-call" detective who shall be required to respond for "police" or "investigative" services as needed.

1. CID personnel will be assigned on-call duty on a rotating basis. The frequency of this rotation shall depend upon the number of available detectives assigned to the division, and or at the direction of the CID commander.

2. The CID Commander shall ensure that a list of current CID on-call personnel is maintained and that a copy of such list is provided to the Support Services Division, the 911 Dispatch Center, and to Office of the Chief of Police.

3. It is the responsibility of the assigned on-call detective to keep the aforementioned parties informed of where he can be contacted during other than normal duty hours.

4. The on-call detective shall be contacted when any of the following offenses/incidents occur:

Rape;

b. Aggravated Assault (including Aggravated Assault on a Police Officer);

c. Any death (including suicides, homicides, and natural causes);

d. Any Robbery;

e. Burglary involving entry into an occupied residential dwelling, and/or incidents involving the apprehension of a burglar;

f. Arson;

g. Kidnapping;

h. Any serious injury or death relating to use of force or pursuit;

i. Any Critical Missing Person; and

j. Any other incident as determined by the Criminal Investigations Commander.

5. When notified of a response situation the on-call detective should respond directly to the scene of the event. He will assume command responsibilities for the investigation and will direct uniform personnel.

6. Among the things the on-call detective is responsible for are the following:

a. obtaining a briefing at the scene from Patrol Division personnel;

b. ensuring the scene is properly secured;

c. coroner notification (if necessary);

d. determining/justifying the need for the response of additional CID personnel;

e. accepting the case for investigation and presenting it to the CID Commander for his review and permanent disposition/re-assignment;

7. When any of the following offenses occur the on-call detective should perform the following notifications, or request that Auburn Support Services complete a supervisor notification to the Chief of Police and each division Commander. The on-call detective should immediately notify the CID Commander of the details and discuss the necessity to be in route to assist with the investigation if needed. The required incidents are as follows:

a. Homicide;

b. Suicide;

c. Suspicious death;

d. Armed Robbery;

e. Robbery by force resulting in a serious injury;

f. Aggravated Assault resulting in a gunshot wound or serious stab wound;

g. Rape;

h. Kidnapping;

i. Missing Persons identified as Critical Missing Persons as described in Chapter 16-13 of this Policy Manual;

j. Any search warrant; and,

k. Any report of Child Molestation or abuse referred to juvenile authorities.

8. CID personnel are free to, and should, contact the CID Commander any time they have a question regarding any case.

9. The following incidents require a follow-up investigation by the case detective, and should include latent prints, photography: Omission of a follow-up will only be approved by the CID commander or his designee.

a. serious assaults on police personnel or any assault with serious injury to any person;

b. "Safe" burglary;

c. any robbery;

d. arson;

e. accidental or natural deaths; and,

f. other types of incidents as determined by the Criminal Investigations Commander.

10. The following incidents require the response of an adequately trained division Crime Scene Technician (BCSO, GBI):

a. Homicides;

b. Rape;

c. Kidnapping;

d. Police involved shooting;

e. Robbery with serious injury;

f. Arson with death or serious injury; and,

g. Any incident as determined by the Criminal Investigations Section Commander.

IV. Criminal Investigation Procedure and Operation

It shall be the policy of the Auburn Police Department to reduce crime through the successful completion of the criminal investigative process, which should identify, cause the arrest and conviction of the suspect and recover stolen property. The preliminary investigation is a critical step in the overall criminal investigation process. Often, the success or failure of the entire case hinges on the quality of this phase of an investigation. The follow-up investigation is of equal importance in most investigations and should be conducted accordingly.

A. Preliminary Investigation Procedures

Preliminary investigations will normally be initiated by uniformed patrol officers. Detectives may initiate investigations as needed. The steps to be followed in conducting a preliminary investigation will include:

1. providing aid to the injured;

2. maintain and protecting the crime scene to ensure that evidence is not lost or contaminated and arranging for the collection of the evidence;

3. observing and recording all conditions, events, and remarks;

4. determining if an offense has actually been committed, and if so, the exact nature of the offense;

5. notification of the shift supervisor of the status and circumstances of the case;

6. determining the identity of the suspect or suspects and effect an arrest, if it can be accomplished at the scene or through immediate pursuit;

7. through use of the communications center, furnishing other field units with descriptions, method and direction of flight, and other relevant information concerning wanted person(s) or vehicle(s);

8. In order to elicit information from the public regarding crimes, which have been reported to the Auburn Police Department, officers will conduct neighborhood canvasses involving all residential thefts, including misdemeanors where patterns or trends have been established, and all felony crimes, where applicable. Officers will as a minimum contact the tenants of three - (3) houses/apartments on either side of victim's residence, including houses on the opposite side of street or roadway. Officers will document the names of individuals contacted, including all bio-data, address, and telephone number and enter a brief statement in their initial report as to what the person(s) observed or heard. The contact information will be secured in the names/persons field of the MDS software database.

9. obtaining the location and complete identification of all witnesses;

10. determining what information is known by the victim and each witness;

11. arranging for the collection of evidence and crime scene processing; processing for fingerprints on burglary, theft, and other cases where there is a possibility of obtaining latent prints;

12. determining in detail the exact circumstances of the offense;

13. interviewing the complainant, victim(s), witnesses, and suspects;

14. to accurately and completely record all pertinent information, and to transcribe that information to the standard law enforcement report form;

15. providing the victim(s) with a "Report Number Assignment" card in order that the victim may obtain a police report of the incident at a later time;

16. requesting communication center personnel and/or support services personnel to make appropriate GCIC/NCIC inquiries, entries and clearances, if appropriate; and,

17. when necessary, brief supervisors and/or detectives, as to the known facts of the case.

B. Responsibilities of the Patrol Supervisor

Upon arrival at the scene of a crime, Patrol Supervisors should:

1. immediately ascertain from the patrol officers the seriousness of the incident under investigation and the basic details concerning the crime;

2. ensure that the patrol officers conduct a thorough preliminary investigation and gather all pertinent facts and information;

3. provide leadership to subordinates to ensure an efficient and effective preliminary investigation;

4. ensure that patrol officers devote that amount of time necessary for a quality preliminary investigation without jeopardizing other important police services;

5. review preliminary investigation reports as soon as possible and ensure completeness of the reports prior to approving them. (Note: If the preliminary investigation/incident report is incomplete, the supervisor will return the report to the patrol officer for completion.) The report must be completed prior to the end of the shift unless authorized otherwise by the patrol supervisor. If due to circumstances beyond the officer's control the report cannot be completed prior to the end of the shift, the approving supervisor will attach a note to the report explaining the circumstances and provide a date and time when the report will be completed. The approving supervisor will be held accountable for the completeness of a preliminary investigative report.

C. General Responsibilities

Except in those cases where the presence of a uniformed officer would obviously hinder a proper investigation, or specific expertise is required, the preliminary investigation shall be conducted by the uniformed patrol officer assigned to the call. The assigned patrol officer shall initiate and complete as many of the activities listed above as are necessary. The individual circumstances of the incident will determine how many of the activities are required.

1. The patrol officer assigned shall be responsible for initiating action through his immediate supervisor to inform other appropriate Department Divisions that a serious crime, or one requiring immediate on-the-scene follow-up investigation by the Criminal Investigations Division exists.

2. Follow-Up Investigative Procedures: The follow-up investigation is an extension of the preliminary investigation. The purpose of the follow-up is to provide additional investigation in order to affect the arrest of an offender and/or recover stolen property.

Basic functions of the follow-up investigation in a non-criminal case include:

a. interviewing complainants and witnesses;

b. locating missing persons;

c. determining if information or suspicious activity may/does relate to criminal activity;

d. locating lost property & returning same to owner;

e. investigating deaths, overdoses, suicides and injuries to determine if a crime was committed and notification of the coroner;

f. recording information obtained.

Basic functions of the follow-up investigation in a criminal case include the above listing functions, in addition to the following:

a. reviewing and analyzing all reports prepared in the preliminary phase, Departmental records, and results from laboratory examinations;

b. recording information obtained during follow-up investigation (supplemental report);

c. seeking additional information (from patrol officers, informants, contacts in community, other detectives/agencies, etc.);

d. conducting additional interviews with victim(s), witness(s), and suspect(s);

e. arranging for the dissemination of information as appropriate (teletypes, lookouts, etc.);

f. planning, organizing and conducting searches;

g. collecting physical evidence;

h. recovering stolen property;

i. arranging for the analysis and evaluation of evidence;

j. identifying and apprehending the perpetrator(s);

k. checking suspect's criminal history;

l. determining if other crimes may have been committed by the suspect(s);

m. consulting with the District Attorney's office in preparing cases for court presentation and assisting in the prosecution thereof; especially in cases involving crimes against persons

n. attendance to testify in court.

D. Information Development

The development of pertinent case information begins when the call for the police is received and continues until the case is cleared or suspended. Obtaining and recording even apparently minor information is often crucial to the successful conclusion of a case. Sources of information that should be considered are:

1. initial and follow-up reports;

2. crime scene reports and laboratory results;

3. interviews with victim, witnesses, officers, informants and suspects;

4. review of department records;

5. review of records from other agencies;

6. GCIC and NCIC computerized wanted and criminal history inquires;

7. Court and Tax records; and,

8. other sources unique to the individual case.

The detective should conduct interviews and interrogations that are appropriate to the individual case. Information developed as a result of an interview or interrogation shall be recorded in the investigators report in RMS and submitted for approval and then filed by the detective. Interviews may be conducted in various places, dictated by the circumstances. Interrogations may be conducted in the field as well as in the CID interview room. The Miranda warning shall be administered when and if appropriate.

E. Victim/Witness Interviews

Detailed notes and/or a recorded interview (includes both audio and/or video tapes) should be made for future reference, giving time, date, location, officers present, and other information as deemed necessary. The trauma or stress to which the victim or witness has been subjected should be considered and the interview conducted in such a manner as to reduce stress and minimize further problems. The age, physical limitations, and credibility of witnesses should also be considered.

F. Victim/Witness Identification of Perpetrator(s)

Upon obtaining admissible evidence from victims and/or witnesses of crimes regarding the identity of suspects of crimes, one of three identification processes are required by sworn Departmental personnel. The three processes include Show-ups, Physical line-ups, and Photographic line-ups. The specific process used will be determined by the facts and circumstances of the incident being investigated. Each process must be reviewed and approved by a supervisor, and the approval should be noted in the report.

1. Show-up identification — The suspect or suspects are controlled and maintained in a calm manner by a contact officer. The suspect should be maintained in a lighted area where he or she can be clearly viewed in a standing position. The victims or witnesses should be brought to the suspect's location by an officer, and allowed to view the suspect(s) being detained individually. Victims and or witnesses shall be kept separate and view the suspect independent of each other. No officer participating in the process should indicate the guilt or innocence of the suspect being viewed. The officer should tell the victim or witness that the individual being viewed may or may not be the person responsible for the crime being investigated and that the investigation will continue whether or not a positive identification is made by them. This process should be utilized only when a suspect

is located and detained by police within a reasonable time following the crime. The person detained must also closely fit the physical description, (including clothing worn), as provided by the victim or witness. The entire process, including telling the victim or witnesses that the person being detained may, or may not be the person responsible for the crime, shall be recorded on the body camera video and/or audio recorder and will be documented in the incident report. If the individual detained is identified the officer shall ask the victim or witness with what level of confidence are they making the identification. If the individual detained is not identified as the perpetrator, documentation of the detention and show-up must be documented in the incident report.

2. Photographic Lineup — This process utilizes an organized line up of at least six individual photographs on separate pages. The photographs must be of the same general size, photo quality, and must have similar backgrounds. The individuals contained within the lineup must be of the same gender and race. The individuals must also be similar in height, weight, and skin tone. Each individual's hair style should be similar as well. The photographs must be placed in random order. There will be no consistent placement of the suspected perpetrator's photo in the lineup arrangement. The photographs used in these type lineups will generally be those arrest/booking photos stored within the Records Management System of the Auburn Police Department, Barrow County Jail records or other law enforcement agencies. Biographical information for each individual depicted in the lineup will be copied and made a part of the investigative case file along with the date the photograph was originally taken. The original pictorial lineup will also be made a part of the case file. A supervisor must review, initial, date, and approve each lineup before it is presented to any victim or witness to ensure that it is properly completed and the names of the individuals in the lineup are documented. The officer presenting the lineup will advise the witness or victim that the person responsible for the crime being investigated may or may not be in the series of photographs and that the investigation will continue whether or not a positive identification is made by them. If a suspect is identified the officer shall ask the victim or witness with what level of confidence are they making the identification. If more than one victim or witness is to review the lineup, the officer must insure that they are kept separate, that they view the lineup independent of each other and are not allowed to discuss the process until all have viewed the photos. No officer participating in the process should indicate the guilt or innocence of any person in the lineup series or make any comments to encourage or discourage the witness/victim from choosing an individual in the lineup. The entire process, including telling the victim/ witness that the persons depicted in the photo lineup may, or may not be the person responsible for the crime, shall be video and/or audio recorded and will be documented in the supplemental report.

The photographic lineup form attached to this policy must be reviewed and completed by the witness/victim that viewed the lineup for a investigation. This form will be made a part of the original investigative file.

3. Physical Lineup — This process utilizes actual individuals in a controlled environment. This process utilizes an organized line up of at least six persons in a single line. The individuals contained within the lineup must be of the same gender and race. The individuals must also be similar in

height, weight, and skin tone. Each individual's hair style should be similar as well. The individuals must be placed in random order. There will be no consistent placement of the suspected perpetrator's in the physical lineup order. Generally, this process will be completed only at a facility that has rooms designed for the process. There will be two separate rooms with tinted or reflected glass between the two that would allow the witness/victim to view the individuals clearly, without being seen by the persons in the lineup. There must be at least six persons placed in the lineup, and, as with the photo lineup, each person's biographical information must be recorded and included in the investigative file. A photograph should be taken of the individuals, as they appear in the physical line up, and it must be included in the investigative file, as well. A supervisor must review and approve the lineup before it is presented to any victim or witness, to ensure that it is properly completed, and that the names of persons in the lineup are documented. The officer presenting the lineup will advise the witness or victim that the person responsible for the crime being investigated, may, or may not be in the lineup and that the investigation will continue whether or not a positive identification is made by them. If a suspect is identified the officer shall ask the victim or witness with what level of confidence are they making the identification. If more than one victim or witness is to review the lineup the officer must insure that they are kept separate, that they view the lineup independent of each other and are not allowed to discuss the process until all have viewed the lineup. The officer shall not use the same lineup if the victim or witnesses view the lineup on different days or if the victim/witness would be reasonably able to discuss the lineup before viewing it. In those circumstances, new lineup up shall be assembled, and the suspect will be placed in a different location within the lineup. No officer participating in the process should indicate the guilt or innocence of any person in the lineup or make any comments to encourage or discourage the witness/victim from choosing an individual in the lineup. The entire process, including telling the victim/witness that the persons participating in the lineup may, or may not be the person responsible for the crime, shall be video and/or audio recorded and will be documented in the supplemental report.

The photographic lineup form attached to this policy must be reviewed and completed by the victim/witness that viewed the line-up for a investigation. This form will also be included in the original investigative file.

Note: The Auburn Police Department will utilize this process exclusively with consultation of, and at the direction of the District Attorney's Offices.

G. Interview Room Procedures

A designated interview room is located on the lower level of the Auburn Police Department and is available for use by uniformed and non-uniformed personnel. When interviews are conducted with suspects who are in custody, or potential suspects who may be arrested, the following procedures shall be followed:

1. Security Concerns: Suspects who are in custody, shall be properly restrained. An exception is when a suspect is being administered a polygraph examination. Care should be used with non-custodial suspects. When possible, two officers should be present during all interviews. In some cases, the second officer may monitor the interview remotely in an adjoining room to provide additional security if needed.

2. Number of Officers: The number of officers who participate in the interview should be limited to those directly involved in the investigation. No more than two officers should be in the interview room at a given time. The number of officers shall be at the discretion of the lead investigator.

3. Summoning Assistance: Officers should always be prepared for an attempt to escape or a combative suspect.

4. Equipment: All interview rooms should be kept clean and free from unnecessary items. Officers are responsible for providing the necessary items, such as pen and paper, during the interview. At the end of the interview, all items shall be removed from the interview room. Interview rooms are not equipped with locking doors and are not considered holding cells.

6. Comfort Breaks: Suspects being interviewed will be allowed access to the restrooms and water in a reasonable time. Comfort breaks will be given when appropriate. Officers should be aware that requests for breaks may be used by the suspect as a distraction from the interview. During breaks, officers should also be aware of the heightened security risks and take appropriate measures.

H. Suspect Interviews

1. The Auburn Police Department will ensure the rights of accused persons are maintained. Officers will conduct questioning of accused and suspected persons in accordance with the United States Constitution, the statutes of the United States, as well as the Constitution and statutes of Georgia. In the interview of suspects, officers should consider these important points:

a. Interviews to obtain investigative leads can be very useful, but all constitutional precautions must be taken. It is further suggested that the interview be recorded so it may be introduced into court at a later time.

b. Detailed notes and a digital recording shall be maintained to document the time, date, location, officers present, waiver of rights, time interview ended and any other information as deemed necessary.

c. Statements obtained during an interview must not be based on coercion, promises, delays in arraignment, or deprivation of counsel.

d. For a statement to be admissible in court, in most cases, a suspect in custody must be advised of his "Miranda Rights," and the officer must be able to demonstrate that the suspect knew and understood those rights prior to the in-custody questioning. Further, the officer must be able to demonstrate that the suspect knowingly and intelligently waived those rights without the presence of any duress, coercion, and/or promises.

e. Officers should stay abreast of recent court decisions which may mandate changes in constitutional rights procedure.

