

# DEKALB COUNTY POLICE DEPARTMENT EMPLOYEE MANUAL



# DEKALB COUNTY POLICE DEPARTMENT

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# DEKALB COUNTY POLICE DEPARTMENT EMPLOYEE MANUAL

## INTRODUCTION

### 1-1.1 TITLE AND PURPOSE

This manual(s) contains the standard operating procedures of the DeKalb County Police Department and is hereinafter referred to as the "Employee Manual."

The primary purpose of the Employee Manual is to establish uniform and consistent operating procedures that provide members with guidance in carrying out their daily tasks. It is intended to incorporate the interests of the community, the Department and the individual employee. The rules and guidelines set forth in this manual will aid in insuring that the police services provided by this Department are delivered in a consistent and lawful manner. This manual supercedes any conflicting prior written directives.

### 1-1.2 SCOPE

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

### 1-1.3 VALIDITY OF MANUAL CONTENT

Any statements in this manual found to be illegal, incorrect, or inapplicable shall not affect the validity of any chapter, section or subsection of the manual.

Titles in the manual shall not govern, limit, modify or affect the scope, meaning or intent of any chapter, section or subsection of the manual.

### 1-1.4 MANUAL CONTENT

The policies, procedures, rules, regulations and guidelines contained in this manual make no attempt to cover every situation or procedure an employee may be called upon to deal with. Rather, it provides a framework which, when combined with the training and experience of our personnel, will allow the Department to achieve its public safety mission in the community and provide a safe, efficient and harmonious working environment for its employees.

### 1-1.5 ORGANIZATION

The Employee Manual contains four chapters. All employees are responsible for knowledge and compliance with the contents of all Chapters. Chapter 4 is divided into specific Divisions and Units and will apply to personnel assigned to them. General Orders and Special Orders, which set policy at the Department, Unit or Division level, will be issued to the employees and it is their responsibility to read, understand, and comply with the order. Special Orders are maintained by the employees assigned to the specific unit affected by the order. Employees affected by the memorandum will maintain policy memorandums issued at a Precinct or Unit level, which apply to a specific assignment. Each chapter in the manual is subdivided in the following manner:

- 2- CHAPTER
- 3. SECTION
- 5 SUBSECTION
- A PARAGRAPH
- 5 ITEM

## INTRODUCTION

Each chapter of the Employee Manual will contain a table of contents. Each section of the chapter will have the issue date of the section listed in the table of contents and on each page of the section. When new sections or pages are issued for a chapter, the table of contents will be reissued, thereby allowing each employee to insure that all sections in their manual are up to date.

Each section in a chapter will have sequential page numbers to allow updating by section.

Complete sets of the Employee Manual will be maintained in the Chief's Office, each precinct, and every division in the police department.

Each employee of the Department will be issued an Employee Manual containing all applicable chapters and updates as of the date of issue.

Any manual update/revision, order or memorandum which sets policy or procedure at any level will clearly state that it does set policy and will be distributed to each affected employee for inclusion in this manual. Employees will be required to sign an acknowledgment of receipt for each new policy directive and it will be their responsibility to keep their manual properly updated and to read, understand and comply with the policy therein.

### 1-1.6 APPLICABILITY

Personnel whose duty responsibilities cross Division or Department lines will be responsible for the contents of each. Even though employees may be responsible for certain chapters within the Employee Manual, they will not be held accountable for policy within certain sections of these chapters that does not directly or indirectly affect them; however, employees should have a general working knowledge of that section. Examples include police responsibility for Animal Services and Enforcement policy in 4-17.18 of the manual, or responsibility for police selection and promotion policy found in 3-2.26 of the manual.

In addition, even though an employee is not responsible for constant familiarity or updating of all chapters of the Employee Manual, each should have a working knowledge of the rules and regulations of Departments, Divisions, or Units, which they interact with regularly. This will give each employee a better understanding of overall Department procedures and enhance the ability of various units to work in unison.

### 1-1.7 DEFINITIONS

In order to simplify the terminology used throughout this manual, the following definitions will be used.

- A) Commanding Officer-any sworn employee placed in charge of any departmental component
- B) County- DeKalb County, Georgia
- C) Component- generic term for any organizational unit of the Department whether a Division, Unit, Section, Station, etc.
- D) Department- DeKalb County Police Department
- E) Employee-any employee of the DeKalb County Police Department
- F) Member- any employee of the DeKalb County Police Department
- G) O.I.C. - officer in charge
- H) Senior Officer- a member with any given rank with a longer period in that rank
- I) S.O.P.- Standard Operating Procedures; includes rules, regulation, policy, procedure and guidelines.
- J) Superior Officer- any sworn employee with a rank of Sergeant or above.
- K) Supervisor- any sworn employee with a rank of Sergeant or above or any civilian employee so designated by Merit System or Departmental policy.
- L) Sworn Personnel- any employee of the Department required to take an oath of office as a condition of employment
- M) DKPD- DeKalb County Police Department

### 1-1.8 CONVENTIONS

A) Gender-Masculine or feminine gender pronouns, when used in this manual, will refer to both male and female employees. This is for the purpose of brevity only and is not intended to discriminate or suggest preference to any gender.

B) Tense- The present tense will include the past and future.

C) Mandatory and Permissive-"Shall" and "will" are mandatory, "may" is permissive.

"40-hour-a-week-employees"- This term is used for consistency and clarity only. These sworn Police employees actually work and receive compensation based on a bi-weekly, 80-hour work schedule.

## ORGANIZATION

### 1-2 PURPOSE

The purpose of this section is to establish the organizational structure of the DeKalb County Police Department and to set forth the basic organizational principles of the Department such as organizing by function, insuring unity of command, delineating responsibility and delegating authority.

### 1-2.1 ORGANIZATIONAL STRUCTURE

Organization is the structure of the Department resulting from functional divisions of the different components. The Dekalb County Police Department presently consists of nine major components. These major components are the Office of the Chief of Police, Office of Professional Standards, Uniform Division, Criminal Investigation Division, Special Operations Division, Homeland Security, Program Operations, Communications Division, and Training Division. Each of these nine major components will be organizationally structured by function, task and jurisdiction. The organizational structure of the major components of the Police Department may be structured in the form of divisions, units, sections, precincts, or watches. Each of the nine major components will have one individual in charge and this individual will report directly to the Chief of Police or his designee.

### 1-2.2 ORGANIZATIONAL COMPONENTS

The following is a breakdown of the major components of the Police Department along with the component's function, authority and responsibility. Because of the complexity, diversity and number of functions within the Dekalb County Police Department, reorganization may occur at any time, therefore, the organizational structure may periodically be subject to updating and change. On an annual basis, or whenever a major reorganization has occurred, an updated organizational chart of the Dekalb County Police Department's structure will be issued to all Department components, to be posted in an easily accessible location for all personnel.

#### A. OFFICE OF THE CHIEF OF POLICE

The Chief of Police is responsible for the administration and operation of all services within the Department. The Chief of Police is responsible for the establishment of departmental policies, directives and rules and regulations that govern department management and operation. The Chief's Office will also be responsible for the community relation functions. Failure of the Department to enforce any policy does not waive or limit the policy. The Chief of Police may enforce or vary policy based upon the current state of the law, his discretion or the best interest of the DeKalb County Police Department.

#### B. ASSISTANT DIRECTOR OF POLICE SERVICES

The Assistant Director will conduct and respond to critical incidents, govern management analysis, develop projects and will serve in the capacity of the Chief of Police during his absence. The Assistant Director is also referred to as Assistant Chief of Police. The Assistant Director's order of succession will rotate giving all Assistant Chiefs/Directors experience and growth. The organizational order of succession for Assistant Directors will be in the following order: Investigations Bureau, Support Services Bureau, Special Assistant to the Chief and Field Operations Bureau.

#### C. CHIEF OF STAFF

The Chief of Staff provides professional administrative and technical support to the Chief of Police. The Chief of Staff is also referred to as an Assistant Director. The duties of the Chief of Staff include researching and handling complex issues and facilitating information to appropriate departments. The Chief of Staff oversees the daily operation of the Office of the Chief, assisting with planning, directing and managing the daily activities of the police department. In addition, the Chief of Staff manages the Public Information Office, Fiscal Management, Accreditation and Inspections, Administrative Services, Open Records, Office of ICP, Planning and Research, Crime Analysis, Advanced Technology, Grants Unit and Chaplaincy Program.

#### D. POLICE DEPARTMENT

The Police Department provides a wide range of activities directed toward the maintenance of safety and security for the individual citizen and the community as a whole. Primary activities include: programs for the prevention, detection and suppression of crime; identification and apprehension of criminal offenders; enforcement of state criminal laws, traffic laws and applicable county ordinances; and specialized and support services.

1. **Uniform Division** - The Uniform Division accounts for the single greatest allocation of police resources and represents the primary delivery system of police services for the citizens and businesses of DeKalb County. Through the use of strategic patrol car allocation, the Uniform Division deploys patrol units in the various areas

of the county and during the hours of the day that enable a rapid response to citizens' requests for police services as well as provide for optimum patrol coverage for the prevention and suppression of crime and disorder. In addition, the high degree of police visibility in conjunction with the enforcement of traffic laws encourages the orderly and safe movement of traffic on the highways and streets within the County.

2. **Criminal Investigation Division** - The Criminal Investigation Division performs the investigative functions of the Department, these are divided into three major areas: Crimes Against Persons, Crimes Against Property and Special Victim's Unit. The Division is responsible for the documentation, compilation and distribution of facts on reported incidents of crime with the objective of identification and apprehension of the criminal offender. The Crime Scene Investigation Unit of this Division provides technical support to line operations to include crime scene searches and investigation, photography and crime laboratory processing.
3. **Special Services Division**- This Division oversees the operation of all agency components that do not fall under the Uniform or Criminal Investigations Divisions. Presently, Units and Sections which fall under the Special Operations Division include but are not limited to:  
Special Operations Section
  - 1) Tactical Enforcement Unit
  - 2) Commercial Vehicle Unit
  - 3) STAR Team
  - 4) Aerial Support Unit
  - 5) Traffic Specialists Unit
  - 6) Property and Evidence Section
  - 7) Public Services Unit
  - 8) Animal Services and Enforcement
  - 9) Park Police
  - 10) SWAT Team
  - 11) Bomb Unit

E. **OFFICE OF HOMELAND SECURITY**

The Office of Homeland Security is responsible for the safety of DeKalb County residents against intrastate, national, or international threats through investigations of organizations involved in terrorist activities, militia groups, or any other subversive groups deemed to be a threat to local or national security. They will serve as a liaison with the federal government and will report to the Chief of Police.

F. **INTELLIGENCE SECTION**

The Intelligence Section is responsible for the investigation of organized criminal activities and the gathering and dissemination of intelligence information regarding criminal activities. The Intelligence Section will now be under the command of the Director of Homeland Security.

G. **PROGRAM OPERATIONS**

The Programs Operations Division has primary responsibility for the development and administration of the Department's financial plan in conjunction with the implementation of fiscal controls. As an adjunct to fiscal management, this Division is responsible for ordering supplies and materials, and for maintaining an accounting record of purchases and payments. The Division is responsible for maintaining the personnel record system for all Department employees as well as coordinating with the DeKalb County Merit System to insure adequate staffing of authorized positions.

The Planning and Research Section of the Division provides planning and operational research assistance to all components of the Department.

The Technical Support Section of the Division coordinates implements and supports all data processing and related computer projects. This Section administers the Computer Advisory Committee, representing all areas of the Department, and its personnel are responsible for implementation of Committee recommendations.

H. **TRAINING DIVISION**

Police Training Division-This Division conducts the basic training program for police recruits as mandated by law. In addition, in-service and advanced training programs are developed and implemented to enhance job knowledge, performance and skills development. Also assigned to this section are all Firing Ranges.

I. **COMMUNICATIONS DIVISION (Emergency Operations Center)**

The Communications Division represents the central contact point for any person requesting or requiring, police, fire or emergency medical services within DeKalb County. The Division is responsible for receiving and processing requests for emergency services and coordinating these requests through the selective assignment of primary and secondary field response units. With all emergency service communications within one central area with support of 911 emergency telephone service, the citizens of Dekalb County are afforded one of the most comprehensive and immediate emergency response systems in the country.

**J. EMERGENCY MANAGEMENT UNIT**

This unit is responsible for planning and organizing the County's emergency management and civil defense operations. It is also responsible for the maintenance of the civil defense shelter facilities.

**K. INTERNAL AFFAIRS SECTION**

The Internal Affairs Section is responsible for the investigation of all external and internal complaints lodged against any employee of the Department, and conducting CVSA examinations. The Internal Affairs Section will report directly to the office of the Chief of Police.

**1-2.3 UNITY OF COMMAND**

Each employee of the Dekalb County Police Department will be accountable to only one supervisor within their respective chain-of-command. This unity of command is essential to ensure that all employees are aware of what is expected of them and to promote efficiency and responsibility. However, it is understood that there may be times when an employee may be given a command or be responsible to someone other than their immediate supervisor. Under ordinary circumstances, each employee should be able to identify one, and only one, supervisor to whom the employee is accountable.

**1-2.4 COMMAND PROTOCOL AT SCENES INVOLVING MORE THAN ONE COMPONENT**

In Public Safety incidents, there may be an occasion for more than one component of Public Safety to be at a scene. Should a situation such as this arise, the ranking officer of the division or unit with primary responsibility of a specific incident will be in command at the scene (i.e., at the scene of a fire, the ranking fire officer will be in command; at a crime scene, the ranking police officer will be in command; at any scene involving injury, the ranking paramedic will be in command). This concept will also apply downward through the chain-of-command within a particular division, or unit (i.e., within the Dekalb County Police Department, the ranking major felony detective will be in command at a major felony crime scene where higher ranking uniform officers are present). In situations where more than one component of Public Safety is required at a scene, cooperation between members of different bureaus, divisions, units and ranks within the Department is essential. Therefore, all employees are strictly charged with establishing and maintaining a high spirit of cooperation with other Public Safety members.

**1-2.5 SPAN OF CONTROL**

In order to achieve effective direction, coordination and control, each division or unit commander should not place an excessive number of employees under the immediate control of any given supervisor. A supervisor's span of control should be no more than 5 to 7 subordinates under their command. However, there may be situations that warrant a larger span of control. Supervisors are ultimately accountable for the performance of employees under their immediate control.

**1-2.6 AUTHORITY AND RESPONSIBILITY**

For the effective operations of the Department, it is essential that, whenever possible, employees at all levels share some responsibilities instituted within the Department. This is accomplished by the delegation of authority where personnel at every level within the divisions or units are given the authority to make decisions necessary for the effective execution of their responsibilities. However, it is important to note that whenever an employee is delegated responsibility, that employee is to be held fully accountable for the use of the delegated authority as well as for the failure to use it. This also applies to officer discretion. Discretion is an essential function of effective law enforcement. It shall be used in accordance with guidelines set forth in this policy manual.

# DIRECTION

## 1-3 PURPOSE

The purpose of this section is to establish a policy of the DeKalb County Police Department concerning direction and supervision. Direction and supervision is essential in order to recognize and establish the authority of the Chief of the DeKalb County Police Department, to designate someone in command during the absence of the Chief of Police, to establish accountability of supervisors for the performance of subordinates, and to determine the scope of the written directive system.