2. The Fifth Amendment to the U. S. Constitution states that a person will not be compelled in any criminal case to be a witness against himself. Miranda v. Arizona states that before in custody questioning of a suspect, he must be advised of his right to consult with counsel and to have counsel present during questioning. He must also be advised that if he cannot afford to hire an attorney one will be appointed to represent him.

3. If the accused indicates that he wants an attorney to represent him the questioning must cease until the attorney is present. The burden is on the government to prove that the accused knowingly and intelligently waived his right to an attorney.

4. In Custody questioning refers to those contacts involving individuals who are either under arrest, where their freedom to come and go as they wish is restricted or, although not physically detained, are at any location where a law enforcement officer creates a coercive atmosphere.

5. When an officer is questioning a subject, who is suspected of committing a crime, the officer will refrain from interviewing or acting in a manner inconsistent with case law and statutory law concerning the voluntariness of statements made by the subject.

6. Once a suspect or accused has been advised of his Miranda Warning and has invoked his right to have counsel present during any questioning, the suspect or accused shall not be subject to further questioning until counsel has been made available or he has himself initiated further communications, exchanges, or conversations.

7. When there is no reason to suspect a subject of being involved in a crime and he makes an incriminating statement, the detective shall listen and document the statements. If the detective intends to detain the subject, then Miranda warnings will be advised after the voluntary statements have been completed and before incriminating questions are asked of him. If the detective decides that the subject will not be detained and is free to leave, then the questioning will continue without the issuance of Miranda warnings. After questioning, the subject will be allowed to leave. The detective can then secure the appropriate arrest warrants and effect the arrest at a later time.

8. Officers involved with criminal cases will refrain from making statements or comments to the news media that will prejudice a fair trial.

I. Interviews of Juveniles

Juvenile arrestees must be given the same constitutional protection as adults. The following additional safeguards should be followed:

1. When juveniles who are in custody or who are suspects are questioned, a parent, guardian, or attorney should be present at the interview. If the parent or guardian does not choose to be present, the officer may continue with the interview, so long as the parent or guardian is aware of the questioning.

2. There should be no more than two officers engaged in the suspect interview. The interview duration should not exceed two hours without a fifteen-minute restroom and refreshment break. No interview with a suspect being charged as a juvenile should exceed five hours.

3. The assigned officer conducting a juvenile arrestee or suspect interview will explain the Auburn Police Department and Barrow County Juvenile Justice procedures to the juvenile and his parent or guardian.

4. When conducting follow-up investigations of incidents involving the abuse, neglect, or molestation of children, interviews with the victim shall be conducted by individuals from the Child Advocacy Center (CAC), The Tree House, who have received specialized training in:

A. interviewing and report writing techniques

B. dealing with child victims of sexual abuse

C. dealing with child victims of physical neglect and abuse

D. familiarity with the use of anatomically correct dolls, drawings and

E. the use of taping and recording devices.

J. Collection, Preservation and Use of Physical Evidence

Physical evidence is a valuable tool in successful investigations. The detective should use care and caution in dealing with the physical evidence. The successful prosecution of a case often hinges on the quality of the physical evidence collected and preserved.

1. All officers are responsible for the preservation of evidence, and for maintaining and documenting the chain of custody of all evidence that is in their custody.

2. Officers having questions about the collection and preservation of specific items of evidence should consult the case detective.

K. Surveillance

The secretive observation of a person, place, or vehicle is a basic legal police technique that can be used by all Departmental units. Surveillance may be used by the detective when its use would develop information regarding a case, and/or to gather evidence of illegal activity, and/or to apprehend criminals after a pattern of their criminal activity has been identified. The detective shall advise his division Commander that surveillance is to be used and what resources are to be required. If the surveillance is to be conducted in the jurisdiction of another agency, that agency should also be advised.

1. All officers should be encouraged to use surveillance on known trouble spots and known violators as part of their efforts to suppress crime and arrest suspects in their areas.

2. Officers should contact the CID Commander for specific assistance in surveillance procedures, techniques, and equipment.

L. Checklists

To aid in preliminary and follow-up criminal investigations certain checklists have been designed in order that critical areas of investigation are not overlooked. Such checklists include but are not limited to the following areas:

1. Crime scene processing;

2. Death investigations;

3. Sexual assaults;

4. Special considerations for both male and female interviewees; and,

5. Major case investigations.

M. Use of Deception Detection Devices

Polygraph examinations may be used to aid and/or enhance a criminal investigation. The polygraph examination will be administered by personnel who have been trained in an APA (American Polygraph Association) certified school and who maintain active membership with the Georgia Polygraph Association. Persons who are to be administered polygraph examinations, will be advised of their Miranda warnings, and must voluntarily consent to the examination. The use of Psychological Stress Evaluators and Voice Stress Analysis is hereby prohibited, unless specifically approved in writing by the Chief of Police.

N. Constitutional Rights

At all times the Constitutional rights of persons involved in criminal investigations shall be protected. Care should be used in the following areas:

1. confessions and statements are obtained voluntarily;

2. arraignments are properly conducted in a timely manner;

3. arrestee are informed of their Miranda rights before questioning;

4. an attorney is provided, if requested or required; and

5. information is not released to the media which would prevent or hinder a fair trial.

O. Background Investigations

(This policy is not intended for application to background investigations involving the selection and hiring process of pre-employment applicants.) The Criminal Investigations Division may conduct background investigations in conjunction with another investigation or to verify intelligence information. These investigations should be conducted discreetly, and confidentiality should be maintained. Prior to the investigation the detective should:

1. identify the purpose of the investigation;

2. identify the potential sources of information, such as past employers, schools, credit bureaus, postal service and associates;

3. identify the uses of the information collected;

4. identify the distribution of the information collected;

5. identify how long the information will be maintained;

6. ensure that all files will be purged in compliance with applicable State and Federal guidelines. All original documentation will be maintained by the responsible detective while the criminal investigation is on-going and will be made a part of the original investigative file within the Criminal Investigations Division of the department.

P. Identity Theft Investigations

The elements of Identity Fraud are defined in O.C.G.A. Sec. 16-9-121, and involve the theft and use, or attempted use, of personal identifying information, as defined in O.C.G.A. Sec. 16-9-120.

Identity theft is the wrongful use of another person's identifying information – such as credit card, social security or driver's license numbers – to commit financial or other crimes. Identity theft is generally a means for committing the following types of unauthorized activities in the victim's name:

1. Credit card charges, debit cards usages, ATM cards withdrawals;

2. Credit card checks written against their account; Credit card accounts opened or account addresses changed;

3. Establishment of a line of credit at a store or obtaining a loan at a financial institution;

4. Goods or services purchased in their name;

5. Gaining access to secure areas;

6. Used as computer fraud.

7. Used to obtain employment

The Auburn Police Department shall take those measures necessary to record criminal complaints, assist victims in contacting other relevant investigative and consumer protection agencies, and work with other federal, state and local law enforcement and reporting agencies to identify perpetrators.

Identity crimes often involve incidents that take place in two or more jurisdictions. Officers shall, upon request, complete an offense report when:

1. The victim of the crime is a local resident and the transaction or use of the compromised information took place in Auburn; or

2. The victim of the crime is a local resident and the transaction or use of the compromised information took place in another jurisdiction; or

3. The transaction or use of the compromised information involved in the identity theft took place in Auburn, regardless of the location of the victim.

All sworn police personnel are authorized to take crime reports on identity theft. Recording all relevant information and data in such reports is essential to further investigation. The report should include all available information, to include:

1. The specific personal information that was compromised. Examples may include; credit card accounts, banking information and social security numbers;

2. How the victim was notified or became aware of the theft;

3. What specific activity took place as a result of theft;

4. When and where the activity took place; and

5. Potential suspects or information concerning how the information may have been compromised.

A copy of all documents supporting the theft shall be marked with the case number and forwarded to CID. These documents may include; credit card statements, bank statements, credit reports, and other account statements or correspondence.

Officers taking reports of identity theft may take those steps reasonably possible to help victims resolve their problem. This includes providing victims with the following suggestions where appropriate:

1. Contact the Federal Trade Commission (FTC) (1-877-IDTHEFT) – which acts as the nation's clearinghouse for information related to identity theft crimes – for assistance from trained counselors in resolving credit related problems.

2. Contact the fraud departments of the three major credit reporting agencies [Equifax (1-800-525-6285), Experian (1-888-397-3742), TransUnion (1-800-680-7289)], and ask them to put a fraud alert on the account and add a victim's statement requesting creditors to contact the victim before opening new accounts in his or her name. Also, request copies of your credit report.

3. If credit cards are involved, cancel each credit card and request new cards with new account numbers.

4. If bank account information is involved, report the loss to each financial institution, cancel existing accounts and open new ones with new account numbers. If deemed necessary, place stop payments on outstanding checks and contact creditors to explain.

5. If a driver's license is involved, contact the state motor vehicle department. If the driver's license uses the social security number, request a new driver's license number. In such cases, also check with the Social Security Administration to determine the accuracy and integrity of your account.

6. Change the locks on your house and cars if there is any indication that these have been copied or otherwise compromised.

7. As a part of taking the report, the officers will ask the victim if they would like to be entered into the GCIC/NCIC Identity Theft database. If so, then the victim will complete the Consent Waiver (worksheet) as supplied by the reporting officer. This form, collecting relevant identifying information on the victim by which to create a profile, will be delivered to the on-duty Support clerk for entry into GCIC/NCIC. A photograph of the victim should be taken and attached to the report case number for later identification confirmation. The victim will also provide a unique password, and document it on the Consent Waiver.

Normally, an investigation by the Department will only take place when a transaction or use of the information occurs within the city limits of Auburn. When requested, the Criminal Investigations Division will provide investigative assistance to outside agencies to assist in the successful

prosecution of crimes. Incidents involving identity fraud are normally prosecuted in the jurisdiction where the transaction takes place. Investigation of identity theft shall include but not be limited to the following actions where appropriate:

1. Review the crime report and conduct any follow-up inquiries of victims or others as appropriate for clarification/expansion of information.

2. Contact other involved or potentially involved law enforcement agencies for collaboration and avoidance of duplication. These agencies include but are not limited to:

a. Federal law enforcement agencies such as the U.S. Secret Service, the Federal Bureau of Investigation and the U.S. Postal Inspection Service as appropriate whether or not the victim has filed a crime report with them.

b. Any state and/or local enforcement agency with which the victim has filed a crime report or where there is an indication that the identity theft took place in that respective jurisdiction

3. Completing an investigative supplemental documenting the review and any follow-up work completed on this case.

V. Reporting Procedures

Detectives shall submit supplemental reports on information and facts as they develop in their assigned cases. The Criminal Investigations Division is required to submit a Monthly Activity Report. This report will be used by the Commander in assessing case assignment and determining manpower needs. This report can be generated on RMS and kept in a computerized file.

VI. Investigative Task Forces

An Investigative Task Force may be established by the Chief of Police in the following circumstances:

1. a series of serious or violent offenses which may be the work of a single offender or organized group;

2. a series of offenses that involve one or more other law enforcement agencies;

3. to address a specific offense that will require more than the standard investigative assignment.

A. Guidelines for Formation of Task Force

The following guidelines will be followed when forming a task force within the department or in conjunction with other Departments in order to govern their activity. This documentation will serve as a basis for the task force operation as well as justification for its continued use or disbandment:

1. identifying the purpose;

2. defining authority and responsibility;

3. establishing accountability;

4. identifying resources;

5. and evaluating results and continued necessity.

B. Identification of Participants

The Chief of Police will identify individuals within the Auburn Police Department who will participate in the Task Force. The selection of the Task Force Commander should be based on the following:

1. rank, training and expertise of the individual;

2. location of the offenses if more than one agency is involved;

3. number of detectives assigned; and

4. resources of the agencies involved.

C. Other Agency Involvement

If other agencies are involved, a Chief's committee will be formed consisting of the chief executive officer of the involved agencies. When forming a task force with other agencies, a written agreement will be drawn up to include the above criteria and any other stipulations deemed appropriate by the Chief of Police or the City Attorney's Office. After the agreement has been signed it will be kept on file with the city clerk's office for future review.

D. Task Force Commander

The Task Force Commander will meet with all persons assigned to the Task Force and define the purpose of the task force. The Task Force Commander shall be accountable to the Chief of Police for all actions of APD personnel and will have the authority to make decision and create written agreements with the approval of the Chief Of Police as needed to ensure the efficient operation of the task force. He will also have the responsibility to act as a liaison between APD and other agencies in the task force. If the circumstances dictate, the standard chain of command may be waived with the Task Force Commander reporting directly to the Chief of Police or the Chief's committee.

1. The Task Force Commander shall identify all of the resources available and needed to complete the investigation. Expenses should be shared by the participating agencies, if appropriate.

2. A written report on the progress of the task force shall be submitted weekly or monthly, as appropriate. The Chief of Police or the Chief's committee will evaluate the results, anticipated results, success and the continued necessity of the task force.

3. Department employees assigned to a special task force will be required to comply with any policies and procedures issued by the Task Force.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 17-01**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 11/01/2018

Subject: Special Investigations Unit

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I. Purpose

To provide for responsibilities, staffing, and operation of the Special Investigations Unit of the Auburn Police Department. It is necessary to establish a unit for the investigation and suppression of vice and drug related offenses that require a law enforcement response. Criminal participation in such vice and drug related offenses inevitably spawn the opportunity for such participants to organize into groups, which are designed for financial profit. Subsequently, the established unit shall also be responsible for the effective collection and dispersal of appropriate criminal intelligence.

II. Organization and Function

A. Organization

1. The overall responsibility for the administration, operation and personnel of the department's

Special Investigations Unit, herein referred to as SIU, will be vested with the commander of the Criminal Investigation Division. Such Commander, in conjunction with the Chief of Police, shall identify a Corporal to oversee the daily operations of the Unit or above.

2. The Corporal or above shall operate under the direct authority of the CID Commander, who

shall at all times ensure that the Chief is informed of all investigations concerning vice, drug, and organized crime activities.

3. The CID Commander, in conjunction with the Chief of Police, will have the authority to

identify an officer to participate with local and regional drug task force organizations upon available manpower. The process for selection will be consistent with other such appointed position. The officer will function under the guidelines established in the Memorandum of Intergovernmental and Interagency Agreement and the policies and procedures outlined in the Auburn Police Department Operations Manual. The Criminal Investigations Commander will evaluate the results and the need for continued participation with the task force biennially.

B. Functions

1. To actively initiate investigations involving those offenses defined as being related to

organized crime, illegal drugs or vice activities'

2. To identify person(s) suspected of criminal activity

3. To ensure the thorough collection, secure storage and appropriate dissemination of intelligence

information

4. To present criminal cases to the Barrow County District Attorney's Office for prosecution

5. Initiate and over-see all criminal based asset forfeiture/seizure activity and report all activity

directly to the chief of police

III. Case Management and Control

A. Notification Responsibility

Each member of the Auburn Police Department SIU shall, on a routine basis, thoroughly inform the CID commander, of the investigations and intelligence- gathering processes in which they are involved. The Unit Supervisor should, in turn, keep the Division Commander informed as to who will be responsible for briefing the Chief of Police. All cases that are activated shall be assigned to a primary investigator. The investigator shall be responsible and held accountable for the case and all investigative efforts.

B. Case Status Control System

A case status control system shall be maintained in SIU and will include the following information: It is the responsibility of the CID commander to monitor the case status control parameters through MDS on a routine basis:

1. Name of Investigator assigned to the case

2. Date assigned

3. Case number

4. Specific incident type

5. Report review date, if required

6. Status of case

C. Case Status Categories

Special Investigations Unit cases will be classified in one of six (6) status categories:

1. Cleared by Arrest - An offense is "cleared by arrest" or solved for crime reporting purposes when at least one person is:

a. Arrested

b. Charged with the commission of the offense; and/or

c. Turned over to the court for prosecution, whether following a custodial

arrest, a non-custodial arrest, such as a court summons, the filing of a

juvenile complaint form, or the issuance of a traffic citation

2. Exceptional Clearances – An offense can be "exceptionally cleared" only

when an affirmative answer can be applied to all of the following questions:

a. Has the investigation established the identity of the offender?

b. Is there enough information to support an arrest, charge, and turning over to

the court for prosecution?

c. Is the exact location of the offender known so that the subject could be

taken into custody now?

d. Is there some reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender?

3. CLOSED - General - After initiating an investigation no collaborating evidence or probable cause was developed to substantiate a crime or continuation of said investigation.

4. OPEN-INACTIVE/SUSPENDED - All available leads have been exhausted yet the case has not been brought to a conclusion, but may be reopened if new solvability factors develop, or the suspect has been identified.

5. OPEN - Assigned Case - The case is assigned to a detective and investigative efforts are active.

6. UNFOUNDED - After initiating an investigation, it is determined that criminal intent cannot be substantiated; therefore, no offense has been committed.

D. Case Suspension Criteria

The SIU Supervisor may inactivate or "suspend" an investigation if he feels that the follow-up investigation has exhausted all leads but has not been brought to a satisfactory conclusion and investigative efforts may be resumed at a later time. The following criteria will be considered when suspending an investigation:

1. Absence of further leads or solvability factors

2. Unavailability of investigative resources

3. Insufficient degree of seriousness

E. Maintenance of Case Files

Original case files should be maintained within the SIU on all cases in which investigative activities are ongoing.

1. Each investigation that is initiated through SIU will be documented as follows:

a. All investigations will generate a departmental incident case number at the onset of each criminal investigation. An original GCIC based incident report form will then be forwarded to the CID commander for review and approval.

b. Upon being assigned or initiated the investigative case will be entered into the SIU case status control system (Case Management section of MDS).

c. The primary investigator will then be responsible for the secure storage of the incident case file (hard copy and all attachments) while the investigation is active.

d. The completed case file will be forwarded for secure storage within the Department's Records Section upon completion of the investigation.

2. Case files for active investigations will be maintained by each assigned investigator in an organized manner assessable to all investigators and the Supervisor and should contain at a minimum:

a. A copy of all preliminary investigative reports

b. A copy of all statements

c. Results of examination of physical evidence

d. Case status reports

e. Any other reports or records needed for investigative purposes

3. All SIU investigative case files will be organized and arranged in the below order and submitted to the CID commander for final review.

a. Case investigator's report

b. Supplemental reports of assisting

c. Suspect's statement

d. Suspect's waiver of counsel

e. Witness statements

f. Arrest warrants

g. Search warrants

h. Condemnations

i. Diagrams

j. All supporting documents, and records not generated by the Auburn Police Department including reports from other jurisdictions, copies of convictions, and court orders

k. Initial report and any supplements from patrol officers

l. All evidence supporting documentation including Chain of Custody forms, evidence records, laboratory reports; and photographs and audio taped interviews or interrogations (which are to be placed into an envelope and stapled to the case file)

4. When an investigator completes an original incident, report form he will forward the original to the CID commander for review and approval (MDS).

5. SIU personnel shall proof read all reports and summary sheets for accuracy and completeness before submitting to the CID commander.

6. All files will be purged in compliance with applicable State and Federal guidelines. All final documentation will be maintained in the original file within the records section of the police department.

7. All investigative reports shall reflect a chronological account of the investigation, which will be divided by separate paragraphs for each investigative action. Each paragraph will begin with the date and time. The initial paragraph will consist of a review of the initial report outlining the facts of the incident and the elements of the offense.

8. Active SIU investigations should be reviewed twenty-eight (28) days after the assignment by the CID commander or initiation by SIU investigator/s. Every attempt will be made to assign a case status of closed or suspended within twenty-eight (28) days of assignment. If the investigation is ongoing, or the investigator is awaiting a laboratory report to continue the investigation, another review of that case will be conducted by the unit Supervisor every twenty-eight (28) days thereafter. It will be the assigned investigator's responsibility to ensure these schedules reviews are completed

9. Each investigator will be subject to a case review at any time, even beyond the regular twenty-eight (28) day review cycle. Such review is intended to provide a record of the performance of each investigator and the progress of each on-going investigation.

IV. Rules and Regulations

A. Use of Informants

The use of confidential informants is important to the satisfactory completion of many investigations. The purpose of this policy is to establish procedures, which will develop a controlled system of use, which will avoid abuse and minimize the adverse impact on police operations.

1. O.C.G.A. Sec. 17-5-21, specifies that an officer's use of information from a confidential informant in a criminal investigation must be supported by probable cause. In utilizing a confidential informant to secure such probable cause, the officer must be able to show that the information is both credible and reliable or that probable cause was established based on information from the previous use of an already established reliable informant.

2. All officers are responsible for developing sources of information that will assist them in their follow-up investigations. Information that is obtained that relates to specific crimes being investigated by other officers, investigators, or detectives should be brought to the attention of those officers and their supervisors.

3. Information is available from many sources, i.e. concerned citizens who wish to remain anonymous, and criminals who have first-hand knowledge of illegal activity and relatives or friends of those involved in criminal enterprises. These sources should be kept in mind when conducting investigations and related interviews. Sworn personnel are cautioned to determine the motivation of individuals who provide information in order to help evaluate that information.

4. Informants' personal biographical and contact information shall be maintained in separate confidential master files. A master confidential names list will be maintained with the master files which lists the number code assigned to each individual confidential informant.

For the purposes of the policy, the Auburn Police Department recognizes a confidential informant as a person who agrees to and does provide information and/or does participate in any limited capacity in an ongoing investigation related to past, present, or future criminal activity; for any one of the following:

a. For payment

b. In exchange for any form of leniency on the disposition of or sentencing of any

criminal charges files or pending against the involved person or any other

person

In order to show credibility and reliability, it will be the responsibility of SIU to maintain an informant file on confidential informants and to cause the file to be updated each time the informant is used. This file will be maintained in a secure location and will be kept secured at all times. A typical informant file should contain:

a. Biographical and background information

b. Past contacts

c. Method of contacting the informant

d. Criminal history

e. Payments made to the informant

f. Information supplied by the informant

g. Informant's involvement in any operations

h. Code number

B. Informant Funds Disbursements

1. The department's budget will provide a confidential fund within the investigative expense budget line, to be used to support the informant operations. The City of Auburn Disbursing Clerk shall issue a check upon request, to the Supervisor. The SIU Supervisor shall submit the check to the Chief of Police for his signature. After cashing, the funds will be placed in the SIU expense fund and the amount entered into the log. The log will be maintained to show the initial balance, credits, debits, and the balance on hand. Personnel are prohibited from paying informants from any funds except those authorized in this policy. The fund will be the direct responsibility of the SIU Supervisor. Informants shall be paid based on the following factors:

a. The information was instrumental in clearing an offense

b. Multiple cases were cleared as a result of the informant

c. The normal course of the investigation would not have developed the information

d. The informant has provided valuable information in the past

2. An informant fund disbursement log will be maintained and include:

a. Date and time funds were disbursed

b. Case number

c. Amount disbursed

d. Purpose

e. Informant's name and/or code

f. Balance of fund

3. An accounting and auditing system will be maintained on the SIU Informant Fund and will include:

a. Submission of a written monthly report to the Chief of Police for approval.

b. Any request for funds to be disbursed in an amount in excess of $200 for a single case will be submitted to the division commander and the Chief of Police for approval.

c. A completed confidential informant form indicating all transactions of payment and amount of funds given to the informant.

d. A photo copy of money distributed to investigators by the SIU supervisor which will be randomly compared to "money on hand" of each investigator by the supervisor on a monthly basis.

e. Office of the SIU Supervisor shall conduct a quarterly audit of the informant cash fund and submit a report to the Chief of Police.

C. Juveniles as Informants

The Department will utilize juveniles as confidential informants on a limited basis and only with the approval of the Chief of Police and the juvenile's custodian. Such situations shall include but are not limited to, recommendations by the Juvenile Court Judge of Barrow County, Georgia, that a juvenile provide assistance to the Auburn Police Department in exchange for leniency or as part of a rehabilitation program.

D. Informants of the Opposite Sex

Sworn personnel are required to have another officer present when dealing with an informant of the opposite sex, or one whose sexual preferences may make an investigation more susceptible to compromise through alleged irregularities. Further, conversations may be recorded, if deemed appropriate.

E Probationers or Parolees as Informants

Probationers and parolees may be utilized as informants only after prior approval has been received from their probation officer. The APD Investigator must contact the probationer/parolee's supervising officer and advise the nature of the investigation and the role the probationer/parolee will have in the investigation. The APD Investigator is not required to include the supervising probation officer in the investigation. The date and time the supervising officer is contacted will be noted on the CI Form and if permission was granted for the probationer/parolee to work as a confidential informant.

F. Relations with Informants

The confidentiality of informants shall be maintained. No information about an informant may be released to anyone without a "need to know" justifiable basis, and upon approval of the SIU Supervisor. Information may be released in response to a court order.

1. Care and caution shall be used in releasing any information to informants.

2. When meeting with an informant, the officer should always select the time and

place. Locations and times should vary to avoid a pattern.

3. The officer should not permit an informant to take charge of a relationship or

investigation. The officer must retain control.

4. It is the policy of the Auburn Police Department to grant no tolerance toward

criminal activity in exchange for a continuing relationship with an informant.

5. Use of informants by Patrol Personnel: The procedures described above shall

apply to the use of the informants by patrol personnel. Any information provided

by an informant to an officer shall be relayed by the officer to his supervisor and

to the appropriate SIU member. As outlined in Section IV, paragraph A 4, there

is a specific process in place for the documentation of and use of established

informants. If any agency member establishes a contact that fits such informant criteria, then that process of documentation shall be followed. Initial documentation to establish an informant shall be completed prior to any active participation by such informant within an on-going criminal investigation. The contact officer assumes responsibility to ensure that the respective informant file is updated with each use of an informant. Use of informants within an on-going criminal investigation shall normally be conducted by SIU personnel as to ensure patrol officer availability to calls for service. Patrol officers will not ordinarily be allowed to disburse money from the investigative fund. An officer wishing to pay an informant must receive approval from the appropriate SIU member, who shall assume responsibility of ensuring the necessary documentation is completed.

G. Specialized Equipment

Specialized equipment acquired and utilized by the department for surveillance and covert operations purposes is available for officers' use. The SIU Supervisor shall designate responsibility for the maintenance, storage, and operational functioning of this equipment with an assigned investigator within SIU. The following procedures apply to the overall responsibility of such equipment:

1. Equipment used by members of the SIU for surveillance and covert operations shall be stored within a designated area, within SIU Equipment shall be securely stored at all times. Access to the storage area shall be limited to authorized personnel only.

2. A logbook shall be maintained to document each time any of the specialized equipment is removed from storage. This logbook shall document the following information:

a. Date equipment checked out

b. Name of employee utilizing the equipment

c. Description of equipment checked out

d. Date equipment returned

e. Case number (if appropriate)

f. Supervisor's approval signature

3. The surveillance equipment is available to any member of the department with a need for its use. Such use shall first be authorized by the officer's supervisor. Any necessary training on the use of the equipment shall be conducted by an investigator within SIU. The SIU investigator releasing the equipment shall ensure for its return to secured storage.

4. The designated investigator shall ensure the operational readiness of the equipment, to include:

a. Providing maintenance and upkeep of the equipment

b. Informing the SIU Corporal of needed repairs and maintenance requiring financial allocations

c. Storing the equipment in a logical manner, making retrieval and inventory easily accomplished

d. Maintaining an adequate supply of batteries and other necessary items to ensure readiness of all equipment

H. Covert and Raid Operations

All organized stakeouts, surveillance, undercover, decoy, and raid operations must be approved by the SIU Supervisor or other appropriate departmental supervisor. The officer initiating the operation shall, prior to the initiation of the operation, review the planned operation with the appropriate supervisor. This initiating officer, or another assigned by the overseeing supervisor, shall assume primary responsibility for the operation.

1. Prior to conducting such operations, the following procedures must be followed as they apply to specific type of detail:

a. Conduct an analysis of the criminal activity to determine the offenders, modus operandi, victims, and locations(s) of the criminal activity and the need for the operation.

b. Discuss and determine the legal ramifications.

c. Familiarize officers with the objective, location, suspects, and logistical requirements for implementation of the operation, to include surveillance, potential high-risk entries, arrests, and over-all security relief of participating officers on the scene.

d. Evaluation of safety and danger factors involved and verification that all personnel involved in the operation are wearing protective vest.

e. Ensuring for the distribution of any necessary expense funds, false identification(s), or disguises.

f. Arranging for appropriate communications between participating officers, to include both emergency and non-emergency traffic, to include any necessary requests for medical assistance.

g. Selecting and distributing equipment and vehicles.

h. Ensuring that the operation is not discussed with anyone other than that those officers and citizens with an appropriate need to know.

i. Ensure that the appropriate officer of supervising rank is available for close supervision of the operation.

j. Ensuring for the acquisition of the appropriate arrest and/or search warrant(s).

k. Discussing with participating officers the level of expected suspect resistance, departmental policies relating to the Response to Resistance/Aggression, and the corresponding force continuum.

l. Discussing procedures for contacting and maintaining control of suspects.

m. Familiarize involved officers with the areas to be searched, item(s) sought, and procedures for the seizure of evidence.

n. Coordinating with and obtaining assistance from other officers and/or agencies not participating in the operation.

o. Ensuring that an "Operations Plan", which documents the intended purpose and method of the operation, is filed within the office of the Chief of Police and the division commander (to be filed after the participating officers are appropriately informed of the operation, their assigned duties, and any necessary modifications have been made and before initiation of the operation).

2. As soon as possible after the organized operation, the officer in charge shall assemble as many involved officers as possible to critique the operation. This post-event briefing is intended to discuss the success of the operation, as well as discuss and identify problems that may have occurred in an effort to improve such suture operations. The SIU Supervisor shall ensure for the documentation of this critique.

I. Quarterly Alcohol Inspections

The Special Investigations Unit Supervisor shall ensure that alcohol inspections of all local businesses that are licensed to distribute alcoholic beverages occur at least annually. Businesses that have violated the City Ordinance of 'Selling Alcohol to Persons Under 21' years old, will be inspected quarterly. The SIU Supervisor will ensure that an updated list of businesses with Class A and Class B Spirituous Liquor license to include the owner's name and address is maintained for SIU

investigators conducting the alcohol inspections. The list should also document any prior City Ordinance Violations. The procedures for the investigations are as follows:

1. Confidential Informants approved by the SIU Supervisor who are under twenty-one years old shall be used by SIU Investigators to make purchase attempts/purchases of alcohol beverages from each business with a Class A and Class B license.

2. Investigations that do not result in a violation of a City Ordinance will be documented in a miscellaneous report. The report will contain the name of businesses checked, the addresses, and dates/times of the inspections. A letter informing the business owner that their business was checked and that there was no violation will be sent at the conclusion of each "sting" operation.

3. Investigations that result in a City Ordinance Violation will be documented by the assigned Investigator in detective report format. The investigative file will also include a copy of the citation, property and evidence form, and the buyer's report completed by the confidential informant.

4. Upon a business's first violation (note: a business under new ownership is considered to be a new business), the SIU Investigator conducting the investigation shall issue the individual in violation of the City Ordinance a written warning. A letter informing the business owner that their business was checked and was in violation of the City Ordinance will be sent at the conclusion of each "sting" operation. The letter will contain the case number referencing the investigation, the date of the violation and the individual's name who received the written warning. The assigned SIU Investigator will issue a citation(s) to individuals who violate the City Ordinance in subsequent inspections.

5. Upon conviction of the offense of sale of alcoholic beverages to a minor, the SIU Supervisor will ensure that a report is sent to the City clerk, detailing the investigation and history of prior convictions of that business. The report is to include a copy of the investigative case file, a certified copy of conviction, and case files of any prior violation.

V. Criminal Intelligence

It is the policy of the Auburn Police Department to only collect, maintain and share intelligence files containing information limited to individuals or members of and/or organizations involved in criminal conduct and as it relates to activities that present a threat to the community. In addition, all employees of this department share in the responsibility for collection, processing and sharing of suspicious incidents and criminal intelligence relating to criminal and homeland security activities. The collection, submission, access, storage, and dissemination of criminal intelligence information must respect the privacy and constitutional rights of individuals, groups, and organizations.

The Special Investigations Unit will be responsible for the collection, storage and dissemination of criminal intelligence. All departmental members are responsible for collecting and transmitting criminal intelligence information to SIU in written memorandum, incident report, or email. The Chief of Police, and the Criminal Investigations Division Commander, will have direct access to such gathered intelligence.

A. Purpose

The purpose of intelligence collection is to maintain files and information from background investigations on persons, major criminals, and criminal activity in this jurisdiction. Such files will contain names, addresses, businesses, and locations of criminal activity and the types of criminal activity present.

B. Definitions

Intelligence Information: Information relating to specific crimes and criminal activities. Typical examples of areas of concern are organized crime, vice, illegal drug trafficking, terrorism, gangs, and civil disorders. It is not information collected for political or other purposes unrelated to crime.

Homeland Security: The department's local contribution to a concerted national effort to prevent terrorist attacks within the United States, reduce America's vulnerability to terrorism, and minimize the damage and recover from attacks that do occur. It also refers to the department's role in responding to other hazards to the community resulting from adverse weather conditions, health emergencies or other unusual incidents.

Right to Know: Legality of disclosure/failure to disclose intelligence data. Right to know exists only when (1) state or federal statutes mandate release to the person requesting such data, or (2) mandated by judicial action, specifically by subpoena.

C. Types of Criminal Activity

Employees shall research, monitor and maintain information on major criminal activities to include, drug offense information, conspiracy, corruption, subversion, cults, homeland security issues, and other related activities. The CID division commander, in conjunction with his designee, will analyze crime systems, target operations and develop strategies and recommendations for law enforcement action. Intelligence information collected by department employees shall be channeled through the Criminal Investigations Division Commander or his designee before processing or disseminating to ensure information collected is limited to criminal conduct or relates to activities that present a potential threat to the community.

1. Submitted intelligence information will include the source of the information, details with thoroughness concerning the alleged activities, thorough descriptions of all involved parties, involved locations, and any other applicable information.

2. Submitted intelligence will be in written form designating the submitting officer's identity and date/time of collection of the information.

3. Submitted intelligence will be written on a departmental memorandum form designated as intelligence, on a standard "Crime Stoppers" report, documented in an internal email to the SIU supervisor, or within a completed incident report for appropriate follow-up.