### 1-3.1 AUTHORITY OF THE CHIEF OF POLICE

The authority of the Chief of Police of the DeKalb County Police Department is vested in the Director of Police Services. This authority is promulgated by the Official Code of DeKalb County, Appendix B, Article I, Section 3; Appendix A, Article I, Section 10 and the official DeKalb County Merit System job classification.

### 1-3.2 COMMAND DURING THE ABSENCE OF THE CHIEF OF POLICE

During the absence of the Chief of Police, an acting Chief of Police will be designated. The Chief of Police, prior to his absence, will designate who will assume command of the DeKalb County Police Department. The designated commander will assume full authority and responsibility within the DeKalb County Police Department for normal daily operations, situations involving personnel performing specific functions in a single operation, as well as exceptional situations. In the event that the Chief of Police is rendered incapacitated or unable to delegate an alternate Acting Chief in his absence, the authority to do so will be vested in the DeKalb County Chief Executive Officer.

### 1-3.3 SUPERVISION

Within the DeKalb County Police Department, certain members will be designated as having a special responsibility to act or to take command in situations involving public safety matters. These situations may be regular operations such as the supervision of or the command of a division, section or unit, or it might be based on an emergency situation such as a disaster. Within each division and unit, levels of responsibility will be set and delegated to certain personnel in a descending order of supervision. This order of supervision will be known as the chain-of-command.

### 1-3.4 AUTHORITY OF SUPERVISION

The authority conferred by supervision or delegated to DeKalb County Police Department personnel, authorizes and requires them to exercise that authority within their respective divisions or units. Ranking personnel should avoid giving direct commands to personnel not under their command, except when the need exists to do so. Examples of this are when a subordinate's regular supervisor is not on duty or is not present at that time, or in an unusual situation. In that event, the employee's commander will be advised as soon as possible after the incident when this notification is deemed necessary. Members of the Department who are designated as supervisors by virtue of their rank or classification will, in conformance with Departmental policy, directives, regulations and orders, be responsible and held accountable for the work and conduct of their subordinate personnel.

### 1-3.5 MANNER OF EXERCISING AUTHORITY

Authority within the DeKalb County Police Department will be exercised with firmness and impartiality. Under no circumstances will personal attitudes influence decisions.

### 1-3.6 LAWFUL ORDERS

All employees of this Department are expected to promptly obey any lawful order given by a supervisor. Orders from supervisors to subordinates will be in a professional, clear, understandable language, civil in tone and manner and issued pursuant to Departmental business. This will include any order relayed from a supervisor by an employee of the same or lesser rank.

### 1-3.7 UNLAWFUL ORDERS

Supervisors will not knowingly issue any order, which is in violation of any law, ordinance or Departmental rule. Obedience to an unlawful order is never a defense for an unlawful action; therefore, employees are not required to obey any order, which is contrary to any law or ordinance. Responsibility for refusal to obey rests with the employee and they will be strictly required to justify their action.

## **DIRECTION**

### **1-3.8 UNJUST OR IMPROPER ORDERS**

Employees who are given orders, which they feel to be unjust or contrary to rules or regulations, may first question the order in a professional and respectful manner with the issuing authority. If the order stands as issued, the employee is expected to obey the order to the best of his ability and then may proceed with any remedy provided.

### **1-3.9 CONFLICTING ORDERS**

Upon receipt of an additional order which conflicts with any previous order or instruction, the member affected will advise the person issuing the second order of this fact, in a professional and respectful manner. Responsibility for countermanding the original instruction then rests with the individual issuing the second order to have the original order rescinded. In no event will an employee countermand a supervisor's order unless immediate danger to lives or property exist.

### **1-3.10 STAFF MEETINGS**

In order to ensure the free flow of information throughout the DeKalb County Police Department, to solicit input regarding changes in policies and procedures and to establish open lines of communication, staff meetings will be conducted on a periodic basis with the Chief of Police, Assistant Chief and all Deputy Chiefs and specified division and unit commanders. Any section, division or unit commander who has developed an agenda item for the meeting should advise the Chief's Office of that item at least two working days prior to the meeting. Once a section, division or unit has proposed an agenda item, that commander or designee will be responsible for ensuring that all relevant and pertinent information is available for discussion. Any section, division or unit commander who cannot attend this staff meeting will select a responsible designee and will notify the Chief's Office in advance. The Chief may also call staff meetings for certain section, divisions or units and may require specified individuals to attend. Attendance at any called staff meeting is mandatory.

In order to solicit input from all levels of employment within the DeKalb County Police Department each section, division or unit commander will conduct periodic staff meetings with members under their command. The same guidelines should apply for these staff meetings as apply for staff meetings with the Chief of Police.

### **1-3.11 WRITTEN DIRECTIVES**

It will be the policy of this Department, whenever possible, to establish all policies, procedures, practices, orders, and rules and regulations in the form of written directives that will be issued in a manner that will be available to all personnel within the Department. All directives will be written in a clear and concise manner and any employee who does not understand or comprehend the directive or any part of the directive will be responsible to notify their immediate supervisor for clarification.

### **1-3.12 EXTERNAL WRITTEN DIRECTIVES**

Employees of the Department will additionally be responsible for certain external written directives. Whenever possible, external written directives will be issued to all effected employees. These external directives may include, but not be limited to:

- Federal Law
- State Law
- DeKalb County Code
- Administrative directives from the County Commission Office
- Administrative directives from other county departments
- Administrative directives from federal and state agencies, i.e. P.O.S.T., N.F.P.A., NCIC/GCIC and FEMA/GEMA

Every effort should be made to avoid conflict between department directives and external directives. When such conflict does exist, it may be resolved by application of the following principles:

- A. Law takes precedence over administrative regulations. (Example: Federal and State law would take precedence over Georgia POST Council regulations.)
- B. Law of the higher jurisdiction takes precedence over law of a lower jurisdiction. (Example: US Supreme Court constitutional interpretations take precedence over State law. State law takes precedence over County ordinances.)
- C. County-issued directives take precedence over department directives. (Example: County personnel policies take precedence over department personnel policies.)

It should be clearly noted that the application of these principles is necessary only in the case of conflict between directives. Department directives issued to supplement external directives will control in the absence of such conflict.

### **1-3.13 DIRECTIVE INPUT**

Whenever possible, it is essential that those responsible for developing any and all written directives originating from within Police Department consult with and solicit input from the section, division and unit commanders affected by the directive. The purpose for this is to receive input from these components for assurance that the directive addresses all concerns and interests. During the review and comment process, section, division, and unit commanders should additionally solicit input from representatives of all employee groups directly affected by the proposed directive.

### **1-3.14 DEKALB COUNTY POLICE DEPARTMENT WRITTEN DIRECTIVES**

The DeKalb County Police Department's written directives will be issued in one of the following formats:

- A. **GENERAL ORDERS** - These are orders that affect all members of the Department describing permanent directives concerned with policies, procedures, rules and regulations. General orders are considered superior to all other orders, policies or written directives. Whenever a conflict exists between a general order and any other order, policy or written directive, the general order will take precedence.
- B. **SPECIAL ORDERS** - These are orders that directly affect only a specific segment of the organization or a statement of policy or procedure regarding a specific circumstance or event that is of a temporary nature.
- C. **PERSONNEL ORDERS** - These are orders that announce changes in the status of personnel such as hiring, transfers, assignments, appointments and promotions.
- D. **INSTRUCTIONAL MATERIAL** - This category includes instructional and training material usually found in manual form. The tone and form of instructional material is less rigid and more flexible than general and special orders. Instructional material can include training guides, training bulletins, checklists and legal bulletins.
- E. **MEMORANDUM** - This is an informal written document usually to a specific person, or a specific group of people, that may or may not convey an order; it is generally used to clarify, inform or inquire.
- F. **RULES AND REGULATIONS** - This is a specific set of guidelines to which all employees must adhere.
- G. **EMPLOYEE MANUAL** - This is a collection of policies, procedures, rules, regulations, guidelines and/or other written directives.

### **1-3.15 ISSUING AUTHORITIES FOR WRITTEN DIRECTIVES**

- A. **GENERAL ORDER** - General Orders may only be issued by the Chief of Police or Assistant Chief in command during the Chief's absence. Assistant Chief's of the DeKalb County Police Department or their designee may issue General Orders concerning the operation of their respective Divisions.
- B. **SPECIAL ORDER** - Special Orders may only be issued by the Chief of Police, or any division or unit commander, or their designee. Watch commanders are authorized to issue watch-specific written directives of this type so long as they do not conflict with Department, Division or Precinct guidelines. Watch directives must be approved by precinct commanders or assistant commanders.
- C. **PERSONNEL ORDER** - Personnel Orders may only be issued by the Chief of Police, or any division or unit commander, or their designee. Watch commanders are authorized to issue watch-specific written directives of this type so long as they do not conflict with Department, Division or Precinct guidelines. Watch directives must be approved by precinct commanders or assistant commanders.
- D. **INSTRUCTIONAL MATERIAL** - Instructional material may be issued by the Chief of Police, or any division or unit commander, or their designee. Watch commanders are authorized to issue watch-specific written directives of this type so long as they do not conflict with Department, Division or Precinct guidelines. Watch directives must be approved by precinct commanders or assistant commanders.
- E. **MEMORANDUMS** - Memorandums may be prepared by any member of the DeKalb County Police Department.
- F. **RULES AND REGULATIONS** - Rules and regulations may be issued only by the Chief of Police, or any division, or unit commander. In all cases, rules and regulations will have the prior approval of the Chief of Police.

### **1-3.16 INDEXING AND GENERAL FORMAT OF WRITTEN DIRECTIVES**

Written directives should not conflict with any established policy, procedure, rule or regulation unless the purpose of the directive is to amend or rescind the previous conflicting directive. Written directives should be stated in precise and positive terms with grammatical accuracy. Whenever applicable, all written directives should carry notations directing attention to other published directives, which are related. If a written directive rescinds or amends a previous written directive, it will be noted in the appropriate section of the directive.

## **DIRECTION**

All written directives should be correctly dated and properly formatted. General, Special, and Personnel Orders should additionally be correctly indexed. If a General, Special, or Personnel Order originates from the Office of the Chief of Police, the indexing number should begin with "DKPD", followed by the type of order and then the last two digits of the year and concluded with the next available consecutive number for that specific order, i.e., "DKPD-G 2015-10". Special and Personnel Orders that originate from any division or unit will be indexed first by abbreviation of the division or unit, followed by the year, and the next consecutive, available number, i.e., Uniform Division "UD-P 2015-04".

### **1-3.17 DISTRIBUTION OF WRITTEN DIRECTIVES**

The Department utilizes Power DMS, an electronic written directive management system. This includes managing the Employee Manual, along with General and Special Orders. All employees will have access to Power DMS, located on the Department's shared server. Each employee has their unique User ID, which is their employee ID number, along with a password. For the initial sign in, employees will enter their employee ID number for both User ID and password. After gaining access to Power DMS, employees must change their password, and may not use their employee ID number as the password. All passwords will be kept confidential.

All employees will sign in to Power DMS upon their return to work following any days off, including leave time. For example, an officer with scheduled off days of Sunday-Monday-Tuesday is required to sign in to Power DMS on Wednesday. Employees will also be required to sign in to Power DMS at the direction of a supervisor. Once signed in, the employee will take the appropriate action for any assigned documents, messages or tasks. Power DMS will electronically record the signatures of employees, creating a log of all activity. Electronic signatures will serve as receipt the written directive or material was received, understood and signed by the employee. Failure to sign in to Power DMS as required may result in disciplinary action.

All employees will have access to the Department's current policies and procedures by signing in to Power DMS.

All documentation, including messages and test results, are public records, and are subject to disclosure upon appropriate request.

Each precinct/section will be responsible for maintaining a current copy of the Employee Manual on electronic media accessible to all personnel in the event of a network failure.

### **1-3.18 WRITTEN DIRECTIVES THAT ESTABLISH POLICY**

When a written directive is issued and that directive is a policy statement that affects a specific individual, then the individual's supervisors through the chain-of-command are responsible for seeing that individual receives that specific directive.

### **1-3.19 ACKNOWLEDGMENT OF RECEIPT OF POLICY DIRECTIVES**

Whenever a written directive is issued and that directive is a policy statement that affects a specific individual, the directive will be assigned and published in Power DMS by the Accreditation Manager or his designee. Employees will sign in to Power DMS as required, and take the appropriate action for the document. Power DMS will electronically record the signature of the employee, creating a log to serve as receipt that the written directive or material was received, understood and signed by the employee.

### **1-3.20 EMPLOYEE RESPONSIBILITY FOR POLICY DIRECTIVES**

The employee will be responsible for adhering to the specified policy. Any employee who does not understand a directive will seek clarification from their supervisor or chain of command.

Employees may be tested through Power DMS to ensure comprehension and understanding of certain policies or directives. Employees who failed to successfully pass the test in the allotted number of attempts will be referred to their chain of command for additional training.

If, following this training, the employee does not successfully pass the test, the employee will be referred to the Training Section for remedial training.

**1-3.21 WRITTEN DIRECTIVES THAT DO NOT ESTABLISH POLICY**

Any written directive that is issued to any division or unit that does not establish policy, will be kept and maintained by the division and unit, however, a written acknowledgment will not be required by the individual employees. A directive that does not establish policy nor affect individuals within a division or unit will serve as a matter of information only.

**1-3.22 UPDATING, REVISING OR CANCELING WRITTEN DIRECTIVES**

Every section, division and unit, along with the Office of the Chief of Police, will insure that all policy directives are periodically reviewed (at least on an annual basis) in order to determine whether each directive is current and still in effect. If it is determined that a directive is outdated, no longer in effect or in need of change or revision, the issuing authority will immediately take corrective action in the cancellation, updating, or revision of that directive.

All policy directives, updating, revising or canceling should originate in the Accreditation Office to ensure that all directives are in compliance with CALEA standards. All directives will be forwarded to the Chief of Police for final approval.

General orders issued by the Chief of Police or an Assistant Chief in command during the Chief's absence will be considered superior to all other orders, policy or written directives. A general order may amend, rescind, update, revise or cancel any other existing departmental, division or unit order. Obviously, any written directive with a more recent date will supercede anything similar with an older date.

**1-3.23 MISSION STATEMENT AND MOTTO**

It is the mission of the DeKalb County Police Department to protect the peaceful against the lawless, ensure justice, and safeguard lives and property while serving with a commitment to the constitutional rights afforded to all people. With this mission in mind, "To Serve and Protect with Honor and Courage" will be the motto of the Department.

**1-3.24 FRATERNIZATION**

Social relationships may develop between employees from time to time. Although such consensual relationships are a matter of personal choice and privacy between the individuals involved, any adverse effect that such relationships have on the Department will not be tolerated. This is necessary to avoid misunderstandings, actual or potential conflicts of interest, complaints of favoritism, possible claims of sexual harassment or hostile work environment, and the morale and dissension problems that can result from fraternization.

Dating, cohabitation or sexual intimacy between supervisors and personnel under their supervision, or between two supervisors in the same chain of command, are clearly inappropriate and are prohibited. Additionally, dating, cohabitation or sexual intimacy between personnel assigned to the same precinct and shift, or specialized unit are prohibited.

Should two employees wish to be involved in a relationship which would be prohibited by this code of conduct, they must request through the chain of command that one party be transferred to another chain of command before beginning or continuing a relationship. The responsibility and mandatory obligation to disclose the existence of the relationship will rest with the supervisor or senior employee involved.