D. Integrity and Legality

Employees must recognize the delicate balance between individual rights and the legitimate need for law enforcement. The following are intended to provide proper internal safeguards against violations of rights or the subversion of the democratic process:

1. Personnel

Employees shall not collect information on individuals or groups based solely on race, sex, religion, political affiliation, personal habits, economic status or support of unpopular causes.

Employees shall not engage in illegal activities in order to collect intelligence or information or use collected information for personal gain or individual enhancement.

2. Techniques

Electronic surveillance operations shall be conducted under the provisions of Georgia Annoted Code 16-11-62.

Photographic surveillance shall be conducted to identify suspects and associates involved in illegal activities and gather evidence to support such cases.

Undercover agents shall be knowledgeable of entrapment laws. All operations and intelligence technicians shall be under the authority and supervision of the Criminal Investigations commander, through the SIU Supervisor.

3. Information

Intelligence information shall be stored on a secured computer and hard files within SIU. Information gathered shall be prudent, pertinent, and accurate with respect to the case or complaint being investigated. Information shall be evaluated by the SIU Supervisor according to source, timeliness, and reliability.

a. The Special Investigations Unit will maintain a secured centralized location for the input and storage of all submitted information.

b. All records conveyed to or received from other agencies will be maintained in this file.

c. Sufficient cross-referencing of involved parties/locations vehicles will be completed to allow for thorough retrieval and analysis of collected intelligence information.

d. The SIU Supervisor or his designee(s) may destroy initially submitted intelligence reports once the information has been appropriately documented, with the exception of those articles which are part of the official incident reports.

e. The SIU Supervisor will consistently monitor the intelligence gathering process to ensure the legality and efficiency of the designated officer(s) practices and techniques. On an annual basis, a review of the procedures and processes associated with criminal intelligence will be conducted by the CID Commander or his designee.

E. Intelligence Collection

Intelligence of illegal activities may be generated and/or secured by any member of the Auburn Police Department. Under such conditions whereby a non-SIU officer receives such information, the receiving officer will forward the information to the SIU in proper written form.

1. The Criminal Investigations Division Commander, or his designee(s), will routinely review incident reports, field interview cards, and other documentation generated by the Auburn Police Department. That review will allow for the identification of information that is limited to criminal conduct; relates to activities that present a threat to the community; and are relevant to the intelligence gathering process. Upon identification, reception, or personal collection of criminal intelligence information, the Commander or his designee(s) will evaluate the veracity and quality of the submitted intelligence, considering the source of the information and previously gathered intelligence that tends to corroborate the current information. Resulting action will be to conduct the appropriate follow-up investigation and/or submit the information into the appropriate intelligence records. Information retained by the Auburn Police Department will specify the type and individual identity of the source when appropriate, which will aid in the determination of the quality of the information. Such information may be secured from the following:

a. Other law enforcement officers

b. Other law enforcement agencies

c. Confidential informants

d. Concerned citizens

e. Anonymous tipsters

f. Personal observation or investigation

2. Nothing in this order shall prohibit immediate action by any member of the Auburn Police Department in pursuit of criminal violators should such immediate action be deemed appropriate.

3. Information on specific criminal activity that has previously been assigned for investigation will be forwarded to the case officer.

4. Intelligence concerning on-going criminal activity will be entered into the intelligence files.

F. Records

Intelligence records shall be kept separate from Police Department files under control of the SIU Supervisor. Information may be maintained utilizing a computer database.

1. Continuity

Information shall be categorized by geographical area, type of criminal activity, and related organized crime grouping.

Officers shall submit data including full identity of suspects, (name, alias, description, etc.) current addresses, date of birth, social security numbers and history of involvement in criminal activity past and present.

2. Security

All files, especially those of an extremely sensitive nature, shall not be disseminated without the approval of the SIU Supervisor.

Access to such data shall be limited to the Chief of Police, the division commander, the SIU Supervisor, and SIU investigative / support staff.

Extremely sensitive information shall be of the nature that if released the wellbeing of an informant or his/her family could be jeopardized. To be included as extremely sensitive information are any electronic surveillance or restricted/confidential data from outside agencies.

G. Intelligence Dissemination

No information contained within the intelligence files shall be disseminated to Law Enforcement Agencies without the expressed permission of the Chief of Police or his designee(s). When disseminating any information based on legality and safety of participants involved must be weighed. Release of information shall result only when right and need-to-know is established. Telephonic or written requests must be verified prior to dissemination and a record of the dissemination shall be maintained. It shall be understood and stressed that information disseminated to requesters will not be duplicated or further disseminated without permission of the Chief of Police, his designee(s), and/or Superior Court (authorizing electronic interception of communications).

1. Intelligence information maintained by the Auburn Police Department shall be disseminated by the Chief of Police, and the Division Commander or his designee(s).

2. Such information will be made available on a "need-to-know" basis, where such supplied intelligence will have a beneficial effect upon an active criminal investigation within the respective jurisdiction.

3. Intelligence that is more than thirty-six months old should be verified prior to its utilization.

H. Updating and Purging

The Criminal Investigations Division Commander and the SIU Corporal will routinely and consistently, purge any intelligence files within the centralized location, which are deemed to be inappropriate. Periodic reviews, not to exceed six months, of the centralized intelligence location will be conducted for that purpose.

1. Inappropriate intelligence files will include records which have for a consistent period of thirty-six (36) months remained inactive or information which has been identified as being incorrect.

2. All photographs and other recordings will be maintained with the report or destroyed in the event the report is purged from the system.

3. Sensitive information files shall be audited on an annual basis by the Division Commander to determine if such information should be re-evaluated, declassified, or purged from the system.

4. Purging information shall be based on:

a. Frequency data is retrieved for investigation

b. Validity of data

c. Role of data in goals of the unit

d. Period data has been in file

e. Future expectation of data importance

I. Equipment

Control and status of equipment shall be the responsibility of the SIU Supervisor and handled by routine unit equipment inspections.

J. Liaison

The Auburn Police Department shall maintain a policy of cooperation with other criminal justice agencies, public safety agencies, and governmental agencies.

The Criminal Investigations Division Commander shall be designated as the liaison to link the Auburn Police Department with other agencies, as well as, with inter-departmental Units, to investigate complaints involving criminal activity against and employee of this Department.

The Division Commander, or his designee(s), shall be the liaison between all other units or outside agencies in the dissemination of information. Dissemination shall be conducted according to Departmental policies, as stated, and under the Chief of Police.

K. Training

All employees will receive periodic training on criminal intelligence and homeland security to include collection, dissemination and/or use of gathered intelligence.

VI. Selection and O.J.T. Program for SIU

The Auburn Police Department staffs the Special Investigations Unit with investigators from the agency's sworn personnel, when available.

When a vacancy becomes available for an investigator within SIU, the following selection criteria is utilized for that selection:

1. A review of previous police reports and monthly statistics of work performance to assess the writing skills of the candidate will be completed by the SIU supervisor.

2. A review of the interested officer's work performance and disciplinary record is conducted by the SIU supervisor in conjunction with the officer's current supervisor.

The Chief of Police shall announce each opening for investigator at a bi-weekly staff meeting, with the announcement then being entered into the minutes. Upon such opening, interested officers shall make their interest known to their direct supervisor, who forwards that information to the Criminal Investigations Section Commander. The above criteria review is initiated, with a recommendation for assignment being made to the Chief of Police.

When an officer is hired or transferred into the Special Investigations Unit, the following criteria will be followed to ensure proper training is provided. The Division Commander will designate a current member of SIU, this person will be the SIU Supervisor, unless otherwise specified by the Commander, to assume primary responsibility for the new member's training. The length of time spent in training will be based on a performance evaluation of each new member by the Division Commander, in conjunction with the trainer. The O.J.T program for new members of the unit shall consist of four different phases.

A. Phase One

The Recruit Investigator (R/I) will be thoroughly oriented in the SIU process. All general and special orders, along with each aspect of this policy, will be introduced. Special emphasis will be placed on all applicable time requirements and on the process of investigative documentation.

B. Phase Two

The R/I will be exposed to the various resources available to SIU for investigative purposes (i.e. 35mm and digital cameras, video monitoring/recording systems, computer operations.) The R/I will be assigned various investigations as deemed appropriate. These investigations shall be worked in conjunction with the trainer. Initial investigations should concentrate on intelligence collection and storage, search and seizure procedures and search warrant affidavit preparation as directed by the trainer.

C. Phase Three

The R/I will be given more latitude in working assigned investigations outside the immediate supervision of the trainer. Daily investigative reviews - to ensure investigative thoroughness and documentation - shall continue with the trainer. The R/I shall be allowed to work with other investigators. Primary case responsibility may be placed with the R/I as deemed appropriate by the trainer.

D. Phase Four

The training of the R/I will continue, though more latitude is given as his understanding of the investigative process is confirmed by the trainer. Routine status reviews continue to ensure investigative processes are being followed.

At the end of phase four, the R/I will be critiqued by the Criminal Investigations Division Commander and the trainer. A decision will be made to continue close monitored training or to release the R/I from the training process. Successful completion of O.J.T. by a new member of SIU will ensure all members of the Unit are consistent in completing the various investigative processes. The trainer should maintain records of the four-phase training process to sufficiently document the progression of the R/I.

VII. Civil Condemnation Actions

The Special Investigations Unit will be responsible for the initiation of all civil condemnation procedures, pursuant to federal and state law regarding illegal and controlled substances and Habitual Violator statutes, on behalf of the Auburn Police Department. Nothing in this order shall prohibit actions by any member of the Auburn Police Department in pursuit of criminal violators when such action may also result in a separate civil condemnation action. Upon the initiation of a criminal action, which results in a separate civil condemnation action, the initiating officer shall be responsible for appropriate notifications.

1. Immediate notification of potential condemnation action may be made to the legal owner of the subject property if possible, and a sworn officer designated by the SIU Supervisor shall serve civil process.

2. Appropriate documentation as required by Departmental policy and the Barrow County District Attorney shall be delivered to the SIU Supervisor within twenty (20) days of property seizure. If subject property was not seized, yet is subject to civil condemnation, the same notification requirements shall apply. This same paperwork will also be provided to the Barrow County District Attorney within the established twenty-day time period.

3. The chief of police and/or his designee(s), shall maintain a record system exclusive to civil condemnation actions. The system will include the following:

a. Date and time of incident/seizure

b. Defendants/owners of real and/or personal property

c. Description of real and/or personal property

d. The Auburn Police Department case number to cross-reference the civil action with the

applicable criminal investigation

e. Date & time of any actions taken pursuant to the civil action

f. Disposition of the condemned property

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 17-03**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 11/01/2018

Subject: Arson Protocol

I. Purpose

The responsibility for fighting fire and ensuring the safety of surrounding buildings and personnel rests with the fire department. The primary determination of whether a fire is of a suspicious nature and/or arson should be made by the fire scene commander. If the fire scene commander determines that the origin of the fire is suspicious, is arson, or there is a fatality involved he will call for a patrol officer to complete an incident report and a detective to conduct a criminal investigation.

II. Procedure

The CID Commander or his designee will assign a case detective to investigate all arsons, suspicious fires, and fatality involved fires. A case detective may respond from an on-call status.

A. Responsibility of Detectives

Upon the arrival of the Criminal Investigations Division's representative, they should be briefed by the fire scene commander or his representative. The case detective should complete interviews with any witness and person(s) responsible for the property. Written consent from a person with lawful custody of the property or a search warrant shall be obtained by the case detective before a search for evidence is conducted. Photographs of the visible fire should be taken, but only as is possible without endangering the investigator. General photographs of any bystanders should also be taken. The detective should attempt to identify as many bystanders as possible for later investigative follow-up. Once the scene is declared safe, the case detective and a fire department official, as designated by the Fire Chief, should do a general walk-through of the scene.

The case detective may have the on-call Arson Investigator respond and complete the scene investigation in cases where there is significant property damage (homes and or businesses). The Arson Investigator will be contacted by the case detective on any fire that results in serious injury or death. Smaller fire scenes deemed suspicious or arsons will be processed by the case detective (vehicle fires, dumpster fires, grass fires, etc.)

B. Scene Investigation

The scene should be processed in much the same manner as any other crime scene. Although the criminal investigation and processing of any evidence will be conducted by members of the Police Department's Criminal Investigations Division, assistance in determining points of origin, length of burn, types of accelerant and similar indicators of arson can best be determined and pointed out by a designated fire officer/arson investigator. In addition, fire department personnel should have at least rudimentary knowledge of crime scene preservation. The processing, collection, transportation of evidence shall be done by the case detective or Arson Investigator, with assistance by fire department personnel when necessary, in a manner that ensures its admissibility as evidence.

Release of the fire scene should only occur when the case detective or Arson Investigator, in conjunction with the assigned fire official have determined that all processing is complete. If an Arson Investigator is required to conduct the scene investigation he will complete a written investigative supplemental that will include a list of evidence taken from the scene, all photographs taken, and a scene sketch. The report will be submitted to the CID Commander or his designee, usually within 14 days of the incident.

C. Responsibility for Investigation

Responsibility for the investigation and the prosecution of any act deemed to be of a criminal nature rests with the Police Department. Fire Department personnel should release to the Police Department any and all information they may have on all fires involving the same location and/or occupants. Fire Department personnel should be prepared to lend assistance to the Police Department in prosecution of the case, to include technical assistance, testimony, and any information concerning the nature of the fire. The designated fire official should with the knowledge and permission of the fire chief, make himself available to assist the assigned detective in any area concerning the fire that may be outside the detective's area of expertise.

D. Joint Responsibilities

The case detective, his supervisor, or the Chief of Police shall conduct periodic briefings with the Fire Chief and/or Fire Marshall to ensure he is kept apprised of the investigation. In general, for continuity, for the development of a prosecutable case, and because of the varied rules of evidence, the case should primarily be investigated by the Police Department with required technical assistance provided by the fire department's liaison. The investigation should be conducted in the fashion of any criminal investigation as provided for in Chapter 17 of Auburn Police Department Operations Manual.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

Review: 11/01/2018

Subject: Crime Scene Processing

I. Purpose

The purpose of this policy is to establish procedures for processing major crime scenes. Other crime scenes may be processed with modification of these procedures.

II. Policy

The Auburn Police Department shall maintain a CID-based Crime Scene Technician, and/or Detectives, Patrol Crime Scene Technicians, and Patrol Officers who are trained to preserve, gather, collect, and evaluate evidence, in the pursuit of resolving criminal cases. These personnel will have continual access to the equipment and supplies necessary for the recovery of latent prints, photography, sketching the scene; and collection and preservation of physical evidence.

The Crime Scene Technician will have the primary responsibility to locate, recover, and preserve latent fingerprints; collect evidentiary material; make sketches; and photograph and video record major crime scenes. In those incidents in which a Crime Scene Technician is unavailable, the Primary Detective will assign evidence gathering and processing responsibilities. Designated and properly trained Patrol Crime Scene Technicians can assist the first responding patrol officer in processing crime scenes not classified as major crime scenes. The following are considered to be major crime scenes:

a. Murder

b. Rape;

c. Aggravated Assault involving serious injury, including any stab wound requiring hospital treatment, or any gunshot wound;

d. Any death (including suicides, homicides, traffic fatalities, and natural causes);

e. Any Robbery;

f. Burglary, involving night entry into an occupied residential dwelling, and/or incidents involving the apprehension of a burglar; and

g. Arson.

At the discretion of the Chief of Police or CID Commander, a detective or Crime Scene Technician can be assigned to investigate crimes other than the above major crime scenes. The primary responding officer will investigate all other crime scenes not listed above.

III. Procedures

The officer assuming responsibility for processing the related scene/evidence shall, conduct a preliminary overview of the scene to determine the proper sequence of procedures most applicable, given the circumstances of the crime. This is to ensure the integrity of the crime scene, and to ensure that the investigative coverage is performed in a systematic manner. Any item of evidentiary value will be isolated and protected from contamination and excessive movement, until the proper process of examination may be completed. Prior to the collection of any evidence, the items will be properly photographed in its original state and condition. Evidence with a short lifespan shall receive immediate attention, so that deterioration is curtailed.

A. Evaluation of Evidence at the Crime Scene

1. Whenever possible, evidence shall be processed at the crime scene to avoid contamination from handling and/or transporting.

2. Initial Responding officers who secure evidence for public safety or to prevent its destruction may transfer the evidence in the field to the lead investigating officer or detective. That officer must complete a property form for the property and sign it over to the receiving party. The officer must also complete a supplemental report documenting the location of evidence, why they secured it, its condition, and who the evidence was transferred to.

3. Evidence requiring examination techniques unavailable at the crime scene shall be transported to the Auburn Police Department or the Regional GBI Crime Laboratory.

4. It shall be the responsibility of the Criminal Investigations Division (CID) Commander to determine which articles are to be transported from the crime scene to the Police Department or Regional Crime Laboratory.

5. When collecting the evidence at the crime scene for laboratory analysis, the amount needed will depend upon the type of evidence and the test to be conducted.

6. Evidence collected for DNA evaluation, i.e. blood, saliva, semen, etc., will be sent to the GBI crime lab for analysis, and CODIS entry for all felony Part I crimes under the following circumstances:

a. The perpetrator is unknown, or

b. The perpetrator is known and comparison samples, i.e. blood or buccal swabs, have been obtained. ** If perpetrator cannot be located, the unknown samples will immediately be sent to the GBI Crime Lab for examination and analysis.

7. DNA evidence obtained in Part II crimes will be evaluated by the CID Commander, or his designee, on a case by case basis, to determine if submission to the GBI Crime Lab for processing is

necessary and/or cost effective. If DNA evidence is submitted in a Part II crime, the case will be assigned to a detective or investigator for follow-up.

8. Evidence collected and not sent immediately to the Crime Lab, for example, when waiting for comparison items, shall be placed in the Evidence Room until it can be transported to the Crime Lab. No evidence will be placed in personal lockers or otherwise maintained outside the Departmental evidence process.

9. Evidence requiring scientific comparison shall be accompanied by control samples for proper evaluation. Such samples may include stains, soil, hair, fibers, blood, paint, tool marks, etc.

10. Evidence involving criminal death, Murder, Manslaughter, Vehicular Homicide, etc., with no identifiable suspects, shall be collected and transported from the crime scene to the Auburn Police Department by the Primary Detective or the Crime Scene Technician. Items needed to be processed at the Regional Crime Lab will be delivered in a timely manner by the evidence custodian.

11. Evidence not involving criminal death may be collected and transported by any member of the investigation team in coordination with the Primary Detective.

B. Marking Evidence

The officer or detective who discovers, recovers, or receives physical evidence at the crime scene, must be able to positively identify the specific evidence at a later date, if it is to be introduced as evidence in a court of law or any form of judicial proceedings.

1. Identifying Mark

a. Initials of individual originally discovering the item;

b. Date of discovery;

c. Time of discovery;

d. Items should be marked in an area not easily removed (on removable parts)

e. Items should be marked so as not to deface or devalue the item; and

f. Items which are unable to be marked directly on the surface due to size or composition, shall be placed in a container bearing the identifying mark. Any such containers shall become part of the evidence and proceed with the evidence through the chain of custody.

2. Written Report

a. Description of item (make, model, color, serial number, etc.);

b. Location and description of identifying mark.

Property and Evidence reports shall be completed and attached to the collected evidence as outlined in Chapter 13, Section III (C) 11 and 13 of this policy manual.

C. Reporting

1. Any evidence examination or processing conducted by Auburn Police Department personnel at a crime scene or traffic collision will be documented in a written report. The report will describe who collected the evidence, where it was collected from, the date and time of collection, the article collected, the offense, how the article was marked for identification, the examination conducted, the results of the examination, the location at which the examinations were completed, and the case number.

NOTE: For items of physical evidence collected in relation to any Part I crime that is not cleared through the arrest of the offender at the time of evidence collection, the above described details of the collection process shall be documented within a secured supplemental narrative; not within the preliminary narrative.

2. When examinations are requested from the Crime Laboratory, the officer transporting the evidence to the Crime Laboratory, will supply all documentary information necessary for the in-take of evidence, to include the date and county of occurrence; the submitting officer and agency name; the name of the victim and any suspects, the location of occurrence and the name of the Primary Detective. Sufficient offense information shall also be provided to the Crime Laboratory as to the nature of the offense and all circumstances associated with the commission of the offense as applicable to evidence examination.

3. The Crime Laboratory will submit their findings to the Primary Detective in a written report to become part of the original offense report.

4. It shall be the responsibility of the Primary Detective to indicate the time and date that Crime Laboratory findings are received and attach the Crime Lab report to the original offense report.

5. The Primary Detective will attach the original report submitted by the Crime Laboratory to the original offense report which will be maintained in the Records Section of the Police Department.

D. Report Checklist

Any detective called to the scene of a crime, fire, disaster, or traffic accident, will complete an investigative report or supplemental report which will include the following:

Offense type;

Scene location;

Case number;

Victim's name;

Victims Date of birth, race, sex;

Day of week;

Date;

Time requested;

Time arrived;

The specific time completed on each event;

Weather conditions;

Light conditions;

Officer(s) at the scene;

Any others at the scene;

Latent prints lifted (even if no prints were lifted); Photographs taken; (include number of photographs taken); Vehicle year, make, model, body style, color, and VIN, state/license number and vehicle point of entry;

Burglary type;

Point of entry, type, method;

Safe burglary, type, method;

Evidence disposition;

Measurements taken;

Suspect's name (if known)

Comments to include what evidence was recovered, where, and its disposition, Evidence Chain of Custody, date and time of submission on receipt of evidence to Crime Lab, method of evidence transportation from scene to destination, name and signature of person receiving evidence at Crime Lab, sketches that were made, or photographs taken.

If evidence is not recovered or photographs are not taken at a serious crime scene, a short explanation shall be included outlining the reasons why physical evidence was not recovered or photographs were not taken;

Any delays in the transportation of evidence to the Crime Lab for any reason should be noted in a supplemental report to be added to the original report; and any subsequent action taken during the investigation by the Primary Detective shall be written on a supplemental report to be attached to the original Crime Scene Investigation Report. Additional information shall include Crime Lab Reports, suspect's name and description (if known), and any followup investigations by the Primary Detective.

E. Latent Prints

1. Fingerprints may be recovered from a variety of surfaces including smooth surfaces, glass, paper, metal, plastic, desk and counter tops.

2. Where the possibility of latent prints exists, the officer, detective, or crime scene technician will properly dust for the prints.

3. When a print becomes visible after dusting, the officer, detective, or crime scene technician will lift the print by using latent print lifting tape or by employing "super" glue techniques.

4. The lifted print will be put on an index card and the officer, detective, or crime scene technician will note on the back of the card the date, time, location of incident and print location, incident/case number and the employee's name.

All latent prints which are recovered from a crime scene are to be considered as significant as any item of evidentiary value and therefore must be properly documented. The procedures for processing, developing, lifting, and labeling all fingerprints must be completed in accordance to training provided to each individual officer. As with all evidence, there must be a documented chain of custody from the moment of its acquisition to the time of final disposition.

1. After the print has been lifted from the crime scene, it is to be attached with any other prints from the same crime scene and documented on an official Departmental Property and Evidence report, separate from other evidence. The patent prints shall be placed into evidence along with the Property and Evidence report for documentation of chain of custody. The evidence custodian shall assume responsibility and control of the lifted prints and shall maintain a secured file system within the evidence storage room for the regular storage of such patent prints. This secured file system is to be supported by a ledger system, arranged numerically by Departmental case number, to document the prints held within the system. Chain of custody forms for each set of patent prints submitted shall be signed by the custodian to document each time he or she assumes or releases control of the involved prints.

2. The ledger system, whether handwritten or computerized, shall document the date and time of reception by the custodian, the involved Departmental case number, the number of prints submitted with each Property and Evidence Report, and the date and time of final release of the involved prints from his custody. Responsibility of having submitted prints inspected for identification and comparison lies with the respectively assigned detective or officer, not with the custodian. If a submitted patent print is deemed to be unidentifiable or is transferred to the Regional Crime Lab for comparison purposes, then it shall be removed from the evidence process and logged out of the custodian's ledger system. Prints which are unidentifiable shall be stored within the corresponding investigative case file.

3. Inked patent prints that are secured from suspects, victims, or others potentially involved in a criminal investigation, shall be maintained by the investigating officer or detective within the investigative case file, with no chain of custody being required.

F. Serologic Evidence

Any evidence which is collected for the purpose of DNA comparison shall be collected and transported from the crime scene to the Auburn Police Department by the Primary Detective, CID Crime Scene Technician, Patrol Crime Scene Technician, or any officer who has received training in the proper procedure for collection and handling of such evidence. This includes, but is not limited to, blood, semen, vaginal fluid, and saliva. When collecting such items, personal protective equipment must be used. Any item of evidentiary value will be isolated and protected from contamination and excessive movement by the first responding officer, until the DNA evidence can be properly collected.

DNA evidence shall be transported to the GBI Crime Lab, which is an accredited laboratory, as soon as possible. The evidence shall be transported by the Evidence Custodian, or in the absence of the Evidence Custodian, the CID Commander will appoint a person to be responsible for the transport. If a delay is absolutely necessary, blood samples shall be placed in the refrigerator in Property and Evidence. Clothing that is wet or bloody shall be allowed to air dry and packaged in paper bags. All DNA evidence will be packaged in accordance with the GBI guidelines as outlined on the GBI website which may be accessed at . The GBI requirements maybe viewed on this website by accessing the Download option and then viewing the Service Manual. A copy of the manual will be maintained in the CID Supervisor's Office and the Patrol Assembly Room.

All other body fluids, including saliva, urine, perspiration, pus, human milk, nasal mucous, and tears, will be handled using the same precaution as blood and semen. Evidence will be collected from a known source, when a source is available, so that it may be submitted to the crime laboratory for comparison with physical evidence already collected.

1. Blood Samples

Bloodstained articles should not be packed for submission to the Regional Crime Laboratory until it has been thoroughly dried at normal room temperature. Clean paper should be placed under the drying object to catch any falling evidence, specifically trace evidence.

When the object is dried and ready for packaging, the paper should be carefully folded to secure the dried object and all traces of evidence. Then place in the wrapping with the article in a paper bag.

a. In order to obtain maximum value from bloodstain evidence, the Crime Laboratory must have a sample of known blood from the victim and the suspect. This is absolutely necessary in cases where there is only a very small stain, because the types and subtypes of both bloods must be determined in order to select the system to be run on case material, which will provide the greatest population differentiation and distribution.

b. All items of blood typing must be submitted to the Crime Laboratory, as quickly as possible. Heat, humidity, and sunlight have destructive effects on blood, and will not only affect ABO groups, but will completely destroy the weaker antigen systems and enzyme groups. If blood has become hardened and difficult to retrieve, it is best to use a gauze pad which has been treated with sterile water and apply the gauze to the hardened stain. The gauze would be permitted to air dry and then be placed into a paper container for transportation.

c. For bloodstains appearing on fixed objects or on objects too bulky to transport to the laboratory, the crime scene collection officer shall cut off that portion of the object bearing the stain, if possible. Bloodstains on objects which cannot be cut, for example, concrete floors or metal safes, may be scraped and the scrapings placed into a pill box or onto a clean piece of paper. The papers shall then be folded carefully and placed into a container.

d. For bloodstains appearing on porous objects, such as wood or earth, the bloodstain, as well as the portion of the material upon which the stain appears, should be placed in a clean container, labeled on the outside, and sealed to prevent loss through leakage.

e. Buccal swabs should be used to collect DNA samples from living victims and suspects. Two swabs should be taken from each cheek. Once the samples are collected, they should be placed in the cardboard collection boxes and allowed to air dry. Once dried, they should be packaged in a paper bag. Blood samples from living victims and suspects may also be taken and contained in a 5 mi Vacutainer tube which, has the additive ACD to serve as an anticoagulant. (See letter h below for packaging instructions)

f. Blood samples collected in a tube will be properly sealed and labeled indicating the suspect's or victim's name, date of collection, the name of the person who collected the blood, and identifying case number.

g. All blood samples are to be kept refrigerated. DO NOT FREEZE. Blood samples are to be delivered to the crime laboratory as soon as possible.

h. The GBI Crime Lab requires that all serology/DNA evidence that is submitted for DNA comparison be packaged in paper containers. Known DNA samples must be submitted in purple topped tubes or buccal swabs. All evidence should be air-dried. The outside of the paper packaging should have the following information listed:

1. Name (suspect and/or victim);

2. Brief description of contents;

3. Location where collected;

4. Investigators name; and

5. Agency Name and case number.

The submitting officer must complete a GBI Evidence Submission Form. The completed form, along with a copy of the original incident report, must be attached to submitted evidence. The evidence will be transported to the GBI Crime Lab by the evidence custodian or her designee. The detective assigned to the case is responsible for ensuring that the evidence has been submitted. If it has not, the assigned detective will complete the proper forms and have the evidence transported.

2. Seminal Samples

Articles bearing seminal stains will be air dried and then packaged in a paper bag.

a. Seminal fluid which is deposited outside the body on sheets, garments, furniture, etc., is excellent scientific evidence, because of the lack of contamination with vaginal secretions. If seminal stains are present on bed clothing, these should be collected for examination.

b. If seminal stains are still wet, these stains should be circled just outside the boundary of the stain and noted for the Crime Lab serologist who receives the case.

c. Dried semen on an immovable object should be scraped carefully, using a razor blade, onto a sheet of clean white paper, which is then folded into a secure packet to prevent loss of scrapings.

d. If the dried stain is too small or too thin a smear for scraping, it can be absorbed onto a small piece of gauze, which is dampened with saline.

e. The gauze should be thoroughly air dried before packing into a paper bag or envelope. Liquid semen should be wiped onto a clean gauze pad and allowed to dry.

3. Saliva Samples

Saliva samples taken from live victims or suspects will be collected on a Q-tip, air dried, then packaged in a paper bag. At least 5 ml must be collected after the person has rinsed his/her mouth

with clean water and spit out (discarded) fluid. The saliva must be free of phlegm and mucus. If the subject is unable to donate at least 5 ml, allow the person to chew on a clean rubber band to stimulate production.

Foaming or bubbles in the sample is not considered part of the 5-ml volume necessary. Close the container so that leakage cannot occur. Properly seal and label the tube with the suspect's or victim's name, date, name or initial of Crime Scene Investigator and doctor or medical technician. Samples should be placed in an ice bath and transported IMMEDIATELY to the Crime Lab.

Because of the potential for rapid deterioration of saliva samples, they may not be stored for later transportation.

G. Hair Samples

Hair samples will be placed in a ziplock bag or other sealable plastic bag. A minimum of twentyfive (25) randomly pulled hairs are necessary. Pubic hair should be treated in the same manner. A brush or a comb can be used to obtain some of the hairs for a standard, provided the brush or comb is clean. If combed/brushed hairs are collected, they can be submitted in separate plastic bags from the pulled hair.

H. Crime Scene Sketches

Crime scene sketches are prepared to supplement notes and photographs, and to provide accurate measurements of sizes of objects and their distance relationship to other objects present at a crime scene. A rough sketch will be completed at the crime scene, which will accurately show the location and relationship of pertinent evidence. The sketch should include any bodies, weapons, tools, or objects used in the commission of the crime. A specific detective will be assigned to complete the sketch by the Primary Detective. He will coordinate his sketch with the assistance of the Crime Scene Photographer, and indicate in his sketch, the location at which the crime scene photographs were taken. The triangulation from fixed objects shall be the method utilized to document the positions of these various items of evidence. The basic elements that will be included in the crime scene sketch are:

1. Dimension and relevant measurements, to include triangulation for placement of relevant articles within the scene.

2. Indication as to the direction of north to be placed in the upper right corner of the diagram.

3. A legend located in the lower left corner of the diagram to include:

a. Offense type;

b. Location of incident;

c. Date/time of diagram;

d. Department case number;

e. Detective completing the file; and

f. A notation indicating if the sketch is, or is not, drawn to scale.

After a rough sketch has been completed, this information will then be recorded on a final sketch. The completed detailed sketch will then be attached to the original crime scene report.

Collection of Known Samples

The State Crime Lab or Federal Crime Lab can only compare known items showing similar characteristics.

Sufficient specimens or controls must be submitted for comparisons of such items as hairs, fibers, paint, glass, soil, tool marks, etc. Therefore, the investigating officer should also retrieve samples of known items in the same area for comparisons.

J. Crime Scene Photography and Video Recording

The objective of photographic documentation is to illustrate the condition of the crime scene as it exists in its original state, as found by the Detective. This will also be a method to preserve and record the scene in such a way that objects of evidentiary value may be viewed in their proper perspective, so as to correlate their relationship and significance to the crime scene. The collection of photographic or video evidence will be supplemented via detailed explanation or description within the required report. CID shall have properly trained and equipped personnel who have been specifically trained for crime scene photography. CID shall maintain available personnel to process crime scenes on a 24hour basis, seven days a week.

1. Proper Equipment

In addition to point-and-shoot digital cameras 8MP or higher in resolution capability, A properly equipped photographic kit should be maintained in the detective storage area within CID, which should include the following:

A digital AF (auto focus) SLR (single lens reflex) camera with a standard 50mm lens or an equivalent digital camera.

A 35mm single reflex (film)camera with a standard 50mm lens or an equivalent 35 mm camera will also be maintained in the detective storage room for use if required;

A telephoto lens which is capable of distance variance of at least 75 to 250 ft;

Closeup lenses to permit closeup photography of variance form +1, +2 and +4 magnification;

Appropriate filter to include skylight and orange for use with the alternate light source;

A detachable flash cord to permit removal of flash unit from the camera for side lighting of certain photographs;

A flash unit to provide artificial lighting when necessary; and

A photographically compatible ruler used for scale photography.

Tripods

Compass

2. Scenes to be Photographed

The following type incidents will be photographed (and videotaped) at the discretion of the CID Commander. Also, these incidents require a crime scene diagram:

a. Homicides

b. Suicides

c. Accidental and natural deaths

d. Suspicious deaths

e. All felony assault cases, including child abuse, in which a detective is needed to take photographs and/or collect physical evidence from the scene.

f. Rape cases as required by Primary Detective.

g. Robbery and Armed Robbery cases in which the officer, after taking into account the physical scene and the victim and witness statements, determines that a reasonable probability exists that physical evidence (latentprints, foot prints, or items left by the perpetrator) may be obtained.

h. The scene of a burglary when the circumstances meet any one of the following criteria and the officer has consulted with his supervisor:

1. Incidents in which there is a known suspect;

2. All incidents involving a dollar loss of $10,000 or more;

3. Circumstances in which the M.O. indicates that the burglary was committed by an unknown suspect who has initiated a rash of burglaries within a recent period, or within certain defined geographical area. These instances will usually have been preceded by an identified pattern by a superior officer of the Patrol Division.