Failure by an employee to report a relationship as required will constitute misconduct and may subject an employee to disciplinary action.

## **GENERAL MANAGEMENT**

### **1-4 PURPOSE**

The purpose of this section is to address management principles and practices by assuring that each commander and supervisor within the DeKalb County Police Department is provided with, or has available, enough appropriate data to be utilized in management decision-making.

#### **1-4.1 MANAGEMENT INFORMATION SYSTEMS**

In order to provide reliable information to be used in management decision-making, the Department will utilize a management information system. This type of information system calls for a collection of reliable and relative information to be forwarded through the chain-of-command, which will be used in predicting workloads, determining manpower and other resource needs, setting goals and objectives, and preparing budgets. This information should be categorized into statistical and data summaries from component's activities. Examples of reliable and relative data include calls for service, arrest reports, traffic accident reports, animal complaints, incident reports and crime statistics and trends.

#### **1-4.2 ADMINISTRATIVE REPORTING**

Each component will establish an administrative reporting system where statistical and data summaries of pertinent and relative information are reported and forwarded through the chain-of-command.

#### **1-4.3 REPORTING**

Each division and unit will conduct administrative reporting by means of a daily report, monthly report and an annual report.

##### **A. DAILY REPORT**

A daily report is the summary of significant occurrences during the previous 24 hours. This purpose of this report is to keep personnel informed of any major events concerning their respective division or unit. These reports should be forwarded through the chain-of-command to the division or unit commander.

##### **B. MONTHLY REPORT**

The monthly report should provide management an opportunity to account for the activities in their units during the previous month. A monthly report should contain summaries of data related to the specific component and comparative data on activities of the previous month, same month in previous year and year-to-date statistics. Monthly reports may also contain administrative matters that may allow management to identify needs and objectives for the next month. The monthly report will be forwarded through the chain-of-command to the Chief of Police.

##### **C. ANNUAL REPORT**

The annual report will consist of a summary of monthly reports. This report should provide comparative data and statistics from previous years and account for the activities of the entire component. The annual report will be forwarded through the chain-of-command to the Chief of Police.

#### **1-4.4 DEPARTMENTAL FORMS**

The Department and its various components have numerous forms utilized by employees for specific reasons. The purpose of this section is to define the forms utilized and ensure accountability for these forms. This section will first address forms that are primarily used by all members of Police Services, and then address forms used specifically within the components. There may be occasions where a specific component may use a form designated for another component. If any component has a need to update, amend, rescind or create a new form, then the component commander or designee will ensure that the form is not duplicative; that input has been received from all areas that may use the form; and it has been reviewed through the chain-of-command. Once a form has met with approval of the component commander, the department's Administrative Services Manager will then review the form and final approval will rest with the Chief of Police. Each component will review their forms on an annual basis, ensure that they are updated, and meet the department's needs.

##### **A. DEPARTMENTAL FORMS**

1. **EMPLOYMENT APPLICATION** - Initial application for all individuals desiring employment with the DeKalb County Police Department. This form is issued through Police Services and the Human Resources Department and is maintained at the Human Resources Department in the employee's file.

## GENERAL MANAGEMENT

2. **EMPLOYMENT ELIGIBILITY VERIFICATION** - This federal government form is required of all employees to confirm U.S. citizenship. This form is issued through the DeKalb County Personnel Services Section and is maintained in the employee's file and in the Human Resources Department.
3. **TAX FORMS** - The DeKalb County Police Department's Personnel Services Section maintains an adequate supply of appropriate federal and state tax forms for Police Department employees.
4. **INSURANCE FORMS** – DeKalb County Police Department's Personnel Services Section maintains an adequate supply of appropriate County insurance forms and various HMO insurance forms for Police Department employees.
5. **FAMILY MEDICAL LEAVE ACT (FMLA)** - This is a countywide form used for employees who are taking medical leave for self, spouse, child (under 18 years of age) or parent. The purpose of FLMA is to provide job protection to an employee who meets the eligibility requirements of 12 months of employment with the county. This form is issued through the DeKalb County Police Department's Personnel Services Section and is maintained at the Human Resources Department.
6. **DONATION OF LEAVE REQUEST** - This is a countywide form used for employees who have applied for FMLA and are requesting donation of leave due to exhaustion of all accrued leave. Employees that meet the requirements are eligible to donate their accrued leave based on the needs of the employee's request. This form is issued through the DeKalb County Police Department's Personnel Services Section and is maintained at the Human Resources Department.
7. **DEKALB COUNTY REQUEST FOR GROUP INSURANCE/BENEFICIARY DESIGNATION FORM** - This form serves three purposes for an employee:
  - A. Request for the employer to arrange for the issuances of insurances for employees and dependants as well as listing a life insurance beneficiary.
  - B. Electing health insurance through the County and acknowledgement of bi-weekly insurance deductions.
  - C. Listing retirement beneficiary.This form is issued through the DeKalb County Police Department's Personnel Services Section and is maintained with the County's Risk Management Division.
8. **DEKALB COUNTY EMPLOYEE PERFORMANCE MANAGEMENT APPRAISAL** - This is a countywide evaluation report of individual employees. This form is issued through the DeKalb County Police Department's Personnel Services Section and maintained with this section and at the Human Resources Department in the employee's files.
9. **PERSONNEL ACTION FORM** - This form reflects any change in an employee's status within the County. This form is issued through the DeKalb County Police Department's Personnel Services Unit and maintained with this unit and at the Human Resources Department in the employee's files.
10. **PERSONNEL ACTION REQUISITION** - This form opens employment positions within the Department. This form is issued through the DeKalb County Police Department's Personnel Services Unit and is maintained within the unit and at the Human Resources Department in the employee's files.
11. **EXIT INTERVIEW** - This form is to be completed by Police Department employees who are severing their employment with the Department. This form will be issued through and maintained within the DeKalb County Police Department's Personnel Services Unit.
12. **DISCIPLINARY ACTION RECOMMENDATION FORM** - This form is used when recommending any corrective/disciplinary action on an employee. This form may be obtained within any division or unit and is maintained at the Human Resources Department, DeKalb County Police Department's Personnel Services Unit and Internal Affairs Unit in the employee's files.
13. **DOCUMENTATION OF CONSULTATION** - This form is used to document counseling with an employee. This form may be obtained within any division or unit and is maintained within the Internal Affairs Section and/or the employee's division or unit file.
14. **DOCUMENTATION OF FORCE** - This form is to be completed by an employee's supervisor whenever the employee is involved in an incident where force is used. This form may be obtained within any division or unit and will be included in any investigative package. The form is maintained within the Internal Affairs Section.
15. **EMPLOYEE COMMENDATION FORM** - This form is used when recommending a commendation for an employee. This form may be obtained within any division or unit is maintained at the DeKalb County Police Department's Personnel Services Unit in the employee's file.
16. **NEWS RELEASE FORM** - This form is to be used for the release of information regarding a newsworthy public safety event. This form may be obtained within any division or unit and maintained by the Public Information Officer.

17. **PERSONNEL AND EMERGENCY INFORMATION FORM** - This form is a compilation of personal and emergency information about the employee for personnel usage. This form is issued through the DeKalb County Police Department's Personnel Services Section and is maintained within that unit in the employee's file.
18. **CHANGE OF ADDRESS/TELEPHONE NUMBER** - This form is used when an employee changes address or telephone number. This form is issued through the DeKalb County Police Department's Personnel Services Section and maintained in that unit; copies are maintained in the employee's division and/or section commander's office, the Internal Affairs Division and the Employee Benefits who will send notification to that employee's insurance company.
19. **INTERNAL AFFAIRS FORM** - This form is for employee personal and emergency information. This form is issued through DeKalb County Police Department's Personnel Services Section and maintained in the employee's Internal Affairs file.
20. **OTHER EMPLOYMENT QUESTIONNAIRE** - This form is for information concerning outside employment. This form is issued through the DeKalb County Police Department's Personnel Services Section and maintained in that unit in the employee's file.
21. **REQUEST FOR LEAVE ADJUSTMENT** - This form is used for all request made after the close of the pay period. This form is issued through the DeKalb County Police Department's Personnel Services Section and is maintained in that unit in the employee's file.
22. **BLOOD DONOR FORM** - This form is for employees to complete in order to receive blood time credit. This form is issued through DeKalb County Police Department's Personnel Services Section and is maintained in that unit in the employee's file.
23. **LABOR ALLOCATION FORM** - This form reflects the employee's daily working status on a weekly or bi-weekly basis. This form is used for those who are exempt from clocking in on the Kronos system. It is submitted and maintained in the DeKalb County Police Department's Personnel Services Section.
24. **KRONOS EDIT FORM** - This form is for employees who have missed a punch within the Kronos timekeeping system. This form is issued through the DeKalb County Police Department's Personnel Services Section and maintained in that unit for timekeeping purposes.
25. **PAYROLL PROBLEMS** - This form is to be used by employees who experience payroll problems. This form is issued through the DeKalb County Police Department's Personnel Services Section and maintained in that unit with the employee's records.
26. **PAYROLL OVERPAYMENT** - This form is to be used by employees who experience overpayment from the County. This form is issued through the DeKalb County Police Department's Personnel Services Section and maintained in that unit with the employee's records.
27. **PAYROLL DEDUCTIONS** - This form is an Inter-Departmental Memorandum submitted to the Payroll Department in reference to payroll deductions. This form is issued through the DeKalb County Police Department's Personnel Services Section and maintained in that unit with the employee's records.
28. **DIRECT DEPOSIT FORM** - This form is used for employees to request payroll deductions through the banking institute of their choice. This is issued through the DeKalb County Police Department's Personnel Services Section and maintained by the institute of choice and the Payroll Department.
29. **DEKALB COUNTY INCIDENT INVESTIGATION REPORT** - This form is used by an employee's supervisor whenever an employee is injured, causes injury or property damage or has damaged County property by accident. This form is issued through each division or unit and is maintained by the DeKalb County Police Department's Personnel Services Section in the employee's file and the County Risk Management Division.
30. **EMPLOYEE TREATMENT REFUSAL FORM** - This form is used by employees who decline medical treatment from any of the County designated emergency medical treatment facilities. It is issued through the DeKalb County Police Department's Personnel Services Section and maintained in that unit with the employee's records.
31. **WORKER'S COMPENSATION FORM (AMERISYS WORK RELATED INCIDENT REPORT)** - This form is to be used by any employee seeking medical assistance from a County approved facility as a result of an on-the-job injury. This form is issued through the DeKalb County Police Department's Personnel Services Section or the employee's supervisor and is maintained in the Personnel Services Unit and the County Risk Management Division.
32. **DOCTOR'S TASK APPRAISAL FORM** - This form is a memorandum to the employer from the physician stating information on the employee's ability to return to work and perform their regular duties. This form is issued through each Division and Unit and maintained in the employee's file within the DeKalb County Police Department's Personnel Services Section.

## GENERAL MANAGEMENT

33. **SUPPLY REQUISITION** - This form is used for the requisition of office and station supplies. This form is issued through the Supply Section and maintained by that section.
34. **PERSONAL ISSUE RECORD** - This form is used to record the issuance of all County supplies, equipment and clothing issued to employees. This form is issued through the Supply Section and maintained by that section.
35. **LOST/DAMAGED PROPERTY REPORT** - This form is used to report any lost or damaged County property by employees. This form is issued through each division or unit and is maintained by the Supply Section, DeKalb County Police Department's Personnel Services Section and the employee's, division or unit.
36. **LOST/DAMAGED PROPERTY REPORT FOLLOW-UP** - This form is used to follow up the Lost/Damaged Property Report, which indicates that an employee shall reimburse the County for lost/damaged property. This form will be issued through the DeKalb County Police Department's Personnel Services Section and maintained with the Fiscal Management Section.
37. **PEACE OFFICERS' ANNUITY AND BENEFIT FUND FORM** – This form is used for certified police officers that are interested in joining the fund. P.O.A.B. was established to provide revenue and a source of revenue for the purpose of paying annuities and benefits to the peace officers of the State of Georgia. This form will be issued through the DeKalb County Police Department's Personnel Services Section and the officer is responsible for submitting to P.O.A.B.
38. **OLD HOSS SALE** - This form is a record of all sales of property at the quarterly Public Safety auction. This form is maintained within the Property and Evidence Section.
39. **INDEMNIFICATION AGREEMENT** - This form indemnifies and releases the County of liability regarding the release of information. This form is maintained within the Property and Evidence Section.
40. **PROPERTY TRANSFER AND DISPOSITION NOTICE** - This form is a record of the disposition of property transferred to others from the Property and Evidence Unit to other sections within the Department. This form is maintained within the Property and Evidence Unit.
41. **INTRA-DEPARTMENTAL REQUISITION** - This form is for employees making a requisition in order to purchase items with County funds. This form is issued through the Fiscal Management Section and maintained in that section.
42. **REQUEST FOR LEGAL REPRESENTATION** - This form will be used by any employee who is named as a defendant in a civil lawsuit arising out of their employment with the Department. This form will be issued through each division and unit and upon completion will be forwarded immediately through the chain-of-command to the Chief of Police and then forwarded to the County Attorney's Office Management Division.  
**COURT APPEARANCE - OFF DUTY TIME** this form will be used by any employee who is subpoenaed to court during their off time and desire compensation as time worked. This form will be issued through each division and unit and upon completion will be forwarded through the chain-of-command to the Division Commander for approval.
43. **GEORGIA CRIME INFORMATION CENTER AWARENESS STATEMENT** - This form is for all Police Services employees, who have access to the Criminal Justice Information System, to acknowledge that they understand Georgia law concerning criminal justice information. This form will be issued through the DeKalb County Police Department's Personnel Services Section and maintained in the employee's personnel file.
44. **EMPLOYEE MANUAL ACKNOWLEDGMENT** - This form is an acknowledgment for employees to complete upon receipt of their DeKalb County Police Department Employee Manual. This form is issued by the DeKalb County Police Department's Personnel Services Section and maintained in the employee's personnel file.
45. **GENERAL SAFETY RULES ACKNOWLEDGMENT** - This form is an acknowledgment for employees to complete upon receipt of the DeKalb County Employee's Handbook. This form will be issued through the DeKalb County Police Department's Personnel Services Section and maintained in the employee's personnel file.
46. **UNWANTED CONDUCT POLICY ACKNOWLEDGMENT** - This form is an acknowledgment for employees to complete after receipt of the Department's Unwanted Conduct Policy. This form will be issued through the DeKalb County Police Department's Personnel Services Section and maintained in the employee's personnel file.
47. **NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY** – This policy and acknowledgement form is used countywide and is given to all employees at the start of their employment requiring all relationships among persons in the workplace to be business-like and free of bias, prejudice, and harassment. This policy will be issued through the DeKalb County Police Department's Personnel Services Section and the acknowledgement form will be maintained in the employee's personnel file.

48. **DRUG AND ALCOHOL TESTING POLICY** - This policy and acknowledgement form is used countywide and is given to all employees at the start of their employment to provide a safe, efficient and productive work environment and encourages good personal health of its employees. This policy will be issued through the DeKalb County Police Department's Personnel Services Section and the acknowledgement form will be maintained in the employee's personnel file.
49. **REPOSSESSION AND PRIVATE REMOVAL** - This form is to be used by employees of the Records Section and is to be completed whenever information is relayed that a motor vehicle is to be repossessed or towed by a private wrecker service. This form will be issued and maintained within the Records Section.
50. **MOTOR VEHICLE HOLD** - This form is to be used by employees of the Records Section and is to be completed whenever a request is made from a Police Officer to place a hold on a motor vehicle. This form will be issued and maintained within the Records Section.