4. Multiple incidents of burglary within the same apartment or business complex occurring in the same day or night;

5. Occupied dwelling burglaries;

6. All incidents of burglary in which the officer, after taking into consideration the physical scene, statements of victims or witnesses, and the overall circumstances, determines that a reasonable probability exist that valuable physical evidence can be obtained.

i. Vehicular accidents involving the following criteria:

1. All vehicular accidents in which the loss of life has occurred or is likely to occur;

2. All accidents in which City vehicles are involved;

3. At any accident in which photographic documentation is necessary, if it is evident that a civil suit may arise as a result of the accident, (e.g., the vehicle involved may represent a large transportation firm in such areas as trucking, bus or rail. Historical data suggests that accidents of this nature are more prone to be heard in a civil suit);

4. An accident in which a pedestrian has been injured; and

5. Any situation in which it is considered to be judged appropriate that photographs be taken, either by a Supervisor or the Patrol Commander.

j. Photographs will be taken of all physical lineups in which a suspect has been identified. The photographer will record the name, sex, race and other identifying factors which would identify all suspects in the lineup and case number.

NOTE: If a decision is made to conduct a physical lineup and use of a juvenile or juveniles is needed, prior permission must be granted from the Juvenile Court Judge before any photographs of a juvenile is made. If permission has been granted, the juvenile(s) parent or guardian must be present. Permission must also be obtained from the Juvenile Court Judge for expressed permission to photograph the juvenile in a lineup. A juvenile will have the same rights of counsel at a physical lineup, and all waivers obtained will be witnessed by a detective and the juvenile's parent or guardian.

k. Photographs may be taken for the purpose of evidence release for judicial purposes, or for release to an owner. These photographs may be taken either at the scene, or at the location of

recovery. The photograph will then become the responsibility of the case detective to ensure it is placed in the case file. The photographer will indicate in the supplement report, the name of the investigative officer and the manner in which the photograph was initialed for identification.

l. Property which has been shoplifted and recovered at the scene will be photographed by the investigating officer. The photograph will be placed into the case file by the officer.

m. All recovered vehicles will be photographed prior to their release back to the owner. If the owner is not located or if the vehicle is unable to be driven, the vehicle will be photographed at either the location of recovery or the impound lot. The photograph will then be released to the investigating officer who will be responsible for the proper entry of the photograph into the case file pending its need in court.

n. Due to the wide variety of situations which can accompany incidents of theft, (including Entering Auto), it is impractical to attempt to draw specific guidelines. However, the same discretionary guidelines which apply to incidents of burglary can also be applied to most theft cases. Again, discretion should be used in determining the need for the detective on Criminal Damage and Criminal Trespass cases. However, the need for photographs on cases involving extensive loss or damage can be considered separately from the probability of obtaining other physical evidence.

3. Video recording of crime scenes can be an invaluable way of preservation and/or reconstruction. Videotaping can also be invaluable for presentation in court because it tends to "put the jury at the scene." Videotaping will generally be reserved for major crime scenes when, in the opinion of the primary detective and CID Commander, videotaping will be beneficial. In order for videotaping to have the most impact and value, the following should be adhered to if possible:

a. Decide what needs to be videotaped. Like photography, video recording should begin by looking at the big picture, and then the minute details.

b. One person should video tape and one person should narrate and guide the focus of the taping. If no one is available to narrate, or narration is not practical, the audio should be turned off to avoid outside noises distracting from the video.

c. When video recording, all persons that are not absolutely necessary in the crime scene area shall be removed.

d. Care should be taken not to disturb physical evidence prior to videotaping or during videotaping.

e. When videotaping is used, the detective shall document this in the detective report and submit the original tape into evidence. Once a videotape has been made, it will then become an item of evidentiary value and be treated as any other evidence associated with the commission of a criminal offense. It will be properly identified as to the victim, location of occurrence, date and time,

the case number, and the photographer. However, unlike still photographs, the videotape will be submitted to the Property and Evidence Room and retained in the secured area.

K. Photographing Procedures at the Crime Scene

Proper photographic documentation is essential for case preparation, analysis, and presentation, for both criminal or civil judicial review. Proper photographic techniques enhance the written report. The crime scene will be photographed in a systematic method to guarantee a visual image of the entire crime scene as well as minute or circumstantial trace evidence.

1. The photographing of an interior crime scene shall begin with the establishing shot. Once inside the crime scene area, a 360-degree method of systematical documentation of the overall area will be used.

2. On exterior crime scenes, a wide-angle establishment shot will be taken to identify the general area. The photographer will then begin to take photographs of entering shots to focus onto the specific area of concern.

3. Overall crime scene photographs encompassing the geographical area and adjacent tract of land or street ways should be taken. These photographs should be taken from a distance that will include the entire area involved in the crime scene. Such photographs shall include street intersections, building configurations, and areas of entry or exit which may have been a part of the criminal event.

4. Within the crime scene, photographs should be taken from a distance of ten (10) to twenty (20) feet from the object. The scene should reflect the location of the evidence, weapon, body, or other pertinent details of the crime scene. Clockwise photographs should be taken to ensure that sufficient detail is obtained and to tie the crime scene together, in order to tell a story to the court of the total circumstances surrounding the particular crime.

5. Closeup photographs will be used to identify and to record individual items or small sections of larger items.

These photographs will be taken at a distance of one (1) to five (5) feet, depending on the size of the item. The item should also appear in the full view photograph to show the relationship to other objects.

When it is necessary to photograph items and demonstrate size, a measuring scale may be introduced into the photograph after a photograph of the item or scene has been taken without the scale. The introduction of a scale into a photograph would constitute an alteration of the scene and would thus negate the integrity of the photograph.

This concept also applies to the introduction of any article which may appear in a crime scene photograph which was not an original element of the crime scene. This would include such notation devices as cones, pointers, markers, or any other articles which may be used to focus attention onto a specific item or location. Scale measured photographs may be necessary to show either length or width of such items as projectiles, blood spatters, weapons, wounds, fingerprints or any other articles present at the crime scene which may be of evidentiary value. Scale photographs may also be necessary to demonstrate the relative placement and distance of articles of evidence based on the location of a fixed point.

6. Extreme closeups will be taken of latent prints, blood stains, tool marks, hair and fiber evidence, and other minute trace evidence which would not normally appear in other photographs.

7. No crime scene photographs will be taken of deceased persons for the specific intent of creating undue sensationalism, or to elicit an exaggerated or disproportionate emotional response which is not consistent with the nature of the crime.

8. All crime scenes in which personal harm has resulted as a consequence of an offensive action, shall be photographed in color. Black and white film may be used to document items of evidentiary value, and in those incidents in which it is not necessary to illustrate color differentiation.

9. Artificial light, in the form of floodlights or electronic flashes, may be necessary in dark or poorly lit areas. Cameras issued to the Crime Scene Photographer will be compatible with the flash unit.

The Photographer will be properly trained in flash photographs and knowledgeable of flash application.

10. When appropriate, videotaping may supplement, but not replace, still photographs taken of a crime scene, in order to properly record particular elements that are not easily depicted in a photograph. Videotaping may be used at all scenes in which still photographs may be taken.

11. Whenever it is not necessary to take photographs or process the crime scene, it will be the responsibility of the Primary Detective to so indicate in his written report. It will also be noted as to why no photographs or crime scene processing was not necessary.

L. Court Admissibility of Crime Scene Photographs

Legal precedents require that the use of photographs which are to be entered into judicial proceedings, must meet certain guidelines:

1. The object photographed must be material, competent and relevant to the crime.

2. The photograph should not be planned to excite emotional reaction from the viewer so as to attempt to prejudice the jury.

3. The photograph must show the natural configuration of the crime scene without distortion.

4. The photographer must be able to testify to the accuracy of the crime scene as depicted in the crime scene photograph.

5. There must be a traceable chain of custody from the location of the development of the film to the time the film is requested in court. The detective assigned the case shall date and sign each photograph when he receives it from development.

6. The photographer must be knowledgeable of the operational function of the camera used and the processes involved in the creating of the photograph. When a video camera is used, the photographer must be equally capable of explaining the operational function and limitations of the camera.

M. Filing

1. The caseassigned photographer will document his participation in the investigation of all criminal offenses, by submitting a written report detailing his actions, and the evidentiary value and disposition of all photographs taken of the crime scene. The report shall state the date and time of arrival at the crime scene and the location of the crime. The report will also indicate the number of photographs taken.

2. This report will be submitted along with the investigator's report, which will contain such detail as the listing of physical evidence collected, measurements taken of specific items, and location to supplement the crime scene sketch.

3. The negatives and the actual photographs will be stored together.

4. The development of all crime scene film will be the responsibility of CID.

5. All crime scene photographs taken by the Crime Scene Detective will be properly documented as being as significant as any other item of evidentiary value. However, unlike other physical evidence which is placed into the custody of the Property and Evidence Unit, all evidentiary photographs will be placed in the case file by the Primary Detective assigned the case.

N. Dissemination

Only officers with a legitimate need, such as court or investigation, will be permitted to remove photographs from the case file. Under no circumstances are negatives to be released except with the expressed permission of the CID Commander.

O. Patrol Division Photography Procedures

Photographs are to be taken with an assigned point-and-shoot Digital camera. They will be downloaded from the camera onto the computer and submitted along with the incident report into the images tab (MDS)

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 17-07**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 11/01/2018

Subject: Marijuana Identification and Testing

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I. Purpose

The purpose of this policy is to outline the procedures to be utilized in the testing and identification of suspected marijuana. This testing will be the responsibility of the CID of the Auburn Police Department under the direction of the CID Commander and completed by certified marijuana examiners only. Certified marijuana examiners are those officers who have satisfactorily completed the Georgia P.O.S.T. 16-hour Advanced Marijuana Identification course and have received their certificates for Advanced Marijuana Identification from the Georgia Public Safety Training Center and the State of Georgia Division of Forensic Sciences.

II. Materials Tested

Leafy material suspected of being marijuana will be examined / tested, and only in cases where there is a suspect or an arrest. Marijuana seeds, defoliated stalks, and/or fibers from such stalks are non-testable items. Also, marijuana residue cannot be tested at our agency. Found marijuana as a rule will not be tested. Marijuana purchased during "Probable Cause" buys will only be tested at the direction of the CID and or Patrol Commander.

III. Packaging of Marijuana

1. Suspected marijuana to be tested will be packaged according to guidelines set forth in chapter 13 of this manual and

Note: If the case involves a juvenile suspect, "juvenile" should be clearly written beside the suspect's name.

2. Suspected marijuana that is wet is to be secured in a sealed paper bag or paper envelope that will be clearly marked in the same manner as the plastic evidence bags.

3. Abandoned marijuana will be sealed in a plastic evidence bag and placed in the property / evidence lockers at the Auburn Police Department with the exterior of the package being clearly marked with the following information:

- Case number
- Date
- Officer's name
- Abandoned / Destroy

IV. Documentation Required for Marijuana Evidence

A completed property / evidence report and request for processing form will be attached to the evidence bag containing the suspected marijuana. If the case involves a juvenile suspect, "juvenile" should be written clearly on the property / evidence report and the request for processing form.

V. Responsibility for Marijuana Evidence lock box

The property / evidence lockers at the Auburn Police Department shall be the responsibility of the Evidence Custodian of the Auburn Police Department and maintained in accordance with established policy. Marijuana evidence to be tested will be relinquished to the marijuana examiner and documented on the property / evidence report. If testing is required after normal working hours or on a weekend the examiner will coordinate with the evidence custodian and will be issued a key to the marijuana designated lock box, which is a separate key and will only unlock the designated marijuana locker. The evidence custodian will maintain a sign out log book for this key. Prior to the end of normal working hours, the evidence custodian will place the marijuana evidence in that lock box. After the marijuana evidence has been tested and the property / evidence report completed it along with the lock box key will be locked in the designated property / evidence box.

VI. Marijuana Testing (General)

Testing will take place at the Auburn Police Department (or other designated facility as determined by the property and evidence custodian). Items used will include, but not limited to a top loading analytical balance weighing to at least .1 grams, a 30-50x magnification microscope with a reflective

light source, Duquenois Levine test kits, Fast Blue B test kits, and a NIST (National Institute of Standards and Technology) traceable weight set.

The balance and weights will be inspected annually by a certified inspector to ensure their accuracy and a record of such inspections shall be maintained by the CID Commander or his designated representative.

VII. Definitions

1. Gross Weight – combined weight of suspected marijuana and its packaging

2. Net Weight – weight of suspected marijuana without its packaging

3. Marijuana – cannabis plants or products of these plants having a high THC content

4. THC (tetrahydrocannabinol) – active ingredient in marijuana

5. Positive Microscopy – suspected marijuana leaf fragments containing Cystolithic Hairs on the top and Covering Hairs on the bottom of the same leaf fragment

6. Negative Microscopy – suspected marijuana leaf fragments that lacks either Cystolithic or Covering Hairs, or both

7. Calibration – method of ensuring equipment's accuracy

8. Truncating – method for consistent reporting of results. Truncate to one decimal place and never round. Ex. .05749 oz. would be reported as .5 oz. An exception is 1.01 oz., which would be reported as 1.01 oz.

9. Sampling – obtaining suspected marijuana from as many bags as required to prove the highest penalty. The net weight of the entire sample in grams and ounces must be determined. If the total weight is less than or equal to one ounce*, then only one bag needs to be tested. If the total weight of the suspected marijuana is more than one ounce, then each bag must be tested.

Note: One ounce of marijuana equals 28.75 grams

VIII. Procedural Requirements

Prior to and after testing the calibration of the top loading analytical balance will be checked using a NIST traceable Class 4 weight set. The results will be recorded in a calibration check logbook to ensure the accuracy of the balance.

2. The suspected marijuana will be removed from the sealed evidence bag by the examiner. The gross weight and net weight of the suspected marijuana in grams will be obtained using the balance. This will be recorded on the testing data sheet. (Note: Net weight of suspected marijuana cigarettes, cigars, or other smoke-able forms will include their paper packaging).

3. After sampling requirements have been determined, a portion of the suspected marijuana is examined using the microscope. This is the second step of examination in the testing process and is called Microscopy. A leaf fragment is located and the Cystolithic and Covering Hairs are observed on opposite sides of the same leaf resulting in positive Microscopy. If Microscopy is negative, testing is stopped, and the sample is deemed negative as marijuana.

4. The third step or examination performed is chemical testing using both the Duquenois Levine Test and Fast Blue B test kits. Both test for THC.

5. The Duquenois Levine test kit consists of three chemicals;

a. The Duquenois Reagent which prepares the sample

b. Hydrochloric Acid which develops purple or blue color within the kit

c. Chloroform which causes two layers to form within liquid in the kit. A positive reaction is indicated by the purple or blue color from the top layer transferring into the bottom layer of liquid.

The Fast-Blue B test kit consists of the following;

a. Fast B Blue Reagent which prepares the sample

b. Sodium Hydroxide which causes an orange color to develop. A positive reaction is indicated by the orange to reddish color change within the test kit.

6. Positive Microscopy and positive reactions in both the Duquenois Levine test and Fast Blue B test must be observed in order for the suspected marijuana to have successfully tested positive.

7. After examination, the material tested will be resealed in its original evidence bag and the examiner's initials will be written across the seal. The evidence will then be maintained in the manner according to the evidentiary policies of the Auburn Police Department.

8. The examiner will then initiate a written report indicating the following:

a. Case number;

b. Officer's Name;

c. Suspect's Name;

d. Date of examination;

e. Net weight of the suspected marijuana;

f. Examination results from microscopy and chemical tests; and

g. Any other pertinent information.

9. This report will then be attached to the original police report as a supplemental report on the MDS System. The examiner will then notify the CID Commander or his designated representative by email of the marijuana cases he has examined and the results. The report will be checked for completeness and then approved. The CID Commander will notify the Patrol Commander, who in return will notify the individual officers who made these cases.

10. If a hard copy of the test results is needed for court it will be printed from the system and presented to the marijuana examiner for his signature.

11. Refer to the attachments for sample copies of the marijuana test result format and the request for processing form.

_____

Christopher Hodge Date

Chief of Police

AUBURN POLICE DEPARTMENT

OFFICIAL REPORT

MARIJUANA TEST EVALUATION

CASE NUMBER: TEST DATE:

ARRESTING OFFICER: SUSPECT:

TOTAL NET WEIGHT:

Weight Conversion: 28.35 grams = one ounce

THE SUBSTANCE WAS TESTED MICROSCOPICALLY, AND THE RESULTS OF THAT TEST SHOWED FOR THE PHYSICAL CHARACTERISTICS

(POSITIVE/NEGATIVE)

OF MARIJUANA.

THE SUBSTANCE WAS TESTED WITH THE DUQUENOIS-LEVINE REAGENT CHEMICAL TEST. THE RESULTS OF THAT TEST SHOWED THE SUBSTANCE TO BE

FOR THE PRESENCE OF MARIJUANA.

(POSITIVE/NEGATIVE)

THE SUBSTANCE WAS TESTED WITH THE KN REAGENT (FAST BLUE B SALT) CHEMICAL TEST. THE RESULTS OF THAT TEST SHOWED FOR THE PRESENCE OF MARIJUANA. (POSTIVE/NEGATIVE)

THE _POSITIVE RESULTS OF ALL THREE (3) TESTS LISTED ABOVE ARE CONCLUSIVE AND RECOGNIZED BY THE GEORGIA BUREAU OF INVESTIGATION, DIVISION OF FORENSIC SCIENCES, AS SHOWING POSITIVE PRESENCE OF MARIJUANA.

I HEARBY CERTIFY THAT THE ABOVE THREE (3) TESTS WERE CONDUCTED BY THIS EXAMINER. THE RESULTS OF THOSE TESTS ARE INDICATED ABOVE. I FURTHER CERTIFY THAT I HAVE BEEN LICENSED BY THE GEORGIA BUREAU OF INVESTIGATION, DIVISION OF FORENSIC SCIENCES, IN THE CONDUCTING OF THESE TESTS.

EXAMINING OFFICER SIGNATURE: DATE: _____

(printed name) _____

MARIJUANA IDENTIFICATION TECHNICIAN

FINAL APPROVAL:

Auburn Police Department

Request for Evidence Processing

Case Number _____ Date _____

Officer Requesting Processing _____ Squad _____

(please print)

Offense _____ Date of Offense _____

Location of Offense _____

Description of Evidence _____

_____

_____

_____

Type of Processing Requested: (check all that apply)

Latent Prints

Photographs

Marijuana Identification

Blood Evidence

Trace Evidence

Other _____

Officer's Signature _____ Date _____

Processed by: Date _____

Signature: _____

08/21/01

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 17-08**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 11/01/2018

Subject: ICAC Multi-Jurisdictional Task Force

_____

I. Purpose

The purpose of this policy is to establish guidelines and procedures for Auburn Police Detectives participating in the ICAC Multi-Jurisdictional Task Force.

II. Policy

It is the policy of the Auburn Police Department to thoroughly investigate and prosecute all crimes against children. Only detectives who receive the required training related to internet crimes against children will be assigned to lead internet child-crime investigations. Only detectives who are

properly trained shall seize and process computers, recording devices, or recording media for evidentiary purposes. Computer crimes against children include pornography and enticement for indecent purposes.

III. Definitions

A. ICAC

"ICAC" or Internet Crimes Against Children Task Force - is a federally funded task force that extends throughout the Unites States and focuses exclusively on child predators who use the internet and electronic equipment to abuse and/or exploit children. The State of Georgia's task force is headed by the Georgia Bureau of Investigation, High Technology Investigation Unit.

B. Computer Forensic Examiner

A Computer Forensic Examiner is a sworn member of the agency who is specially trained in the techniques of computer data recovery and seizure. The training consists of successful completion at the Federal Law Enforcement Training Center in the Automated Environment Training Program, the International Association of Law Enforcement Computer Investigative Specialists computer forensic investigation classes, or the fellowship program offered by the Georgia Bureau of Investigation. Investigators will also continue to train in forensic computer crime investigations after they begin serving in this capacity.

C. Computer Equipment

A computer monitor, CPU, hard drive, 1/0 device, modem, CD-ROM, DVD-ROM, or any device that is, or could, connect to a programmable machine that performs high-speed processing of numbers, as well as of text, graphics, symbols, and sound. Such equipment could connect with a wire or wirelessly and could be placed internally or externally in a main device.

D. Recording Device

CD ROM, floppy drive, tape drive, zip drive, jazz drive, magneto-optical drive, digital drive, or hard drive used to store data.

E. Recording Media

Floppy disk, jazz, zip, magneto-optical disk, digital drive or any tape or other type of media used to store data.

IV. Procedures

A. Participation and Memorandum of Understanding

1. The Auburn Police Department has entered into a written agreement that will remain in effect for a minimum two-year period beginning on the last date of signing. Renewal of the

agreement will be automatic unless the agreement is terminated by either party. Within this agreement, the authority and responsibilities of all agencies are outlined. Termination of the agreement can be made by the Georgia Bureau or Investigation or the Auburn Police Department, as established in the agreement.

2. The written agreement provides for accountability of all agencies within the task force. This includes ethical responsibilities, investigatory accountability, prosecutorial accountability and operational management.

3. The Auburn Police Department's participation in the task force will be evaluated annually by the Criminal Investigations Division commander. The evaluation and a recommendation based on the needs of the department, the community, and the effectiveness of the investigations conducted will be forwarded to the Chief of Police who will provide a final decision of whether continued participation is necessary.

4. The GBI ICAC may, at any time, inspect the Auburn Police Department ICAC work area and equipment. They reserve the right to remove or replace any equipment and cease participation with the task force. This is in accordance with federal guidelines set forth for all lead ICAC state agencies.

B. Selection

The Auburn Police Department will maintain at least one detective, unless manpower dictates otherwise, with the ICAC task force. As vacancies occur, the Criminal Investigation Division Commander will determine when the need exists to initiate a selection process. The following criteria will be considered before an appointment is made to the task force:

1. Detective must have successfully completed probation and assigned to the Criminal Investigation Section.

2. Detective must not have a history of disciplinary problems and must have maintained a meets standards evaluation for the prior year.

3. Detective must have a good working knowledge of computer operating systems and the Internet.

4. Detective must have a work history that demonstrates a history of self-initiation and good investigative case maintenance.

5. The Criminal Investigations Division Commander will make a recommendation from a pool of qualified candidates to the Chief of Police. The Chief of Police will make the final decision on appointments to the task force.

6. A Detective assigned to this position will be required to complete the following training classes within the first year of their assignment and may not lead an investigation until the required training is complete

a. Introduction to Cyber Crime Investigative Techniques

b. Undercover Chat Investigations

c. Cyber Safety Presenter's Course

C. General Duties and Work Procedures

1. Detectives assigned to this task force shall operate a computer containing various programs used for investigating child pornography and enticement crimes. These programs enable all communications between the officer and the suspect to be traced, recorded and stored on the computer system.

2. Detectives shall fully document all activities, while online, by obtaining a case number through Barrow County 911 and completing a report. The type of report, whether miscellaneous or incident, will be determined by the detective.

3. Evidence collected during these investigations will be stored in accordance with evidentiary procedures (Chapter 13 – Property and Evidence).

4. Detectives assigned to the task force may receive cases to investigate from the GBI. Any information received from the GBI or any other agency is considered evidence and will be logged as such (i.e. CDs/DVDs). Task Force Detectives will notify their immediate supervisor who will in turn notify the Chief of Police. The assigned detective will obtain a case number and complete an initial report before beginning the investigation. All documentation will be recorded as required in Chapter 17 (Criminal Investigation Division)

5. On a monthly basis, detectives assigned to the program shall submit a status report to the Georgia Bureau of Investigation's High Technology Investigation Unit and the Criminal Investigations Division Commander detailing the activities for that time period. A copy will be forwarded to the Chief of Police.

6. Detectives assigned to this program are trained to participate in the education and prevention of internet crimes against children in collaboration with local schools. This is designed to educate the parents, teachers and children on how to prevent this type of crime from entering their homes.

7. Undercover operations conducted online are for the sole purpose of collecting evidence regarding a suspect's predisposition to sexually exploit children. This will include persons

manufacturing and/or distributing child pornography and their design, used to lure a minor into an illicit sexual relationship.

a. Only on-duty, sworn, investigative personnel shall conduct online investigations in an undercover capacity. Private citizens shall not be used or act as police agents during any undercover activity.

b. Online detectives will not, under any circumstances, upload, transmit or forward pornographic or sexually explicit images.

c. No human images shall be uploaded, transmitted, or forwarded to any subject via the computer or in person. The only exception given is to employees of a law enforcement agency who have provided photographs of themselves in their youth and only when written consent accompanies the pictures.

d. Images that are uploaded for investigative purposes shall be non-human. Image uploading will only be approved when the suspect initiates the action.

e. Detectives involved in undercover/online investigations will require the suspect to set the tone, pace and subject matter of the online conversation during the actual dialogue phase.

8. Identification and prioritization of subjects for investigative purposes will be based on the following conditions. All known factors are considered when prioritizing the targeted suspects to include:

a. Whether the subject appears actively engaged in activity designed to lure a minor into an illicit sexual relationship.

b. Whether the subject has a history of molestation or is in the position to allow for frequent contact with children.

c. The proximity of the offender to City of Auburn and the Barrow County area.

d. Whether the images received by the detective appear to be real.

e. The number of independent transmissions of child pornography.

f. The age of the person(s) depicted in the images.

D. Computer Security and Work Area

1. The ICAC computers will be located out of public view within the Criminal Investigation Division. The computers will be utilized exclusively for ICAC task force associated work or any work deemed admissible by the ICAC detectives.

2. Task Force members will have a work area utilized to conduct the online investigation of crimes against children and the computer shall remain secured when not in use.

3. Due to the nature of the materials transmitted and recorded, only those directly involved in the operation shall have access to the work area.

4. The materials transmitted and recorded are digital evidence. Passwords are required for computer logon and these passwords will not be disseminated to anyone not assigned to work ICAC investigations.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operation Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: Chapter 18

Effective Date: March 1, 2018 Revised: 03/01/2018

Review: 11/01/2018

Subject: Courtroom Security and Procedures

Purpose: To establish procedures for Municipal Court and to outline the duties and responsibilities of those officers assigned to courtroom security.

1. Personnel Responsibilities

1.1. Court Coordinator

1.1.1. The Chief of Police has the overall responsibility for security of the Police Department. The CID Commander or their designee shall be responsible for maintaining the physical security of the courtroom. The CID Commander and the Patrol Commander shall be responsible for designating a sworn, uniformed officer(s) to perform the duties of Court Coordinator and to assign additional staff as needed to maintain security of the courtroom as needed.

1.1.2. The duties of the Court Coordinator or his designee include:

1.1.2.1. physical security of the Judge, Solicitor and the court, including participants and spectators;

1.1.2.2. escort and security of prisoners;

1.1.2.3. conducting a search of the courtroom immediately prior to court for weapons, contraband, and appropriate equipment and completion of the Department's Courtroom Security Checklist

1.1.2.4. maintaining order;

1.1.2.5. ensuring that the courtroom security plan is followed; and

1.1.2.6. ensure during court sessions a minimum of one armed police officer remains in the courtroom at all times.

1.1.2.7. other duties as included herein or assigned by the Chief of Police.

1.3. Officers present as observers or awaiting their cases to be called shall be expected to enforce the procedures and regulations included in this policy.

1.4. A survey will be conducted by the CID Commander and/or his designee prior to the review of this policy to ensure that there are no new situations that require a revision of current practices. A review of this policy will be done at least once every three years.

2. Physical Security Plan

2.1. The Police Department shall be responsible for maintaining the physical security of the courtroom during court proceedings.

2.2. The Court Coordinator will arrive at least one hour prior to the beginning of court.

2.3. Law enforcement personnel, on or off duty will be permitted to wear their weapon into the courtroom.

3. Security

3.1. Courtroom Operations

3.1.1. Everyone entering the Public Safety Building during the hours before and during court will be checked with a metal detector. All weapons, including pocket knives, will be removed from individuals entering the building. When a firearm is removed from anyone entering the building officers will verify that the individual is lawfully carrying the firearm and prior to its return shall verify that it is not stolen.

3.1.2. All lawful weapons may be returned when the owner exits the Public Safety Building. All unlawful weapons will be confiscated, police action if required and the property turned over to the property/evidence officer.

3.1.3. Observers and participants will enter the courtroom from the lobby of the Public Safety Building through the lobby door of the court room. The main entrance from the outside of the building shall remain locked during court and no one will be allowed to enter directly from the outside of the building.

3.1.4. All observers and participants will remain seated until their case is called.

3.1.5. Once before the judge, participants will be separated from the judge and the court clerk by the judge's bench. Participants will not lean on the judge's bench.

3.1.6. After the case decision, the defendant may leave the courtroom through the lobby door only. The main doors shall only be utilized as an exit during an emergency situation

3.1.7. At the end of the court session, the judge will leave the courtroom through the court clerks office, escorted by a court officer.

3.2. Hand Carried Articles

3.2.1. All hand carried object shall be searched prior to being carried into the court room.

3.2.2. A subject may elect to remove the item or object in question rather than submit to the search.

3.2.3. No object larger than a briefcase may be carried into the courtroom.

3.2.4. The security officers may request to examine any object, its contents, or search the subject in possession of said object, upon the order of the judge, or as long as probable cause exists to believe the object presents a threat to the security of those in the courtroom or contains contraband.

3.3. Restraint of Prisoners

3.3.1. Some defendants that are in custody may be violent or pose a threat of violence. These inmates will be secured with waist chain, ankle chains and handcuffs, as the situation demands.

3.3.2. Unless the threat of violence exists, inmates will not normally be physically restrained.

3.3.3. The use of the restraints will be in compliance with the guidelines established in SOP "Search and Transport of Prisoners."

3.4. Movement of Prisoners

3.4.1. Prisoners held in the Gwinnett County Jail will be escorted to the courtroom by an on-duty officer just prior to their case being heard. The on-duty officer will escort the prisoner(s) in through the rear doors.

3.4.2. Defendants sentenced to serve time in the jail will be moved to the authorized Detention Center in the same manner as in paragraph "3.4.1", above.

4. Equipment

4.1. The following equipment is available for use by court personnel.

4.1.1. Handguns, handcuffs, and radios for bailiffs,

4.1.2. Waist chains and Ankle Chains – Communications Room,

4.1.3. Fire extinguisher Communications Room,

4.1.4. FirstAid Kit

4.1.5. Metal detector(s)

4.2. The above list will be posted, and the bailiff will verify the presence of each item before each court session. The waist chains and metal detector will be placed under the bench prior to the beginning of each court session.

4.3. The court security personnel will ensure that he/she has a working police radio, to allow for external communications.

5. ACCESS

5.1. The Winder Police Department's Municipal Court recognizes the Americans with Disabilities Act (ADA) and as such will insure every effort in its compliance.

Persons who suffer physical handicaps as outlined in the Americans with Disabilities Act (ADA) may be allowed to enter/exit the courtroom through the main door directly into the courtroom where a hand-held magnetometer will be used by courtroom security.

5.2. Persons who are required to appear in Municipal Court shall enter through the public entrance at the lobby of the police department as indicated by appropriate signage.

5.3. Prisoners from the Gwinnett County Detention Center who are required to appear in court shall be escorted into the courtroom through the rear door.

5.3.1. Prisoners will be escorted by a police officer from the Gwinnett County Detention Center to the courtroom. All prisoners will be dressed in Detention Center jumpsuits or attire for court

appearance. No prisoner will be transported from the Detention Center to court in civilian dress. At no time will any type of temporary holding facilities be utilized for holding Municipal Court prisoners.

5.3.2. A police officer will remain with the prisoners during the court proceedings.

5.3.3. Prisoners will be seated in chairs located on the right side of the courtroom.

5.3.4. Prisoners shall be separated from the rest of the defendants and spectators attending court.

5.3.5. Prisoners shall remain handcuffed during court proceedings.

5.4. Hand carried articles, such as purses, wallets, umbrellas, coats, etc., may be allowed in the courtroom.

5.5. All persons entering the courtroom via the public entrance shall be required to pass through the free-standing magnetometer after delivery of metallic objects to court personnel manning the magnetometer. Any person who "alerts" through such field will be scanned by a hand-held magnetometer before being allowed into the courtroom. Any item perceived as a potential threat such as a knife, blunt object, screwdriver, etc., shall not be allowed into the courtroom. Persons in possession of such items shall be advised to return the items to their vehicle and upon reentry to the courtroom shall be checked again by the magnetometer.

5.6. Articles such as briefcases, handbags, bags, or any item of a suspicious nature will be searched.

6. POLICE WEAPONS IN THE COURTROOM

6.1. All persons assigned to courtroom security duties are required to be in uniform, carry duty weapons, radios, and handcuffs in the courtroom. CID personnel will be in the uniform of the day with weapons.

6.2. All sworn law enforcement personnel shall be permitted to wear their weapons into the courtroom.

7. ESCORTING DEFENDANTS (Post trial)

7.1. Once a case has been decided, a court clerk will inquire as to the capability of the person in satisfying the fine assessed by the court. If the person is prepared to pay the fine, the court clerk will direct them to the cashier in the front of the Public Safety building.

7.2. If the person wants to pay the fine on probation, the court clerk will advise the person to sit down and a probation officer will interview the person at the conclusion of court.

7.3. If the person is to be incarcerated, a police officer shall take charge of the person, and following court, shall escort him/her out the rear door to the Gwinnett County Detention Center.

8. EMERGENCY PROCEDURES

8.1. Alarms

The courtroom shall be equipped with duress alarms which are easily accessible to the judge in the courtroom and to Municipal Court clerk.

8.1.1. The alarms alert the Police Department's Communications Center of a potential problem when activated.

8.1.2. The CID Commander or his designee will assume responsibility should a problem arise in the courtroom.

8.1.3. It will be the responsibility of the CID Commander or their designee to determine the nature of the courtroom incident and to determine the appropriate action to take.

8.2. Fire/Bomb Threats

8.2.1. In the event of fire, all courtroom officers will assist in evacuation. Persons appearing before the court and not in custody will exit out the main door of the courtroom and into the parking lot at the rear of the Public Safety Building.

8.2.2. Prisoners will be escorted out the rear door of the courtroom. A police officer will stay with those persons in custody at all times.

8.2.3. The judge will be escorted outside the building by a police officer through the side entrance to the courtroom.

8.2.4. In the event of a fire, suspicious package(s) or a bomb threat, the Barrow County Communications Center and the CID Commander will be notified by an officer assigned to the courtroom.

8.2.5. The Municipal Courtroom shall be equipped with a smoke detector type fire alarm and a fire extinguisher (for use in the event of a minor fire). A fire extinguisher is to be maintained in the lobby of the Public Safety building outside the main entrance of the courtroom.