**B. POLICE FORMS**

1. **INCIDENT REPORT** - This form is used to document any type of police related incident and shall be assigned a specific case number by Communications. This form shall be issued through each division and unit and upon completion shall be forwarded to the Records Section where it shall be properly distributed and a copy filed by case number within that section.
2. **SUPPLEMENTAL REPORT** - This form is used to supplement the Incident Report and may be used to finalize an employee's investigative findings or used to document an employee's statement. This form shall be issued through each division and unit and, if this form is issued a case number, it shall be maintained in the same manner as the incident report. If this form is not issued a case number, it shall be maintained in the employee's file.
3. **ARREST INFORMATION RECORD** - This form is to be used to document appropriate information concerning an individual who was arrested and lodged into jail. This form shall be issued through each division and unit and shall be maintained at the jail and a copy forwarded to the Criminal History Section to be filed with the arrestee's records.
4. **PROPERTY AND EVIDENCE SHEET** - This form shall be used to record and document all property/evidence coming into the possession of a Police Department employee. This form shall be issued through each division and unit and upon completion, assigned a case number from Communications (to accompany an Incident Report), and filed in the Records Section. This report shall also be issued a property number and filed in the Property and Evidence Unit by property number and cross referenced by case number.
5. **MOTOR VEHICLE ACCIDENT REPORT** - This form shall be used to document all pertinent information concerning motor vehicle accidents on public roadways and shall be assigned a specific case number by Communications. This form shall be issued through each division and unit and upon completion shall be maintained in the Records Section by case number and a copy forwarded to the Georgia Department of Public Safety.
6. **MOTOR VEHICLE ACCIDENT SUPPLEMENTAL REPORT** - This form shall be used to supplement the Motor Vehicle Accident Report. This form shall be issued through each division and unit and shall be maintained with the Motor Vehicle Accident Report.
7. **PRIVATE PROPERTY ACCIDENT REPORT** - This form shall be used to document all pertinent information concerning motor vehicle accidents on private property and shall be assigned a specific case number by Communications. This form shall be issued through each division and unit and upon completion shall be maintained in the Records Section by case number and a copy forwarded to the Georgia Department of Public Safety.
8. **ACCIDENT INFORMATION EXCHANGE SHEET** - This courtesy form is to be used by citizens involved in motor vehicle accidents to exchange pertinent information concerning the accident. This form shall be issued through each division and unit and is for citizens involved in accidents. This form is in addition to any required formal motor vehicle accident report.
9. **HIT AND RUN REPORT** - This form is to be used to document all pertinent information concerning motor vehicle accidents where one vehicle has left the scene of the accident prior to the arrival of police. This form shall be issued through each division and unit and upon completion shall be assigned the same case number as the accompanying accident report. The report is maintained in the Traffic Specialist Unit.
10. **UNIFORM TRAFFIC CITATION** - This form is a citation to be issued to any citizen violating any state traffic law. This citation is pre-numbered and shall be assigned to each individual officer through the office of the Uniform Division Commander, Police Department. Upon completion of a traffic citation, the officer's supervisor shall forward a copy of the citation to the Records Section and forward the remaining copies to

## GENERAL MANAGEMENT

Recorder's Court. The Records Section shall record all pertinent information off the citation into the Citation Index and Tracking System (CITS).

11. **COURTESY WARNING CITATION** - This form is a citation that is issued to citizens who violate any state or local traffic law or ordinance and is only a courtesy warning. This citation shall be issued through each division and unit and upon completion; the copy shall be forwarded to the precinct or unit commander for filing.
12. **ILLEGAL PARKING CITATION** - This form is a citation to be issued to vehicles that are illegally parked. The citation is pre-numbered and is issued through each division and unit; upon completion, it shall be forwarded directly to the Recorder's Court for filing.
13. **LOCAL ORDINANCE CITATION**- This citation is used for all county local ordinances violations. The citation is pre-numbered and is issued through each division and unit; upon completion, it shall be forwarded directly to the Recorder's Court.
14. **RECORDER'S COURT WITNESS SUBPOENA** - This form is a subpoena to be issued by an officer to anyone who is a witness in a motor vehicle traffic accident or other local ordinance case that is referred to the Recorder's Court. This form shall be issued through each division and unit and upon completion; the copy shall be forwarded to Recorder's Court.
15. **PROOF OF EMISSION INSPECTION** - This form is for law enforcement officers to complete upon verifying information concerning an individual's motor vehicle and its emission inspection sticker. This is a state form and is pre-numbered and issued through the Uniform Division of the DeKalb County Police Department. Once the form is completed, it is given to the individual.
16. **IMPLIED CONSENT AFFIDAVIT** - This form is for law enforcement officers to complete after an individual, arrested for driving under the influence, has refused to submit to a chemical test. This form is issued through each division and unit, and upon completion, this state form shall be notarized and copies sent to the Georgia Department of Public Safety, the courts, and maintained with the officer's case file.
17. **PRINTED IMPLIED CONSENT WARNING** - This form is for law enforcement officers to follow and complete while advising an individual arrested for driving under the influence of his rights pursuant to Georgia law. This form is issued through each division and unit and upon completion shall be maintained in the officer's case file.
18. **OFFICIAL NOTICE OF PERSONAL SERVICE** - This form is to be used by law enforcement officers to be completed when someone is stopped for operating a motor vehicle with a suspended driver's license and verification of official service cannot be obtained. The state form is issued through each division and unit and upon completion is forwarded with a copy of the traffic citation to the Georgia Department of Public Safety to verify official notice of driver's license suspension.
19. **CRIMINAL INVESTIGATION INFORMATION SHEET** - This form is a personnel information sheet for employees within the Criminal Investigation Division. This form is available within CID and maintained by the Computer Coordinator.
20. **CRIMINAL ACTIVITY** - This form is for law enforcement officers to complete when they come across suspicious activity and desire information from this activity to be forwarded to any investigative component of the Department. This form is issued through each division and unit and shall be maintained by the investigative unit the form is forwarded to.
21. **STATEMENT FORM** - This form is to be used when taking a formal written statement from witnesses and/or victims. This form is issued through each division and unit and shall be maintained with the officer's case file.
22. **FIELD INTERVIEW SHEET** - This form is to be used to document information in reference to a field interview of a victim and/or witness. This form is issued through each division and unit and shall be maintained with the officer's case file.
23. **LIST OF ADDITIONAL ITEMS STOLEN** - This form is for citizens to use upon realizing that additional items have been stolen and have not subsequently been reported to the police. This form is issued through each division and unit and upon completion by the citizen shall be forwarded to the Criminal Investigation Division and maintained with the detective's case file.
24. **AUTHORIZATION TO EXTRADITE BY EXTRADITION CORPORATION OF AMERICA**- This form, upon completion, shall be forwarded to the Extradition Corporation of America in order to provide enough information for this group to extradite an individual back to our jurisdiction. This form shall be issued through Criminal Investigation Division with a copy maintained in the detective's case file.
25. **DEPARTMENT APPROVAL OF EXTRADITION FOR POLICE DEPARTMENT EMPLOYEES** -This form, upon completion, shall accompany any Departmental employees when extraditing an individual back to our jurisdiction. This form is issued through Criminal Investigation Division with a copy maintained in the detective's case file.

26. ANATOMY CHART - This form is to be used by personnel in the Major Felony Unit of CID, to chart all locations of any injury to a body. This form shall be issued through CID and maintained with the detective's case file.
27. HANDWRITING SAMPLE - This form is to be used to obtain handwriting samples to be compared against evidence in criminal cases. This form is issued through CID and upon completion forwarded to the State of Georgia Crime Lab in order to be analyzed.
28. CHECK HANDWRITING SAMPLE - This form is to be used to obtain handwriting samples to be compared against evidence in criminal cases involving checks. This form is issued through CID and upon completion forwarded to the State Crime Lab in order to be analyzed.
29. CRIME LABORATORY HANDWRITING SPECIMEN FORM this is another form to be used to obtain handwriting samples to be compared against evidence in criminal cases. This form shall be issued through CID and upon completion forwarded to the Georgia State Crime Lab to be analyzed.
30. MOTOR VEHICLE HOLD/CRIMINAL INVESTIGATION - This form is to be used after a vehicle has been impounded pursuant to a criminal investigation and is not to be disposed of in any manner without written authorization from the investigating officer. This form is issued through CID and upon completion copies distributed to the Records Section, the wrecker service and maintained in the investigating officer's case file.
31. MEDICAL AUTHORIZATION - This form is a waiver of the release of medical information for investigative purposes. The form is issued through CID and upon completion maintained in the detective's case file.
32. MEDICAL WAIVER - This form is a waiver of liability and an authorization to have EMS obtain a blood sample. The form is issued through CID and upon completion maintained in the detective's file.
33. MESSAGE REQUEST - This form is to be used by an officer who desires a message or information to be transmitted to another agency through the Communications Division. This form is issued through CID and a copy is maintained in the detective's case file.
34. B. O. L. O. (Be On the Lookout) - This form is to be used by CID personnel when there is a need to post and circulate information regarding an incident, a suspect, a vehicle or any other information concerning a criminal offense. The form is issued through CID and a copy maintained in the detective's case file.
35. PROPERTY RELEASE - This form is to be completed by Police Department personnel prior to the release of property from the Department to the owner or owner's designee. The form is issued through each division and unit and shall be maintained in the detective's case file. A copy of the form is forwarded to the Property and Evidence Unit to be attached with the Property and Evidence Sheet and a copy is provided to the owner.
36. VERIFICATION OF CITIZEN'S ARREST AND REQUEST TO TRANSPORT – This form is to be completed whenever a law enforcement officer transports an individual arrested by a citizen. This form relieves the officer of any involvement concerning the arrest of the individual transported. This form shall be issued through each division and unit and shall be maintained with the officer's file on the incident.
37. STATEMENT OF MIRANDA RIGHTS - This form is to be used by any law enforcement officer who desires written documentation when an individual (adult) has been advised of their constitutional "Miranda" rights and has expressed a desire to waive those rights. This form shall be issued through each division and unit and upon completion shall be maintained in the officer's case file. \* This form is also available in Spanish. \*
38. ADVICE OF RIGHTS TO JUVENILE - This form is to be used by any law enforcement officer who desires written documentation when an individual (juvenile) has been advised of their constitutional "Miranda" rights and has expressed a desire to waive those rights. This form shall be issued through each division and unit and upon completion shall be maintained in the officer's case file.
39. CONSENT TO SEARCH - This form is to be used by law enforcement officers who receive consent to search an individual, a vehicle or a location and desire written documentation on the consent. This form shall be issued through each division and unit and upon completion shall be maintained in the officer's case file. \* This form also available in Spanish. \*
40. WITNESS' LINE-UP IDENTIFICATION FORM - This form is to be used to document a witness' selection during a physical line-up. This form shall be issued through each division and unit and upon completion shall be maintained in the officer's case file.
41. LINE-UP REPORT - This form is to be used by the law enforcement officer to document all relevant information concerning a physical line-up. This form shall be issued through each division and unit and upon completion shall be maintained in the officer's case file.
42. PHOTOGRAPH IDENTIFICATION - This form is to be used upon conducting a photographic line-up. This form shall be issued through each division and unit and upon completion shall be maintained in the officer's case file.

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43. **CONSENT TO C.V.S.A. JUVENILE** - This form is to be used by law enforcement officers to document consent given by parents/guardians of juveniles who are to be administered a C.V.S.A. examination. This form shall be issued through each division and unit and upon completion shall be maintained in the officer's case file.
44. **JUVENILE FINGERPRINT INFORMATION SHEET** - This form is to be used by law enforcement officers who desire to obtain fingerprints from juveniles. This form shall be issued through each division and unit and upon completion shall be maintained in the officer's case file and with the Juvenile Court. This form is strictly confidential.
45. **PHOTOGRAPH AUTHORIZATION FOR JUVENILE** - This form is to be used by law enforcement officers who desire to take a photograph of a juvenile. This form shall be issued through each division and unit and upon completion shall be maintained in the case file of the juvenile photographed.
46. **JUVENILE RELEASE AGREEMENT** - This form is to be used when a juvenile is released to the custody of a responsible adult as an alternative to being arrested and placed in detention. This form shall be issued through each division and unit and upon completion shall be maintained in the officer's case file.
47. **DANGEROUS WEAPON RECOVERY FORM** - This form is to be used by law enforcement officers who recover any dangerous weapon from a juvenile on school property. This form shall be issued through CID and upon completion shall be forwarded to the DeKalb County Board of Education.
48. **MARIJUANA CONFIRMATION FORM** - This form is to be used by law enforcement officers who recover any substance believed to be marijuana from juveniles on school property. This form shall be issued through CID and upon completion shall be forwarded to the DeKalb County Board of Education.
49. **CONSENT TO RELEASE OF INFORMATION AND RAPE EXAMINATION** – This form is an authorization from rape victims to give information and to be examined by Grady Memorial Hospital personnel in reference to any sexual assault they may have encountered. This form shall be issued and maintained within the Special Victim's Unit in CID. This form, upon completion, shall be given to Grady Hospital and a copy kept in the detective's file.
50. **RAPE INVESTIGATION WORK SHEET** - This form is to be used by detectives in the Sex Crimes Unit to be completed after receiving pertinent information from a rape victim concerning the assault. This form shall be issued within the Special Victim's Unit in CID and upon completion shall be forwarded, with the court supplemental, to the District Attorney's Office. A copy shall be filed with the detective's case file.
51. **AFFIDAVIT FOR SEARCH WARRANT** - This form is to be used by law enforcement officers to be completed when applying for a search warrant. The purpose of this form is to establish probable cause for the search. The affidavit shall be assigned an identifying number by the Magistrate Judge. This form shall be issued through each division and unit and upon completion, a copy shall be left with the issuing Magistrate and a copy kept in the detective's case file.
52. **SEARCH WARRANT** - This form is to be used by law enforcement officers who desire judicial permission and authority to search for and seize specified items. The warrant shall be assigned an identifying number by the Magistrate Judge. This form shall be issued through each division and unit and upon completion, prior to the search, a copy shall be left with the Magistrate, and upon completion of the search, a copy shall be left at the location of the search, a copy left with the Magistrate and a copy kept in the detective's case file.
53. **CRIMINAL ARREST WARRANT** - This form is to be used by anyone, law enforcement officer or citizen, who serves in the capacity as a prosecutor for the purpose of causing to be issued a warrant to arrest an individual on a specified criminal charge. The arrest warrant shall be assigned an identifying number by the Magistrate Judge. This form shall be issued through each division and unit and upon completion a copy left with the Magistrate Judge and a copy for the law enforcement officer in order to carry out the arrest. Once the arrest is made, the warrant shall be forwarded to the appropriate court.
54. **JUVENILE COMPLAINT** - This form is to be used by anyone, law enforcement officer and citizen, for the purpose of establishing probable cause to arrest or bring into custody a juvenile. This petition shall be assigned an identifying number by the Juvenile Court. This form shall be issued through the Juvenile Court and the Youth Unit of CID and upon completion a copy shall be left with the Juvenile Court and a copy maintained in the officer's case file.
55. **CID SUMMARIES FOR PART I AND PART II CRIMES** - These forms, whether used by an individual detective, unit or division, shall be used to document statistics within CID concerning Part I and Part II crimes. This form shall be completed on a monthly basis and forwarded to the division criminal analyst for computation and issuance of final statistics. The crime analyst shall be responsible for maintaining all statistics on Part I and Part II crimes and forwarding copies to the appropriate agencies.

56. **CITIZEN/NEIGHBORHOOD CONTACT** - This form is to be used by law enforcement officers to document any problems, concerns or issues raised by citizens. Upon completion, these cards shall be forwarded to the precinct commander to be filed by the citizen's name.
57. **UNATTENDED VEHICLE NOTICE** - This form is a notice to be placed on motor vehicles that have been left unattended and/or abandoned in order to give the owner/driver notice to remove the vehicle prior to its being impounded. This form shall be issued through each division and unit, and it is to be left with the vehicle.
58. **SERVICE REQUEST** - This form shall be used by any employee of the DeKalb County Police Department who receives a request by a citizen to perform any Public Safety service at a specific location for a specific period of time not to exceed 30 days. This form shall be issued through each division and unit and upon completion the form will be forwarded to and maintained by the beat police officer assigned to the area. Upon conclusion of the requested service the form shall be forwarded to the officer's supervisor and then forwarded to the precinct commander.
59. **DAILY ROSTER** - This form will be used by each component within the DeKalb County Police Department to document daily, all employees' status whether on or off duty, and if on duty to reflect their assignments. This form shall be issued through each division and unit and upon completion; copies shall be forwarded to Communications and through the chain-of-command to the division or unit commander.
60. **DAILY PATROL ACTIVITY SUMMARY** - This form is to be used by uniform law enforcement officers to document and reflect their daily activities while on duty. This form shall be issued through the Uniform Division and upon completion by a uniform officer, the form shall be forwarded to the precinct or unit commander.
61. **REQUEST FOR PART-TIME EMPLOYMENT** - This form is to be used by any law enforcement officer who desires to work a part-time job. This form is issued through each division and unit and upon completion by the requesting officer; the form shall be forwarded through the chain-of-command for approval by the commander of the Uniform Division.
62. **ACKNOWLEDGMENT OF RECEIPT** - This form shall be used in order to document and verify the acknowledgment that an individual has received a specific order/memo/policy. This form shall be issued through each division and unit and upon completion shall be maintained in the individual officer's precinct or unit file.
63. **REQUEST FOR TRANSFER** - This form shall be used by any law enforcement officer who desires to transfer from one departmental component to another. This form shall be issued through each division and unit and upon completion shall be forwarded through the chain-of-command for approval.
64. **POTENTIAL THREAT TO OFFICER** - This form is to be used by any employee who receives information directly or indirectly in reference to a threat or the potential of a threat towards any other employee of this Department. This form shall be issued through each division and unit and upon completion shall be forwarded through the chain-of-command and a copy forwarded to the Intelligence Unit.
65. **OVERTIME REQUEST** - This form is to be used by employees who work overtime, other than in conjunction with regular duty or court, and desire compensation for said overtime. Whenever an employee works overtime, they must complete this form and forward it through the chain-of-command up to the Chief of Police. This form is issued through each division and unit.
66. **COURT APPEARANCE** - This form shall be used by any employee who is required to appear in court during an off day and is entitled to compensation other than overtime. This form shall be issued through each division and unit and upon completion; the original copy shall be forwarded to the Finance Department for compensation.
67. **RIDER WAIVER** - This form shall be used by any officer who has someone other than a fellow employee, arrestee, or anyone else that may be in a county vehicle for county business, riding in their county vehicle. The purpose of this form is to waive liability for anything that might occur during this period. This form shall be issued through each division and unit and upon completion shall be forwarded through the chain-of-command to the division/unit commander.
68. **FLEET AND MAINTENANCE DEPARTMENT OPERATOR'S REQUEST FOR SERVICE** - This form shall be used by any employee needing service performed on any county vehicle that is issued to them. This form shall be issued through each division and unit and upon completion shall accompany the vehicle to the Fleet Maintenance Department.
69. **SERVICE REQUEST FOR RADIO/EMERGENCY LIGHTS/SIRENS** - This form shall be used by any employee needing service on the radio/emergency lights/sirens of any county vehicle. This form shall be issued through each division and unit and upon completion shall accompany the vehicle to the Radio Shop.
70. **STOLEN ARTICLE REPORT** - This form is to be used by law enforcement personnel to document any stolen article by description, identification numbers, etc., and upon completion forwarded to the Communications Division to be entered on NCIC/GCIC.

## GENERAL MANAGEMENT

71. **STOLEN/MISSING GUN REPORT** - This form is to be used by law enforcement personnel to document any stolen/missing guns by description, identification numbers, etc., and upon completion it will be forwarded to the Communications Division to be entered on NCIC/GCIC.
72. **WANTED PERSONS NOTICE** - This form is to be used by law enforcement personnel who desire to have an individual placed on NCIC/GCIC as wanted. This form upon completion shall be forwarded to the Communications Division to be placed on NCIC/GCIC.
73. **PREVIOUS ACTIVITY INFORMATION ENTRY FORM** - This form is to be used by law enforcement personnel who desire to retain previously submitted information to be placed on NCIC/GCIC. Upon completion, this form shall be forwarded through the chain-of-command to the Communications Division.
74. **PAWN RELEASE TICKET** - A release form from DPS indicating to a pawnbroker that the bearer has authorization to pick up items listed. The form is issued by the Pawn Desk and a copy is attached to the original pawn sheet. The form is maintained by the Criminal Investigation Division Pawn Desk.
75. **PRECIOUS METALS TRANSACTION REPORT** - This form is completed by precious metals buyers and must be mailed to DPS Pawn Desk at the end of each working day. This form must be accompanied by a Polaroid picture, the name of the person selling the precious metals, items purchased, and a copy of the buyer's driver's license or I.D. This form is maintained by the Criminal Investigation Division Pawn Desk.
76. **PAWNSHOP DAILY ACTIVITY REPORT** - This form is filled out daily by pawnshop employees and mailed each working day to the Pawn Desk. Pawnshop employees must fill in the serial number, description of the item, and the person pawning the item. This information is then checked for wanted or stolen. This form is maintained by the Criminal Investigation Division Pawn Desk.
77. **NARCOTICS UNIT CONFIDENTIAL FUNDS DISBURSEMENT FORM** - This form is utilized by detectives to obtain "buy" money from the narcotics fund. The form is placed in the moneybox in the Narcotics Unit to be kept until the end of the month when it is used to justify monthly expenditures. The form is maintained by the Narcotics Unit.
78. **VEHICLE SEIZURE REPORT** - This affidavit is used to notify the office of the District Attorney that a vehicle has been seized and is in the custody of the DeKalb County Police Department and that condemnation proceedings are requested. .
79. **DRUGS DESTROYED DOCUMENTATION FORM** - This form is used to document that drugs that have been seized cannot be used to prosecute a case and have been destroyed. This form is maintained by the Narcotics Unit.
80. **OFFICER'S AFFIDAVIT AND REPORT OF SEIZURE OF MONEY** - This form is used by personnel of the Narcotics Unit to document that currency has been seized. This form is maintained by the Narcotics Unit.
81. **INFORMATION SUMMARY - INTELLIGENCE UNIT** - This form is to be used by the Intelligence Unit to document any intelligence information that may be considered confidential in nature. This form shall be issued through and maintained by the Intelligence Unit.
82. **CLEARANCE FOR BUSINESS LICENSE** - This form is to be used by the Vice/Permits Unit to conduct background investigations and give clearance on all owners, managers, corporate officers and agents of the business. This form shall be issued and maintained by the Vice/Permits Unit.
83. **ALCOHOL ESTABLISHMENT EMPLOYEE APPLICATION** This form is to be used by Vice/Permits Unit in order to maintain on file a listing of all employees currently employed by a business that sells/serves alcohol. This form shall be issued and maintained by the Vice/Permits Unit.
84. **SOLICITATION APPLICATION** - This form is to be used by the Vice/Permits Unit in order to obtain information and issue a permit to any individual desiring to solicit a business door-to-door. This form shall be issued and maintained by the Vice/Permits Unit.
85. **WRECKER PERMIT** - This form is to be used by the Vice/Permits Unit in order to obtain pertinent information concerning the operation of wreckers within the County. This form shall be issued and maintained by the Vice/Permits Unit.
86. **IMMIGRATION FINGERPRINT CARD** - This card is to be used by Vice/Permits Unit in order to obtain the fingerprints of any immigrant within DeKalb County. This form shall be issued and maintained by the Vice/Permits Unit.
87. **VICE/PERMITS FUND EXPENSE SHEET** - This form is to be used by the Vice/Permits Unit to show disbursement of investigative funds. This form shall be issued and maintained by the Vice/Permits Unit.
88. **COMPLAINT/SERVICE REQUEST** - This form is to be used by the Vice/Permits Unit to record and assign vice/liquor complaints and service requests in these areas. This form shall be issued and maintained by the Vice/Permits Unit.

89. **DEKALB COUNTY DAILY REPORT** - This form is to be used by the Vice/Permits Unit to report funds collected from citizens for services rendered. Upon completion, the report and funds are turned in to Revenue Collections on a daily basis with a copy being maintained by the Vice/Permits Unit.
90. **VICE DETECTIVES GUIDELINES** - This form is to be read and signed by all sworn personnel assigned to vice/liquor enforcement duties. Upon completion, this form is placed in the employee folder within the Vice/Permits Unit.
91. **DPS PISTOL PERMIT FINGERPRINT CARD** - This form is to be used by the Vice/Permits Unit for state pistol permit applicants. This form, upon completion, is sent to Criminal History Section where it is maintained.
92. **PROBATE COURT PISTOL PERMIT FINGERPRINT CARD** This card is to be used by the Vice/Permits Unit in order to obtain the fingerprints from a citizen seeking a pistol permit. This form shall be issued through the Vice/Permits Unit and maintained with the Probate Court of DeKalb County.
93. **MISCELLANEOUS FINGERPRINT CARDS** - This form is to be used by the Vice/Permits Unit for miscellaneous fingerprints. Upon completion, the card is taken by the applicant.
94. **DAILY ACTIVITY REPORT** - This form is to be used by Vice/Permits employees to record daily activity. This form upon completion is maintained within the Vice/Permits Unit.
95. **VICE/PERMITS INSPECTION REPORT** - This form is to be used by Vice/Permit Unit detectives when inspecting alcohol establishments for compliance with ordinances. This form is maintained within the Vice/Permits Unit.
96. **EVIDENCE COLLECTION INCIDENT REPORT** - This form is to be used by Crime Scene Investigation Unit personnel to document pertinent information concerning their involvement at a Public Safety scene. The form shall be given a case number and upon completion, copies shall be filed in the Records Section by case number and with the Crime Scene Investigation Unit officer's individual files.
97. **EVIDENCE COLLECTION SUPPLEMENTAL REPORT** - This form is a supplemental to the Evidence Collection Incident Report. It shall be assigned a case number and upon completion copies forwarded to the Records Section to be filed by case number and copies maintained in the Crime Scene Investigation Unit officer's individual files.
98. **LATENT FINGERPRINT INFORMATION SHEET** - This form is to be used by Crime Scene Investigation Unit personnel to complete whenever a request is made by a detective to obtain latent fingerprints and then to compare those prints with fingerprints of suspects. This form shall be issued through the Crime Scene Investigation Unit and shall be maintained in the Crime Scene Investigation Unit officer's individual files.
99. **VICTIM CONTACT CARD (2014-01VCS)** – This form is to be given to all victims of misdemeanor crimes against persons. It provides them with contact information for legal and community resources that may be available.

**C. INTERNAL AFFAIRS FORMS**

1. **INTERNAL AFFAIRS INVESTIGATION ACKNOWLEDGMENT FOR POLICE DEPARTMENT EMPLOYEES** - This form is to be used by members of the Internal Affairs Division in investigating any DKPD employee for any alleged acts of misconduct. The employee subject to an Internal Affairs investigation shall read and sign this form acknowledging their understanding of the investigation. This form shall be issued by Internal Affairs and upon completion shall be maintained in the individual employee's Internal Affairs file.
2. **ADMINISTRATIVE QUESTIONING RIGHTS** - This form is to be completed by DKPD employees who are involved in an administrative investigation. This form advises the employee of his administrative rights during an internal investigation. This form shall be issued by the Internal Affairs Division and upon completion shall be maintained in the employee's Internal Affairs file.
3. **C.V.S.A. STIPULATION FOR POLICE DEPARTMENT EMPLOYEES** - This form is to be completed by DKPD employees after reading and understanding their rights about being administered a C.V.S.A. examination. This form shall be issued by the Internal Affairs Division and upon completion shall be maintained in the employee's Internal Affairs file.
4. **INTERNAL AFFAIRS INVESTIGATION ACKNOWLEDGMENT FORM FOR CITIZENS** - This form is to be used by Internal Affairs detectives to have citizens read and acknowledge that allegations of employee misconduct are taken very seriously and that any false statements shall be dealt with criminally. This form shall be issued by the Internal Affairs Division and upon completion shall be kept in the investigative file.
5. **C.V.S.A. STIPULATIONS FOR CITIZENS** - This form is to be completed by citizens alleging employee misconduct, after reading and understanding their rights about being administered a C.V.S.A. examination. This form shall be issued by the Internal Affairs Division and upon completion shall be maintained in the employee's Internal Affairs file.

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6. **CONSENT TO C.V.S.A. EXAMINATION** - This form is required by the State of Georgia for any licensed C.V.S.A. examiner to have completed by any individual being administered a C.V.S.A. This form is issued by the Internal Affairs Division and upon completion shall be kept with the individual's file.
7. **C.V.S.A. QUESTION SHEET** - This form is for Internal Affairs investigators to list a set of questions to be asked during a C.V.S.A. examination and consented by the individual being questioned. This form is issued by the Internal Affairs Division and upon completion shall be kept in the individual's file.
8. **JUVENILE C.V.S.A. CONSENT FORM** - This form is to be completed by Internal Affairs Detectives after receiving consent from a parent, guardian or Juvenile Court judge to administer a C.V.S.A. examination to a juvenile. This form is issued by the Internal Affairs Division and upon completion shall be kept in the individual's file.