9. Emergency Medical Plan

9.1. In the event of a medical emergency involving a person in custody, the Court Security Officer will maintain custody, contact the dispatcher, and request medical assistance.

9.2. If the medical emergency involves a court participant or spectator, the Court Security Officer will maintain security of any prisoners that are present and request medical services from the dispatcher.

9.3. If other police officers are present, the ranking officer will assume control and direct the actions of the Court Security Officer and responding units.

10. Fire Response

10.1. In the event of a fire in the Police Department or the courtroom, all court security personnel will assist in the evacuation. All persons will be directed through either the front main door or the rear door, depending upon the location of the fire.

10.2. The Court Security Officer will notify the dispatcher of the fire and its location, and request any needed assistance.

10.3. Fire extinguishers are available in the Lobby of the Public Safety Building if necessary.

10.4. Any officers present will be expected to aid in evacuations and security of any prisoners.

11. Unusual Occurrences and Special Operations Plans

11.1. In the event of an unusual occurrence, the Court Security Officer or ranking officer present will assume control and request additional police, fire or medical assistance as needed. Some plans to deal with unusual occurrences include:

11.1.1. Bomb Threats, SOP.

11.1.2. Hostage Situations, SOP.

11.1.3. Natural Disasters, City of Auburn Emergency Management Plan.

11.2. Unusual occurrences not dealt with in this policy must be handled using the experience and good judgment of the responding officers.

12. EXTERNAL COURTROOMS

12.1. If Municipal Court is held at a location other than the designated courtroom located at 1361 4th Avenue, the procedures outlined in this SOP will be followed as they relate to security.

12.2. The CID Commander or designee may include additional security measures as needed to ensure the security of the court proceedings, additional security measures may include, but not be limited to; assigning additional officers, establishing secure entries and exits for prisoners, and other logistical needs as determined by the location.

12.3. In the event that fines are collected at the external location, steps will be taken to ensure the security of this process. A location external from the courtroom shall be utilized for the collection of fines. The selection of the location shall take into account pedestrian flow patterns into and out of the courtroom. A secure cash box and Departmental cash register will be utilized and shall be monitored by a uniformed officer.

12.4. Officers assigned to courtroom security at an external location will have a Departmental issued portable radio. In the event that a duress alarm is not available at the location, a cellular telephone will be located on the judge's bench and will be utilized as an alternate means of communication in the event of an emergency.

13. MANPOWER ALLOCATION

Staffing for Municipal Court incorporates the deployment of employees of the City of Auburn Police Department. The CID Commander and Patrol Commander shall have component responsibility for the subsequent staffing of all identified positions needed for adequate courtroom security as needs arise.

STAFFING RESPONSIBILITIES

13.1. A police officer shall be stationed at the front of the courtroom and shall be responsible for the coordination of prisoner transports to and from the detention center, providing general courtroom security and security for the municipal court judge.

13.2. A uniformed police officer shall be stationed at the public entrance to the courtroom and shall be responsible for operation and monitoring of the free-standing metal detector and hand-held wand as subjects enter the courtroom and shall provide general courtroom security. Additional personnel may be added to this position as staffing avails itself.

13.3. A uniformed police officer shall be stationed at the front of the courtroom after assisting with prisoner transports and shall be responsible for monitoring prisoners from the detention center while they are in the courtroom.

_____

Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 19**

Effective Date: May 1, 2018 Revised: 05/01/2018

Review: 11/01/2018

Subject: Cellular Telephones

PURPOSE

The purpose of this policy is to insure the safety of officers by providing complete information through the most effective means available and providing for the efficient operation of the department.

POLICY

This policy sets forth the department rules and regulations regarding the use of department issued cellular phones as well as the use of personal cellular phones while on duty as a member of this department.

PROCEDURE (For use of a DEPARTMENT ISSUED ("DI") CELLULAR PHONE)

General Use. Cellular phones are provided to certain officers in order to enhance the efficiency of the department. Officers who are assigned these phones should make every effort to utilize other means of communication where possible and appropriate.

Cellular phones shall be used primarily for department business except:

When a personal emergency exists and use of a land-line is not possible or practical.

When an officer is required to work beyond their normal shift and family notification is necessary.

When it allows citizens involved in a police event, either as victims or witnesses, to contact family members, employers, child care providers, etc. to inform of their possible delay.

When it is used to contact reporting parties, informants, and other citizens where such calls relate to department business.

When it is utilized to return calls, which result from unidentifiable calls or pages.

C. On Call Policy

1. The City's Police Department exists to provide 24-hour protection to the citizens of the City of Auburn. For this reason, it may be necessary from time to time for Police Department personnel to be "on-call" while they are off duty. The purpose of this policy is to outline the department's expectations and the employees' agreement to use their DI cellular phone to be available and on-call in certain circumstances when they are off duty. Employees will be notified by command personnel when they are required to be on-call.

2. When an employee is "on-call", he or she is free to be anywhere they choose and to attend to any personal or other activities while on-call. 29 CFR § 785.17. On-call supervisory employees (Lieutenants and Sergeants) will be able to reach the City within one hour, if necessary. On-call employees should have access to their cellular phones at all times while they are on-call. If an employee is called to return to work, the employee will be compensated for returning to work. If the employee is not actually called into work, on-call time, including time spent on the telephone, is not considered to be time worked, and therefore, is not compensable. 29 CFR § 553.221(d).

D. Miscellaneous issues relating to cellular phone use

City Facilities - Officers should refrain from using a "DI" cellular phone when they are in any City-owned facility where there is access to a city (hardline) phone.

Car to car communications - Officers should refrain from using cellular phones in order to relay information about a police incident where such information would provide for the safety of all officers responding to said incident. The information should be communicated to all officers either through the dispatcher or through lap-top electronic messaging.

Operating a police vehicle - Except in an emergency where other official means of communication have been severed, officers should not operate a police vehicle while using a cellular phone. Unless faced with such an emergency, all calls and texting should be made from a stationary position, unless hands free and voice activated device is used

Public Use of Cellular Phone - Officers should refrain from using cellular phone while in public. Unless faced with an emergency, officers shall be discreet in their use of a personal cellular phone.

Officers will be required to reimburse the City for personal usage of "DI" cellular phone. Reimbursement fees will be set at a rate determined by the rate at which the City is billed for cellular service. No DI issued cellular phone shall be used for transmitting personal photographs.

The use of DI issued cellular phones shall comply with Section 10.10 of the City's Personnel Manual regarding Cell Phone Use.

PROCEDURE FOR USE OF PRIVATELY-OWNED CELLULAR PHONES WHILE ON

DUTY.

Operating A Police Vehicle - Except in an emergency where other means of communication have been severed officers shall not operate a police vehicle while using a cellular phone. Unless faced with such an emergency, all calls and texting shall be made from a stationary position, unless the device is hands free and voice activated.

Public Use of Cellular Phone - Officers should refrain from using a cellular phone while in public. Unless faced with an emergency, officers shall be discreet in their use of a personal cellular phone.

Use of Cellular Phones while on a Paid Detail - Officers shall not use cellular phones while working paid details unless some emergency exists, or it becomes necessary for an officer to briefly call home.

Usage - Officers shall limit their use of personal cellular phones such that their duties to the department are not compromised.

Police Communication - Except in an emergency, or where necessary as a matter of a strategic plan to overcome the possibility that communications will be overheard, (i.e. Scanner) and where other official department communication methods are unavailable, officers shall not utilize a personal cellular phone to by-pass official means of communication. Officers should refrain from using cellular phones in order to relay information about a police incident where such information might compromise the safety of all officers responding to said incident. The information should be communicated to all officers through the dispatcher or through lap-top electronic messaging.

Car to car communications and Supervisory Assistance shall be done primarily via the police radio in order to enhance officer safety and to establish and maintain a taped record of the event.

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Christopher Hodge Date

Chief of Police

Auburn Police Department Standard Operating Procedures

Authorized By: Christopher Hodge

Chief of Police

SOP: **Chapter 20**

Effective Date: February 1, 2020 Revised: 00/00/0000

Review: 02/01/2020

Subject: Introduction

I. PURPOSE

To establish the Auburn Police Department's position on the utility and management of social media and provide guidance on its management, administration, and oversight by Department personnel both on-duty in the course of their official duties and off-duty when identified as members of the organization, or otherwise pursuant to their official duties in the public arena.

II. POLICY

It is the policy of the Auburn Police Department that all personnel use computers, computer applications, computer programs, Internet resources and network/Internet communications in a responsible, professional, ethical and lawful manner. Department employees are prohibited from posting, transmitting, and/or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked or unmarked vehicles, equipment, or other material that specifically identifies the Department, on a personal or social networking website or web page, without express written permission of the Chief of Police.

III. DEFINITIONS

Blog: A self-published diary or commentary on a particular topic that may allow visitors to

post responses, reactions, or comments.

Blogosphere: Denotes the world of blogs and refers to all the blogs and blog interactions on the internet.

Chat: An interaction on a website, with a number of people adding text items one after another into the same space at nearly the same time – differs from a forum because the conversations happen in "real time."

Comments: Responses to a blog post, news article, social media entry, or other social networking post.

Feed: A list of user's recent tweets which can be posted on other sites such as Facebook or an agency's website.

Forums: Discussion areas on websites where people can post messages or comment on existing messages at any time.

Page: The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.

Post (noun): Content that an individual shares on social media or similar site or the act of publishing content on such a site.

Post (verb): The act of creating, uploading, editing, or adding to any social media outlet. This includes text, photographs, audio, video, or any other multimedia file.

Profile: Information that a user provides about himself or herself on a social networking or similar site.

Social Media: A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites, blogs and microblogging sites, photo and video sharing sites, wikis, and news sites that permit user contributed content.

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies, such as Facebook, Twitter, LinkedIn, Usenet Group message or on-line bulletin boards, blogs, wikis, news sites or other similarly developed formats.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Tweet: A post or status update on Twitter of 280 characters or less.

Wall: The users own profile page and the updates it contains. People can write updates on your wall that are viewable by all your friends.

Web 2.0: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.

Wiki: Web page (s) that can edited collaboratively.

YouTube: An online video community that allows users to upload video content, share that content, and view the videos uploaded by others. Viewers are able to rate videos and leave comments.

IV. PROCEDURE

Where the Auburn Police Department uses social media to advance the purposes and goals of the organization, the following procedures shall apply to these officially-sanctioned uses:

A. General Operating Procedures for Department-Sanctioned Use of Social Media

1. Where possible, each social media page shall include an introductory statement that

clearly specifies the purpose and scope of the agency's presence on the website.

2. When appropriate, the page (s) should link to the Department's official website.

3. Social Media page (s) should be designed for the target audience (s) such as youth or potential police recruits.

4. All Department social media sites or pages shall be approved by the Chief of Police or his/her designee and shall be administered by the Departmental Information Technology Section or otherwise determined.

5. Where possible, social media pages shall clearly indicate they are maintained by the Department and shall have Department contact information prominently displayed.

6. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.

7. Content may be subject to public records laws. Relevant records retention schedules can apply to social media content.

8. Content must be managed, stored, and retrieved to comply with public records laws.

9. Where possible, social media pages should state that the opinions expressed by Visitors to the page (s) do not reflect the opinions of the Department.

10. Pages shall clearly indicate that posted comments will be monitored and that the Department reserves the right to remove obscenities, off-topic comments, and personal attacks.

11. Pages shall clearly indicate that any content posted or submitted, or posting is subject to public disclosure.

B. Conduct During Department Sanctioned Use of Social Media

When representing the Department via social media outlets:

1. Employees shall always conduct themselves as representatives of the Department and, accordingly, shall adhere to all Department standards of conduct and observe conventionally accepted protocols and proper decorum.

2. Employees shall identify themselves as a member of the Department unless law-enforcement purposes dictate otherwise.

3. Employees shall not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to Department training, activities, or work-related assignments without express written permission.

4. Employees shall not conduct political activities or private business.

5. The use of Department computers by Department personnel to access social media is prohibited without authorization.

6. Department personnel use of personally owned devices to manage the Department's social media activities or in the course of official duties is prohibited without express written permission from the Office of the Chief of Police.

7. Employees shall observe and abide by all copyright, trademark, and service mark Restrictions in posting materials to electronic media.

C. Recognized Uses for Department-Sanctioned Social Media Presence

1. Social media is a valuable investigative tool when seeking evidence or information about:

Missing Persons

Wanted Persons

Gang Participation

Crimes perpetrated online (i.e. cyberbullying, cyberstalking)

Photos or videos of a crime posted by a participant or observer

D. Use During Employment Screening

1. Persons seeking employment and volunteer positions use the Internet to search for opportunities, and social media can be a valuable recruitment mechanism. This Department has an obligation to include Internet-based content when conducting Background investigations of job candidates.

2. Searches should be conducted by a non-decision maker. Information pertaining to protected classes shall be filtered out prior to sharing any information found online with the decision makers.

3. Search methods shall not involve techniques that are a violation of existing law.

4. Vetting techniques shall be applied uniformly to all candidates.

5. Every effort must be made to validate Internet-based information considered during the hiring process.

E. Personal Use of Social Media

Barring state law or binding employment contracts to the contrary, Department personnel shall Abide by the following when using social media.

1. Department personnel are free to express themselves as private citizens speaking on matters of public concern on social media sites to the degree that their interests in engaging such speech is not outweighed by the Department's interests against impairing the maintenance of discipline by supervisors, impairing working relationships of this Department for which loyalty and confidentiality are important, impeding the performance of duties, impairing discipline and harmony among co-workers, interfering with the operation of the Department, undermining the mission of the Department, conflicting with the responsibilities of the personnel, or abusing one's authority or public accountability. The instances must be judged on a case-by-case basis.

2. As public employees, Department personnel are cautioned that speech on-or-off-duty made pursuant to their official duties is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department.

3. For safety and security reasons, Department personnel should be cautious where they Disclose their employment with this Department. As such, Department personnel are Prohibited from the following:

Displaying Department logos, uniforms, or similar identifying items on personal web pages.

Posting personal photographs, or providing similar means of personal recognition, that may cause them, or another officer, to be identified as a police officer of this Department. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.

4. When using social media, Department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the Department's Code of Conduct is required in the personal use of social media.

5. Department personnel may not make any statements, speeches, appearances, endorsements, or publish materials that could reasonably be considered to represent the views or positions of this Department without express authorization from the Chief of Police.

6. Department personnel should be aware that they may be subject to civil litigation for:

Publishing or posting false information that harms the reputation of another person, group, or organization (defamation).

Publishing or posting private facts and personal information about someone

without permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person.

Using someone else's name, likeness, or other personal attributes without that

person's permission for an exploitative purpose.

Publishing the creative work of another, trademark, or certain confidential business information without the permission of the owner.

7. Employees should be aware that there is no reasonable expectation of privacy when

engaging in social networking online. As such, the content of social networking

websites may be obtained for use in criminal trials, civil proceedings, and

departmental investigations. Such content may have a detrimental impact on

criminal investigations or judicial proceedings.

8. Department personnel should be aware that privacy settings and social media sites are

constantly in flux, and they should never assume that personal information posted on

such sites is protected.

9. Department personnel should expect that any information created, transmitted,

downloaded, exchanged, or discussed in a public online forum may be accessed by

the Department at any time without prior notice.

10. Reporting violations – Any employee becoming aware of/or having knowledge of a

posting or of any website or web page in violation of the provision of this policy shall

notify his or her supervisor immediately for follow-up action.

11. Except in the performance of an authorized duty, employees may not utilize

Department computers to access social networking sites, blogs, bulletin boards, or

similar media in a manner contrary to the City of Auburn Employees' Manual

Chapter 10; entitled, "Internet, Computer Use and Cell Phone Use."

12. Except in the performance of an authorized duty, employees may not utilize personal computers, cell phones, or other devices to access social networking sites, blogs, bulletin boards, or similar media while on duty if such access is contrary to the City of Auburn Employees' Manual Chapter 10; entitled, "Internet, Computer Use and Cell Phone Use."

13. Employees having personal web pages or other types of Internet postings which can be accessed by the public, shall not place, or allow to be placed, photographs or depictions of themselves dressed in uniform and/or displaying official identification, patches or badges, or in any way, either directly or indirectly, identify themselves as an employee of the department for any reason, without the approval as indicated in this policy.

14. Employees having personal web pages shall not use their rank, title, or position in a manner that would suggest that they are representing the interests or official position of the police department.

15. Photographs of the inside of any police building or vehicle, as well as any crime or accident scene shall not be posted without consent of the Chief of Police.

16. When engaging in the personal use of social media, employees shall not post any photograph, audio, video, illustration, or any other multimedia file related to or depicting any of the following:

Brandishing any Department-owned weaponry, actual or simulated, or any contraband whether actual or simulated.

Brandishing any Department-owned tactical instrument, including but not limited to: firearms, ASP, baton, OC spray, electrical control weapon and/or mechanical restraints.

F. Approval Process

1. An employee seeking approval to use references to the Auburn Police Department on a personal website, web page, or other public forum shall submit a request for approval to the Chief of Police via the chain of command.

2. Employees who post photos, comments or other material pertaining to other Department employees must inform and seek approval from the employee (s) before posting same.

** The Auburn Police Department reserves the right to access, audit and disclose, for whatever reason, all content, messages, photographs, videos, and any other information created, transmitted or received via the use of any equipment issued or maintained by the Department. This includes, but is not limited to, records of all key strokes or web-browsing history made at any department computer or over any department network **

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Christopher Hodge Date

Chief of Police