### **D. BACKGROUND AND RECRUITING**

1. **CONSENT TO C.V.S.A. EXAMINATION** - This form is required by the State of Georgia for any licensed C.V.S.A. examiner to have completed by any individual being administered a C.V.S.A. This form is issued by the Background and Recruiting Unit and upon completion shall be kept with the applicant's file.
2. **PRE-EMPLOYMENT C.V.S.A. EXAMINATION FINDINGS**- This report is to be used by members of the Background and Recruiting Unit after administering a C.V.S.A. to a DKPD applicant; the results are recorded in a written report. This report is issued by the Background and Recruiting Unit and upon completion shall be kept in the applicant's file.
3. **C.V.S.A. QUESTIONS** - This form is a list of pre-employment questions for DKPD applicants prior to a C.V.S.A. examination. This form is issued by the Background and Recruiting Unit and upon completion is kept in the applicant's file.
4. **POLICE DEPARTMENT REFERENCE FORMS** - These forms are to be used by the Background and Recruiting Unit for documentation of the responses of individuals named as personal references for DKPD applicants. Upon completion these forms will be placed in the applicant's file.
5. **PRE-INVESTIGATIVE INTERVIEW QUESTIONNAIRE** - This form is to be completed by DKPD applicants concerning pertinent information for employment. This form is issued by Background and Recruiting Unit and upon completion is maintained in the applicant's file.
6. **DEKALB POLICE APPLICATION AFFIRMATION** - This form is to be completed by DKPD applicants acknowledging their understanding that there are no misrepresentations, omissions or false answers to questions in their background investigation booklet or in any verbal or written statements made to Background and Recruiting personnel. This form is issued by the Background and Recruiting Unit and is maintained in the applicant's file.
7. **NCIC/GCIC DEKALB POLICE APPLICANT HISTORY REQUEST** - This form is to be used by Background detectives for the purpose of completing a NCIC/GCIC check to determine any driver's license information and/or any criminal history information on any DKPD applicant. This form is issued by Background and Recruiting Unit. The information is maintained in the applicant's file.
8. **DEKALB POLICE APPLICANT BACKGROUND CHECK BY PREVIOUS EMPLOYER** - This form is to be used by background detectives to document responses from previous employers of DKPD applicants in order to determine their employment history with that specific employer. This form is to be issued and completed by the Background and Recruiting Unit personnel. The information is maintained in the applicant's file.
9. **EMPLOYMENT ELIGIBILITY VERIFICATION** - This form is to be completed by DKPD applicants to confirm U.S. citizenship and forwarded to the Personnel Services Section for proper dissemination. This form is issued by the Background and Recruiting Unit and a copy maintained in the applicant's file.
10. **AUTHORIZATION FOR THE RELEASE OF PERSONAL MILITARY INFORMATION** - This form is to be completed by DKPD applicants to authorize the release of information concerning the applicant's military records to the Background and Recruiting Unit. This form is issued by the Background and Recruiting Unit and a copy maintained in the applicant's file.
11. **MILITARY AFFIRMATION** - This form is to be completed by DKPD applicants whereby they swear and affirm that they have never served in the military. This form is issued and maintained by the Background and Recruiting Unit.
12. **DEKALB POLICE APPLICANT FINGERPRINT REQUEST**- This form with attached fingerprint cards is a request to the Criminal History Section to fingerprint a DKPD applicant in order to complete a criminal history check. This form is issued by the Background and Recruiting Unit. Upon completion of processing, the information is returned to the Background and Recruiting Unit and maintained in the applicant's file.
13. **AUTHORIZATION FOR THE RELEASE OF PERSONAL INFORMATION** – This form is to be completed by all DKPD applicants authorizing full disclosure and a review of all records concerning the applicant to the

Internal Affairs Division or authorized agent of the DeKalb County Police Department. This form is issued by Background and Recruiting Unit and maintained in the applicant's file.

14. **APPLICANT'S BACKGROUND INVESTIGATION BOOKLET** this form is a comprehensive questionnaire for DKPD applicants to be completed during their pre-employment background check. This form is issued by the Background and Recruiting Unit and maintained in the applicant's file.

**E. TRAINING FORMS**

1. **TRAINING REQUEST- WHEN FUNDS ARE REQUESTED (Green form)** - This form must be completed and forwarded to the Director of Police Services prior to being processed by Financial Services. The new form (see back of form) will go directly from the Director's office to Financial Services once approved by the Director of Police Services. It will not have to be routed to the Training Division prior to being forwarded to Financial Services. The requesting entity will be responsible for sending a copy of the request for funding and any back-up documentation for the class to Training, if approved through the chain-of command. Personnel will be responsible for registering for any seminar, out-of-state class or any training facility that is not part of the State of Georgia Public Safety Training network or one of the POST accredited departmental academies. If the funded request is denied by the Director of Police Services, it will be routed back to the Precinct/Unit where the individual will be notified by their supervisor that the request was not accepted.
2. **TRAINING REQUESTS - WHEN FUNDS ARE NOT REQUESTED (yellow form)** - This form has some additional information that needs to be entered on the school application in order to expedite processing the request. The individual must include their BASIC POST certification number and the date the BASIC certification was issued. This information is available by simply going to POST website: [www.gapost.org](http://www.gapost.org). The no- funds requested form must be reviewed by the individual's chain-of-command (up to and including the Precinct/Unit Commander) before being forwarded to the Training Section. Once Training receives this form, the request will be processed. Training will then copy this original form (see the bottom of the new form) giving the date the request was processed and attaching any class confirmations. A copy will go to the requesting individual and the individual's Precinct/Unit Commander confirming the disposition of the request.
3. **RECRUIT ADDRESS FORM** - This form is to be completed by all police recruits while in the Police Academy and shall be kept on file with the Training commander.
4. **KEY CARD FORM** - This form is to be completed by DKPD employees who have received a Detex Key Card through the Training Section. Upon completion, this form shall be kept and maintained within the Training Section
5. **PHYSICAL FITNESS EXAMINATION** - This form is to be completed by Training personnel during the evaluation of the physical fitness of police personnel. Upon completion, this form shall be kept and maintained within the Training Section.
6. **DRIVING CHECKLIST FORMS** - These forms are to be completed by Training personnel during a recruit's evaluation of the required driving courses and practical exercises conducted during the academy. These forms will be maintained within the Training Section.
7. **PRE-EMPLOYMENT QUESTIONNAIRE** - This form shall be completed by recruits to give information concerning clothing sizes. This form upon completion shall be maintained within the Training Section.
8. **DEKALB COUNTY POLICE EMPLOYEE PERSONAL HISTORY** - This form is to be completed by DKPD employees, to indicate the educational level of each employee. This form shall be kept and maintained within the Training Section.
9. **NOTIFICATION OF TEST FAILURE** - This form is to be used to notify recruits of a test failure. This form shall be maintained within the Training Section with a copy going to the affected recruit.
10. **RELEASE AND INDEMNIFICATION** - This form releases the DeKalb County Police Department, Training Section, from any liability during any instruction or training with weapons. Upon completion, this form shall be maintained within the Training Section.
11. **WAIVER FOR CRIMINAL JUSTICE STUDENTS** - This form is to be completed by individuals who are enrolled in a criminal justice program and are exposed to any police operation that may be a requirement of the program. Upon completion, this form shall be maintained within the Training Section.
12. **OATH OF OFFICE** - This form is for police recruits to complete after taking the oath of office as a police officer of DeKalb County. Upon completion this form shall be maintained within the Training Section, with a copy forwarded to the DeKalb County Personnel Services Section and Internal Affairs.
13. **TRAINING DIVISION EQUIPMENT ISSUE CHECKLIST** This form is to be used by Training personnel as a checklist to ensure recruits receive a copy of all equipment and material while in the Academy. Upon completion, this form shall be maintained within the Training Section.

## GENERAL MANAGEMENT

14. FIREARMS SECTION CHECKLIST - This form is to be used by Training personnel as a checklist to inform a police recruit of difficulties concerning the use of firearms. Upon completion, this form shall be maintained within the Training Section.
15. F.T.O. WEEKLY REPORT FOR POLICE RECRUIT - This form is to be completed by Field Training Officers (Vetoes) upon evaluating a police recruit just out of the Academy assigned to the Uniform Division. This form will be forwarded through the chain-of-command and maintained within the Training Section.
16. DOC LIST - This form is to be completed by Training personnel to document all corrective and disciplinary actions taken against any recruit during the Academy. Upon completion, this form shall be maintained within the Training Section.
17. POLICE RECRUIT RESIGNATION FORM - This form is to be completed by Training personnel and any recruit who has elected to resign their position with the DeKalb County Police Department. Upon completion this form shall be maintained within the Training Section with the original forwarded to Internal Affairs and a copy forwarded to Personnel.
18. U.S. RESERVE EXCUSED ABSENCE REQUEST - This form is to be completed by Training personnel in the event a recruit is requesting to be absent from the reserves while in the Police Academy. Upon completion, this form shall be maintained in the Training Section with a copy forwarded to the appropriate agency.
19. INTERMEDIATE CERTIFICATION APPLICATION - This is an application for certification issued by the State of Georgia Peace Officer Standards and Training Council (POST) as part of their Career Development Program. The award is for a certified peace officer with at least two (2) years experience as a full-time, paid peace officer who has successfully completed the five (5) required core courses, and has a minimum of 10 quarter hours or the semester equivalent from an accredited college or university. Applications and further information may be obtained from the Training Section. The completed application is forwarded to POST and a copy retained in applicant's training file.
20. ADVANCED CERTIFICATION APPLICATION - This is an application for certification issued by POST as part of their Career Development Program. The award is for a certified peace officer who: possesses or is able to possess the Intermediate Certificate; has at least four (4) years of experience as a full time, paid peace officer; has successfully completed the seven (7) required core courses; and has at least twenty (20) quarter hours of college credit from an accredited college or university. Applications and further information may be obtained from the Training Section. The completed application is forwarded to POST and a copy retained in applicant's training file.
21. SUPERVISORY CERTIFICATION APPLICATION - This is an application for certification issued by POST as part of their Career Development Program. The applicant must: currently hold a supervisory position and have done so for at least one year prior to certification; possess or be able to possess the POST Advanced Certificate; possess 45 college quarter hours or the semester equivalent from an accredited college or university; and complete the 120 hours "POST Supervisory Development Course". Applications and further information may be obtained from the Training Division. The completed application is forwarded to POST and a copy retained in applicant's training file.
22. MANAGEMENT CERTIFICATION APPLICATION - This is an application for certification issued by POST as part of their Career Development Program. The applicant must: currently hold a management position and have done so for at least one year prior to certification; possess 90 college quarter hours or the semester equivalent from an accredited college or university; and complete the 120 hour "POST Management Development Course". Applications and further information may be obtained from the Training Section. The completed application is forwarded to POST and a copy retained in applicant's training file.
23. EXECUTIVE CERTIFICATION APPLICATION - This is an application for certification issued by POST. The applicant must: currently hold an executive position and have done so for at least one year prior to certification; possess 90 college quarter hours or the equivalent from an accredited college or university; and complete the 120 hour "POST Executive Development Course." Applications and further information may be obtained from the Training Section. The completed application is forwarded to POST and a copy retained in applicant's training file.
24. INSTRUCTOR/ASSOCIATE INSTRUCTOR CERTIFICATION APPLICATION- This is an application for certification issued and required by POST for an applicant to teach in a POST certified police academy. Applications and further information may be obtained from the Training Section. The completed application is forwarded to POST and a copy retained in applicant's training file.
25. IDENTIFICATION TECHNICIAN CERTIFICATION APPLICATION - This is an application for certification issued by POST to an applicant who has one-year experience as a full-time I.D. Technician and completed the six (6) required core courses. Applications and further information may be obtained from the

Training Division. The completed application is forwarded to POST and a copy retained in applicant's training file.

26. ARSON INVESTIGATOR CERTIFICATION APPLICATION- this is an application for certification issued by POST to a certified peace officer or firefighter who has completed the Basic and Advanced Arson Investigation Courses. Applications and further information may be obtained from the Training Section. The completed application is forwarded to POST and a copy retained in applicant's training file.

**F. ANIMAL SERVICES & ENFORCEMENT FORMS**

1. PERSONNEL DATA - This form is to be used by Animal Services & Enforcement personnel to record personnel information about a new employee. Upon completion, this form is maintained in Animal Services & Enforcement in the employee's personnel file.
2. EMPLOYMENT REQUIREMENTS - This form is to be used by Animal Services & Enforcement personnel when a new employee starts work to inform them of their specific work requirements. Upon completion, this form is maintained in Animal Services & Enforcement in the employee's personnel files.
3. REQUESTS FOR SERVICE MEMO - This form is to be used by Animal Services & Enforcement personnel to inform new employees of Animal Services & Enforcement procedures. This form is maintained in Animal Services & Enforcement in the employee's personnel files.
4. ANIMAL SERVICES & ENFORCEMENT ORDER/SAFETY ORDER - This form is to be used by Animal Services & Enforcement personnel in order to change, amend, rescind or delete policy or procedure for Animal Services & Enforcement. This form is maintained in Animal Services & Enforcement with a copy distributed to each employee.
5. ANIMAL SERVICES & ENFORCEMENT ORDER SIGNATURE SHEET - This form is to be used by Animal Services & Enforcement personnel to document that an employee has received a policy/procedure. Upon completion this form shall be kept and maintained within Animal Services & Enforcement.
6. ANIMAL SERVICES & ENFORCEMENT PRE-EXPOSURE RABIES IMMUNIZATION EMPLOYEE REFUSAL FORM (Waiver of Liability) - This form is to be used by Animal Services & Enforcement personnel to document the fact that an employee has refused to be immunized against rabies. Upon completion, this form is maintained within the Animal Services & Enforcement Unit.
7. ANIMAL SERVICES & ENFORCEMENT OPERATION REPORT - This form is to be used by Animal Services & Enforcement personnel to document on a monthly, quarterly, or annual basis, statistics concerning shelter/Unit operations. Upon completion, this form is maintained within the Animal Services & Enforcement Unit with a copy forwarded to the Chief of Police.
8. DAILY SECTION ASSIGNMENT SHEETS - This form is to be used by Animal Control personnel to document the daily work assignments of Animal Services & Enforcement personnel. Upon completion, this form is maintained within the Animal Services & Enforcement Unit.
9. RECORD SEARCH & RESPONSE LETTER - This form is to be used by Animal Control personnel as a written response to citizens requesting information regarding a specific complaint against them or their animal. Upon completion, this form is forwarded to the citizen with a copy maintained within the Animal Services & Enforcement Unit.
10. CASH/RECEIPT RECONCILIATION SHEET - This form is to be used by Animal Services & Enforcement personnel to maintain accurate documentation of petty cash and receipt usage. Upon completion, this form is maintained within the Animal Services & Enforcement Unit.
11. DAILY REPORT (Revenue) - This form is to be used by Animal Services & Enforcement personnel to document daily revenue received. Upon completion, it will be forwarded to Revenue Collections who in return will forward a validated copy back to Animal Services & Enforcement where it is maintained.
12. MONTHLY SALES REPORT (In-house) - This form is to be used by Animal Control personnel to document statistics for Animal Services & Enforcement Operations Reports. Upon completion, this form is maintained within Animal Services & Enforcement.
13. ANIMAL SERVICES & ENFORCEMENT TRANSPORTATION AGREEMENT - This form is to be used by Animal Services & Enforcement personnel when requested by a citizen to transport a sick/ injured animal to a veterinarian for emergency treatment as an agreement for the citizen to pay the required fee. Upon completion, a copy of this form is maintained within Animal Services & Enforcement with the original given to the veterinarian and a copy given to the citizen.
14. PAST DUE NOTICE (Transport Agreement) - This form is to be used by Animal Services & Enforcement personnel to notify a citizen who has signed a Transport Agreement that the appropriate fee is past due. This form upon completion is sent to the citizen with a copy maintained by Animal Services & Enforcement.

## GENERAL MANAGEMENT

15. **FINAL NOTICE (Transport Agreement)** - This form is to be used by Animal Control personnel to notify a citizen who has signed a Transport Agreement that the appropriate fee is past due. This form upon completion shall be sent to the citizen with a copy maintained within Animal Services & Enforcement.
16. **COUNTER RECEIPT** - This form is to be used by Animal Services & Enforcement personnel to document cash transactions of Animal Services & Enforcement (adoptions, reclaims, registrations, etc). This form upon completion is given to the citizen making the transaction with a copy forwarded to Revenue Collections and a copy maintained within Animal Services & Enforcement.
17. **"REGISTER YOUR PET" CARD** - This form is to be used by Animal Services & Enforcement personnel to advise citizens of requirement to register animals. This form upon completion is issued to a animal hospital who then give them to the citizen.
18. **ADOPTION AGREEMENT & COURTESY HEALTH EXAMINATION CERTIFICATES** - This form is to be used by Animal Services & Enforcement personnel to be issued to citizens in order to receive their one time "free" examination by a vet for the animal they adopt from Animal Services & Enforcement. This form upon completion is given to the citizen and a copy is maintained within Animal Services & Enforcement.
19. **RECLAIM AFFIDAVIT** - This form is to be used by Animal Services & Enforcement personnel to document that a citizen has reclaimed his property, which relieves Animal Services & Enforcement of any liability if the animal is not claimed by the proper person. This form upon completion is given to the citizen with a copy maintained within Animal Services & Enforcement.
20. **RABIES VACCINATION CERTIFICATE (State of Georgia form)** - This form is generated by State licensed veterinarians as a record of all rabies inoculations administered to animals maintained in DeKalb County. Upon completion the original of this form is given to the citizen by the issuing veterinarian, with a copy being forwarded to Animal Services & Enforcement, and a copy sent in by the citizen to Animal Services & Enforcement for registration of the animal.
21. **ANIMAL REGISTRATION REMINDER** - This form is to be used by Animal Control personnel to remind delinquent owners to pay registrations. This form upon completion is sent to the citizen and the information is maintained on the computer.
22. **INFORMATION REQUESTS REGARDING REGISTRATIONS** -This form is to be used by Animal Services & Enforcement personnel to correct information from citizens. This form upon completion is sent to the citizen.
23. **ROUTE SLIP** - This form is to be used by Animal Services & Enforcement personnel to record incoming complaints from citizens and how these complaints are handled. This form, upon completion, is given to the Animal Services & Enforcement officer to handle and a copy is maintained within Animal Services & Enforcement files.
24. **VOLUNTEER PROGRAM CONSENT AGREEMENT** - This form is to be used by Animal Services & Enforcement personnel as a waiver of liability for the County for adult volunteers. This form, upon completion, is maintained within Animal Services & Enforcement.
25. **RABIES EXPOSURE REPORT** - This form is to be used by Animal Services & Enforcement personnel for a citizen who has been bitten or scratched. This form, upon completion, is forwarded to the Records Section for filing with a copy maintained within Animal Services & Enforcement.
26. **NOTICE TO CONFINE ANIMAL** - This form is to be used by Animal Services & Enforcement personnel to notify a citizen that their animal has bitten someone and that the animal is to be quarantined. This form, upon completion, is given to the animal's owner and a copy maintained within Animal Services & Enforcement.
27. **HOME QUARANTINE AGREEMENT** - This form is to be used by Animal Control personnel in those cases where rabies quarantine away from the animal's home would endanger the animal or the owner. This form is completed by the bite victim and a copy is maintained within Animal Services & Enforcement.
28. **VICTIM NOTIFICATION OF COMPLETED QUARANTINE** This form is to be used by Animal Services & Enforcement personnel to advise a bite victim that quarantine is over and the animal did not have rabies. This form upon completion is sent to the victim with a copy maintained within Animal Services & Enforcement.
29. **VICTIM NOTIFICATION OF INABILITY TO LOCATE BITING ANIMAL**– This form is to be used by Animal Services & Enforcement personnel to advise a bite victim that quarantine could not be accomplished for the specified reason. This form, upon completion, is sent to the victim with a copy maintained within Animal Services & Enforcement.
30. **OWNER NOTIFICATION OF QUARANTINE INFORMATION (at shelter)** – This form is to be used by Animal Services & Enforcement personnel to notify the owner of an animal quarantined at the shelter that there are fees and when the quarantine will be over so they may reclaim the animal. This form, upon completion, is sent to the owner with a copy maintained within Animal Services & Enforcement.

31. **ANIMAL HISTORY (State of Georgia Form)** - This form is to be used by Animal Services & Enforcement personnel to provide the state lab with appropriate history of a biting animal which has died or been killed before or during a quarantine. This form, upon completion, is sent to the state lab with a copy maintained within Animal Services & Enforcement.
32. **MONTHLY ANIMAL BITE INVESTIGATIONS** - This form is to be used by Animal Services & Enforcement personnel to document statistics of animal bites on a monthly basis. This form, upon completion, is maintained within Animal Services & Enforcement with the Monthly Operations Report.
33. **DAILY ACTIVITY REPORT (Officers' P. O. Sheet)** This form is to be used by Animal Services & Enforcement personnel to document each officer's activities in the field and also as a summary of the types of calls responded to and a vehicle maintenance checklist and equipment inventory. This form, upon completion, is maintained within Animal Services & Enforcement.
34. **SUPERVISOR'S DAILY SUMMARY OF ACTIVITIES (from Activity Reports)** – This form is to be used by Animal Services & Enforcement personnel to compile a daily summary of their activities to provide statistics for the Monthly Operations Report. Upon completion, this form is to be maintained within Animal Services & Enforcement with the Monthly Operations Report.
35. **ANIMAL SERVICES & ENFORCEMENT CITATION LISTING** - This form is to be used by Animal Control personnel in order to provide the Recorder's Court with an alphabetic list of citations being submitted from Animal Services & Enforcement on a daily basis. This form upon completion is forwarded to Recorder's Court with a copy maintained within Animal Services & Enforcement.
36. **DOOR CARD** - This form is to be used by Animal Services & Enforcement personnel to advise complainant or violator that Animal Services & Enforcement responded to a complaint that concerned them. This form, upon completion, is left on the door of the citizen with a notation being made in the Officer's Daily Activity Report.
37. **ABANDONMENT NOTICE** - This form is to be used by Animal Services & Enforcement personnel to advise a resident of a given address (where no one is at home) that a case of abandonment is suspected. This form, upon completion, is left at the address of violation with a copy maintained within Animal Services & Enforcement.
38. **CRUELTY INVESTIGATION REPORT** - This form is to be used by Animal Control personnel to provide detailed information regarding reported cruelty. This form, upon completion, is maintained within Animal Services & Enforcement with a copy forwarded to the Records Section to be entered into IRIS.
39. **REQUEST FOR TRANSFER (in-house only)** - This form is to be used by Animal Services & Enforcement personnel to request transfer from one watch to another or from one section to another. This form, upon completion, is maintained within Animal Services & Enforcement personnel files.
40. **ANIMAL SERVICES & ENFORCEMENT PERFORMANCE EVALUATION (first 6 months)** – This form is to be used by Animal Services & Enforcement personnel to evaluate an employee after his/her first six months employment. This form, upon completion, is maintained within Animal Services & Enforcement in the employee's personnel file.
41. **MINUTES OF MEETING/ROLL CALL** - This form is to be used by Animal Control personnel to document minutes of Watch Roll Call or staff meetings. This form is maintained within Animal Services & Enforcement.
42. **LOST AND FOUND CARD** - This form is to be used by Animal Services & Enforcement personnel to provide information to and for the public concerning the loss of a pet or the finding of a lost animal. This form is for public use only and posted in the kennel.
43. **CAGE I.D. CARD** - This form is to be used by Animal Services & Enforcement personnel to identify an animal, where and when it was picked up, the cage number and I.D. number assigned to it. This form is maintained on the animal's cage until they leave the shelter, then the card is retained in the Animal Services & Enforcement files.
44. **NOTICE OF IMPOUNDMENT** - This form is to be used by Animal Services & Enforcement personnel to notify owners of animals wearing I.D. tags that the animals have been impounded by Animal Services & Enforcement and what the fees are to reclaim the animals. Upon completion, this form is sent to the owner with a copy being maintained within Animal Services & Enforcement.
45. **PATIENT INFORMATION AND VETERINARY RECOMMENDATION** – This form is to be used by Animal Services & Enforcement personnel when an injured animal is taken to a vet for treatment by Animal Services & Enforcement. This form, upon completion by a veterinarian, is maintained within Animal Services & Enforcement.
46. **KENNEL PROCEDURES FOR OWNERS OF QUARANTINED ANIMALS** – This form is to be used by Animal Services & Enforcement personnel to advise owners of limited access to quarantined animals. This form, upon completion, is given to the owner.

## GENERAL MANAGEMENT

47. **DRUG SHEET** - This form is to be used by Animal Services & Enforcement personnel to document the use of controlled substances used for euthanasia. This form upon completion is maintained by the Animal Resources Division to be reviewed by the DEA.
48. **ADOPTION INFORMATION FORM (Kennel)** - This form is to be used by Animal Services & Enforcement personnel to provide a profile on animals so adoption to appropriate home may be facilitated. This form, upon completion, is maintained within Animal Services & Enforcement with a copy provided to the adopter upon adoption..
49. **VISITING VETERINARIAN RECORD** - This form is to be used by veterinarians visiting the shelter to document comments about conditions in kennel, treatments they may give, medicine/supplies they may donate. This form, upon completion, is maintained within Animal Services & Enforcement with Operations Report.
50. **DAILY KENNEL REPORT** - This form is to be used by Animal Services & Enforcement personnel to document daily kennel activities. This form, upon completion, is maintained within Animal Services & Enforcement with Operations Report.
51. **ANIMAL SERVICES & ENFORCEMENT VEHICLE SAFETY/MAINTENANCE REPORT** - This form is to be used by Animal Services & Enforcement Day Watch Supervisor for in-house safety and loss and damage control. This form upon completion is maintained within Animal Services & Enforcement.
52. **ADOPTION HOLD REQUEST FORM** – This form is used by a citizen to request a specific animal that is still in the legal holding period. Citizen may request to be notified when the animal will be available for adoption and have first choice in the adoption process of that specific animal. This form upon completion is maintained within Animal Service & Enforcement.
53. **ADOPTION WAIVER** - This form is used by a citizen to waive county liability on animal not processed through our adoption program. Citizens agree to take the animal with the understanding that it has not received any type of health or temperament testing and agrees that DeKalb's liability is limited to the adoption fee. This form upon completion is maintained within Animal Service & Enforcement.
54. **IDENTIFICATION ANIMAL WORKSHEET** – This form is used by Animal Services staff to document all owner contacts on animals that enter the center with identification. This form upon completion is maintained within Animal Services & Enforcement Unit.
55. **CONDITION UPON IMPOUND FORM** – This form is used by Animal Services officers to document the condition of any animal impounded from the owner as part of an ongoing case. This form upon completion is maintained within Animal Service & Enforcement.
56. **NEW EMPLOYEE CHECKLIST** – This form is used by Animal Services supervisors to insure that all new employees are properly processed. The form includes space for scheduling and completing all required documentation. Issued will be County Policy, required safety classes, new employee orientation, rabies vaccinations, safety orientation and animal services orders. This form upon completion is maintained within Animal Service & Enforcement.

### **G. COMMUNICATIONS FORMS**

1. **DEKALB COUNTY LOG OF SCHOOL ALARM SYSTEM** - This form is used by Communications switchboard operators either working the alarm board position or another switchboard position. The form is filled out to note whenever an alarm is received from a school. It is also used when personnel from the schools call to report that they will be entering a school after hours. These sheets are logged and kept for a twenty-four (24) hour span. They are taken up at approximately 6:00 a.m. every morning by the Board of Education Security Officer and filed at the Board of Education Office.
2. **ALARM BOARD LOG** - This form is maintained and kept on the alarm board position. It is filled out completely every time an employee from an institution on the alarm board panel calls to report that their alarm will be out of service. Also included on this log is the reported time that the alarm company puts the alarm back into service. These are kept and updated daily. When a sheet has been completed and all alarms on that sheet have been put back into service the sheets are turned over to the supervisor and filed with the nightly reports to be kept for ninety (90) days.
3. **LOOKOUT SHEETS** - These sheets are located throughout the Communications Center. They are filled out completely whenever a lookout is given to our agency, either by one of our field units, or another police agency, etc. This form is given to the police and D.S.O. dispatchers for broadcast. They are kept on a master clipboard for a period of thirty (30) days, or until they are cancelled.
4. **N.C.I.C./G.C.I.C. SHEETS** - These forms are kept on every dispatch position. They provide space for a dispatcher to fill out unit numbers and any pertinent information for all N.C.I.C. requests from field units. These are taken up at midnight on each date and filed with the nightly report. They are kept for a period of ninety (90) days.

5. 911 INQUIRY FORM - These forms are used by E911 switchboard operators. They are filled out whenever there is a problem with the E911 information that appears on our phone equipment (ANI or ALI Display). These are turned over to Southern Bell so that they can research and correct the problem at the main computer banks in Sunrise, Florida.
6. WEEKLY REPORT FORM – This form is used by the Communication Supervisor to account for personnel on a daily basis. Each shift tracks how many operators are on duty, on sick leave, annual leave, military leave or training. The final figures are compiled into a weekly report for the Director of Police Service Office.
7. HIT VERIFICATION FORM – This form is used by Communications to notify N.C.I.C. when a subject entered on the computer by other agencies have been located by DeKalb County. This completed form allows our N.C.I.C. section to place a locate on the computer notifying the entering agency that DeKalb County has located their entered item.
8. OFF DUTY JOB FORM LOG – This form is used by the Communications Dispatcher.
9. LOOKOUT FORMS – This form is used by the dispatcher to write up descriptions of subjects or vehicles that are wanted by police for criminal or suspicious activity, missing persons or overdue motorist. Lookouts are kept on each dispatch console.
10. BREAK/LUNCH LOG FORMS – This form are located at the supervisor's console for each operator to log their time in and out of the Communications Center daily for break and lunch.
11. LABOR ALLOCATION FORMS – LAR's are used by the supervisors to account for each employee's work hours, vacation time usage, sick leave or other leave time. These forms are turned into the personnel unit weekly.
12. DOCUMENTATION OF CONSULTATION – These forms are used by supervisors to record any minor disciplinary action of subordinates. This form is used internal unless used in conjunction with a more serious infraction.
13. REQUEST FOR TRANSFER FORM – These forms are used by employees of the division to request a different shift assignment. Transfer opportunities usually occur three times a year.
14. DAILY CHECK LIST FORM – These forms are used by the supervisor to report any malfunction of equipment and the course of action taken.

#### **H. CRIMINAL HISTORY FORMS**

##### **PUBLIC RECORDS**

1. ACCIDENT REPORT REQUEST FORM – This form is used by anyone when requesting for a copy of an accident report. O.C.G.A. 50-1B-72 (a) (4.10) states that Georgia Uniform Motor Vehicle Accident Report shall not be available in bulk for inspection or copying by any person absent a written statement showing the need for each report pursuant to the requirements of the Code Section.
2. POLICE RECORDS RESEARCH REQUEST FORM – This form is completed by the Central Records personnel whenever a police report is off site (Microfilm Company) or the requested report cannot be located in a reasonable amount of time.
3. RMS POLICE RECORDS RESEARCH REQUEST FORM - This form is to be completed by Central Records personnel whenever a police report is off site (Microfilm Company) or the request report cannot be located in a reasonable amount of time.
4. CRIME STATISTICS REQUEST FORM - This form is to be completed by anyone to obtain crime statistics within DeKalb County Police jurisdiction.
5. INCOMING ACCIDENT REPORT LOG - This form is used by Central Records personnel to document all incoming accident reports.

##### **MAIL & FINANCE FORMS**

6. PUBLIC RECORDS REVENUE REPORT (window sales) - This form is used by the Central Records personnel to log daily revenue received. All cash/checks are recorded on this form for each register that is open.
7. CRIMINAL RECORDS REVENUE REPORT (window sales) - These forms are used by the Central Records personnel to log daily revenue received. All cash/checks are recorded on this form and to include expungement received.
8. MAIL/FINANCE REVENUE REPORT - This card is used by Central Records personnel to record all cash/checks that are received from Insurance Companies, Attorneys and the general public that are requesting copies of reports by mail.
9. CENTRAL RECORDS SECTION REVENUE DEPOSIT REPORT – This form is used by Central Records personnel to document the total revenue collected for day watch and evening watch.
10. REFUND TICKET/VOID TICKET - This document is used by Central Records personnel to document any shortages or overages of cash/checks.

## GENERAL MANAGEMENT

11. **RECORDS SECTION RECONCILE REVENUE REPORTS** - This form is used by Central Records personnel to document any shortages or overages of cash/checks.
12. **RETURNED CHECK NOTIFICATION** – This form letter is used by Central Records personnel to notify individuals or companies whenever a check is returned back to Central Records for insufficient funds.
13. **RETURNED CHECK LOG** - This form is used by Central Records personnel to log any checks that are returned back to Central Records Section for non-sufficient funds.
14. **GEORGIA OPEN RECORDS ACT (GORA) Worksheet** – This form is used by Central Records personnel to document and track each phase of a GORA process and calculates processing fees.
15. **CENTRAL RECORDS REQUEST FOR FEES** – This form letter is used by Central Records personnel to notify the requestor of the copy and/or retrieval fees for requested police incidents or crime statistical reports.
16. **AUTHORIZATION OF RELEASE EMERGENCY MEDICAL SERVICES (EMS) EMS TRIP REPORT REQUEST** – This form letter is used by Central Records personnel to notify an individual that their request cannot be honored without a notarized statement signed by the victim or patient or a signed legal/court document authorizing the release of medical information.

### CRIMINAL RECORDS FORMS

17. **INSPECTION OF LOCAL CRIMINAL HISTORY RECORD** – This form is to be completed whenever an individual or the individual's attorney requests to inspect a local criminal history record. This form is issued through the Criminal History Section and upon completion of the inspection of records shall be maintained in that section.
18. **CRIMINAL HISTORY RECORD INFORMATION CONSENT FORM – PURPOSE CODES, E,N,M, and W** – This form is completed by anyone who request for a criminal history background check which may be in the files of any state or local criminal justice agency in Georgia.
19. **OPEN RECORD REQUEST – PURPOSE CODE P** – This form is completed by anyone who request public access to a felony convictions (Georgia Only) under O.C.G.A. 35-3-34 and 35-33-35 which may be in the files of state.
20. **PRE-EMPLOYMENT CRIMINAL HISTORY REQUEST (BILLED CLIENTS) FORM** – This form used by the Central Records personnel to identify registered billed clients and to track processing fees.
21. **COMPUTERIZED CRIMINAL HISTORY AND DRIVERS HISTORY DISSEMINATION LOG** - This form is to be completed by Criminal History personnel to document the release of computer printouts for criminal and driver's history information to law enforcement or criminal justice agencies. This form is maintained by the section and is available for review by GCIC and FBI Auditors.
22. **CRIMINAL HISTORY TELEPHONE DISSEMINATION LOG** – This form is to be completed by Criminal History personnel to document the release of criminal history information to law enforcement or criminal justice agencies. This form is maintained by the section and is available for review by GCIC and FBI Auditors.
23. **CRIMINAL HISTORY WINDOW DISSEMINATION LOG** – This form is to be completed by Criminal History personnel to document the release of local criminal history information to law enforcement or criminal justice agencies. This form is maintained by the section and is available for review by GCIC and FBI Auditors.
24. **CRIMINAL HISTORY MAIL DISSEMINATION LOG** – This form is used to log information that is being sent out (i.e., information, photo, rap sheet or disposition).
25. **CRS OFFENDER BASED TRACKING SYSTEM (OBTS) LOG** – This form is used by Central Records to document the release of OBTS forms to the Solicitor General's Office, District Attorney's Office, Probation Office and Parole Probation Office.
26. **EXPUNGEMENT OF CRIMINAL RECORDS** – O.C.G.A. 35-3-37 (d) provides for the expungement of certain local criminal records where the charges were dropped without referral to the prosecuting attorney or dismissed prior to the filing of an indictment or accusation. These forms are completed by anyone who the criteria and desires to have the criminal record expunged.

### NCIC/GCIC FORMS

27. **STOLEN VEHICLE REPORT TEMPORARY REPORT** - This form is used by Central Records personnel to document any stolen vehicle by description, identification numbers, etc. Upon completion of the report the information is to be entered on the NCIC/GCIC computerized network.
28. **RUNAWAY JUVENILE TEMPORARY REPORT**- This form is used by Central Records personnel to document any runaway juvenile by description, identification numbers, etc. Upon completion of the report, the information is to be entered on the NCIC/GCIC computerized network.
29. **REPOSSESSION REPORT** – This form is used by Central Records Personnel to document any vehicle that is being reposes in DeKalb County by a public or private entity. A copy of the repossession is forwarded to the Communication Division.

30. **CRIMINAL INVESTIGATION DIVISION (CID) HOT FILE STOLEN PROPERTY REPORT** – This form is used by Central Records personnel to document the entry of Hot File records (stolen vehicles, articles, guns and tags) onto the NCIC/GCIC computerized network. At the end of each shift, this report to include “Hot File” entries are forwarded to Criminal Investigation Division.
31. **CRIMINAL INVESTIGATION DIVISION (CID) HOT FILE STOLEN PROPERTY REPORT MISSING AND RUNAWAY JUVENILE REPORTS** – This form is used by Central Records Personnel to document the entry of Hot File records (Missing persons and Runaway Juveniles) onto the NCIC/GCIC computerized network. At the end if each shift, this report to include Hot File entries are forwarded to Criminal Investigation Division.
32. **IMPOUND REGISTRATION FORM** – This four-part form is used by Central Records Personnel to provide vehicle registration information to wrecker services and to document the entry of the impound vehicle onto the GCIC computerized network. Georgia law requires law enforcement agencies to enter records on vehicles, which have been abandoned and impounded by law enforcement agencies or reported as impounded by operators of wrecker services or vehicle storage facilities in the vehicle file. Owner of the vehicles must be notified within 72 hours after recoveries. Georgia Law (O.C.G.A. 35-3-33, 35-3,36 and 40-11-2.
33. **IMPOUND REGISTRATION REQUEST FOR ADDITIONAL INFORMATION** – This form is used by Central Records Personnel to notify the wrecker services that based on the information provided a vehicle registration was not obtained or additional information is needed to enter the impounded vehicle onto GCIC.

## GOALS AND OBJECTIVES

### 1-5.1 PURPOSE AND DEFINITION

Planning within the DeKalb County Police Department is perhaps the most basic of all management functions since it involves selecting from alternative courses of action. Comprehensive planning requires the identification of Departmental goals and objectives and the pursuit of those goals and objectives by the most effective means. External factors that influence planning strategies may include increases in calls for service, land or building development, economics, increases and decreases in population density, changes in crime trends, and recidivism. Internal factors may include existing resources (manpower and equipment), approved budget items, and hiring and promotion policies.

Goals are generalized statements of direction for the Department. Examples of Departmental goals may include increased productivity through automation, reduction in overall crime, reduction in traffic accidents, increasing and enhancing employee knowledge through education and training, and a means of evaluating overall productivity and its responsiveness to community needs.

Objectives are more specific than goals, in that objectives are concrete, measurable results to be achieved within a specific time. The accomplishment of objectives leads toward achievement of goals. Examples of objectives may include shorter dispatched and response times, a reduction of a specific trend, crime, or hazard in a specified area, or the in-service training of employees in a specific field.

### 1-5.2 REQUIREMENTS

Each Section/Division will be required to submit to the Chief of Police within the month of January of each new year its goals and objectives for that year. Each Section/Division Commander in determining goals and objectives will solicit the input from all levels of personnel under their command. Upon review by the Chief of Police, these goals and objectives will be returned to the appropriate Section/Division Commander for implementation and distribution to all personnel under their command.

Also within the month of January of each year, each Section/Division Commander will submit to the Chief of Police a written evaluation of the progress made toward the attainment of the previous year's stated goals and objectives.

## **AGENCY JURISDICTION AND RELATIONSHIPS WITH OTHER AGENCIES**

### **1-6.1 AGENCY JURISDICTION**

DeKalb County is a mid-size Georgia county consisting of 270 square miles of land which is located just east of the City of Atlanta, the State Capital. DeKalb County is considered part of metro Atlanta and has in excess of 665,865 citizens. There are several different agencies that have public safety jurisdictions within DeKalb County. Because of the different public safety agencies within DeKalb County, especially those with concurrent jurisdiction, geographical boundaries are necessary in order to establish an agency's territorial jurisdiction.

#### **A. LAW ENFORCEMENT**

The DeKalb County Police Department shall be responsible for the uniform patrol and law enforcement of the unincorporated area of DeKalb County. Even though DeKalb County law enforcement officers have countywide law enforcement power, it shall be the policy of this Department to actively enforce the laws within the unincorporated areas of the county. Uniform patrol officers shall not routinely patrol the streets, enforce any laws or ordinances, respond to any calls for service, or assist any of the municipal police agencies within the incorporated areas of DeKalb County. If uniform assistance is requested from a municipal police agency then approval must be given by the ranking officer in the police precinct in which the incident occurs. In some situations law enforcement officers assigned to the Criminal Investigation Division, Special Investigation Division, or other specialized investigative function, may be called upon to assist some of the municipalities within DeKalb County that have small police agencies. An officer of the rank of sergeant or above must also approve this assistance.

Other law enforcement agencies within DeKalb County are:

- City of Atlanta
- City of Decatur
- City of Doraville
- City of Chamblee
- City of Lithonia
- City of Clarkston
- City of Stone Mountain
- City of Avondale Estates
- City of Pine Lake
- DeKalb County Sheriff's Department
- Emory University
- Agnes Scott College
- MARTA
- Georgia Perimeter College
- Any State agency with law enforcement power, and
- Any Federal agency with law enforcement power.

The DeKalb County Police Department, Uniform Division, has been divided into five police precincts in order to patrol the unincorporated area of DeKalb County. Refer to 4-14 of this manual for the specific geographical boundaries of each precinct.

#### **B. EMERGENCY MANAGEMENT**

The DeKalb County Police Department, Emergency Management Unit shall be responsible for providing and coordinating assistance for any emergency occurring anywhere within DeKalb County.

#### **C. ANIMAL SERVICES AND ENFORCEMENT**

The DeKalb County Police Department, Animal Control Unit shall be responsible for enforcing animal control laws and ordinances within the unincorporated areas of DeKalb County and the City of Atlanta. The Animal Control Unit shall also provided assistance to the other municipalities within the County.

### **1-6.2 RELATIONSHIPS WITH OTHER AGENCIES**

Establishing and maintaining effective channels of communications between public safety agencies and other agencies are essential for improving cooperation. Good liaison can break down barriers that may exist and can enable public safety agencies to obtain feedback on any shortcomings.

#### **LAW ENFORCEMENT**

The DeKalb County Police Department shall be responsible for establishing and maintaining liaison with the following criminal justice agencies:

- DeKalb County Superior Court
- DeKalb County State Court
- DeKalb County District Attorney's Office
- DeKalb County Solicitor's Office
- DeKalb County Clerk of Superior Court
- DeKalb County Clerk of State Court
- DeKalb County Magistrate Court
- DeKalb County Juvenile Court
- DeKalb County Recorders Court
- DeKalb County Public Defender's Office
- State of Georgia Department of Public Safety
- State of Georgia Pardon and Parole Board
- State of Georgia Department of Corrections

Liaison shall be accomplished through periodic meetings in order to exchange information regarding criminal justice objectives and activities. This liaison should assure informational flow and coordination between the DeKalb County Police Department and the other criminal justice agencies. The responsibility for maintaining this liaison shall rest with the Chief of Police.

The Police Department shall establish and maintain liaison with other local, state and federal law enforcement agencies. Such cooperation enhances the arrest and return of fugitives, the exchange of information in criminal investigations, the establishment of joint plans for dealing with such things as criminal conduct and traffic operations, and the sharing of statistical and support services.

The Police Department shall establish and maintain liaison with the other departments within DeKalb County government, along with the other bureaus, divisions, and units within the Department. The Chief of Police or designee will also periodically meet with command personnel from the Fire Rescue to discuss operational procedures at emergency scenes, which may involve all components of Public Safety.

The Police Department will also establish and maintain liaison with professional organizations and other agencies related to criminal justice. These organizations and agencies will include but not be limited to:

- International Association of Chiefs of Police
- Police Executive Research Forum
- Georgia Association of Chiefs of Police
- Georgia State Intelligence Network
- DeKalb County Criminal Justice Coordinating Council
- Criminal Justice Coordinating Council of Georgia

### **1-6.3 INTERAGENCY COORDINATION AND PLANNING FOR TRAFFIC SAFETY**

The DeKalb County Police Department is committed to highway safety, enforcing traffic laws, and reducing the number of traffic accidents, which cause property damage, injury and death within the unincorporated area of DeKalb County. In addition to traffic enforcement, strategies must be developed and implemented by this Department and other agencies concerned with traffic safety on the local, state and federal levels for the coordination and planning of traffic safety programs. The commander of the Traffic specialist Unit will be responsible for establishing and maintaining a liaison with all appropriate traffic safety agencies. These agencies and organizations will include but not be limited to:

- The National Highway Traffic Safety Administration
- The National Safety Council
- The National Transportation Safety Board

- The National Bureau of Motor Carriers
- The Governor Office of Highway Safety
- DeKalb County Traffic Engineering
- Northwestern University Traffic Institute
- Institute of Police Traffic Management
- Georgia Department of Public Safety
- Georgia Department of Transportation

The Commander of the Traffic Specialist Unit will maintain liaison with these agencies.

**1.6-4 OTHER PUBLIC AND SOCIAL SERVICE AGENCIES**

Police Officers, in the course of performing their duties, often encounter people in need of a type of help that would be best provided by a public agency outside the criminal justice field or by a social service agency. In order to assist police officers, there will be a Referral Directory that will list resources within the DeKalb County area that are available that will be maintained by the Communications Division. The officer should examine all facts available at the time to determine the appropriate agency. Once the appropriate agency has been determined, the officer should contact the Communications Division, or the agency to ascertain acceptance and agency policy on acceptance and referral. All available information should be relayed to the agency representative, and to the individual in need of assistance.

# EMPLOYEE COMMENDATIONS

## 2-1 EMPLOYEE COMMENDATION POLICY

It will be the policy of the Police Department to recognize, commend, and/or award exceptional performances on the part of any employee.

### 2-1.1 DIVISION/PRECINCT LEVEL COMMENDATIONS

Supervisory personnel of the Department at the division/precinct level should recognize and commend any employee who exhibits any type of performance that is above and beyond what is expected, such as when a citizen expresses an appreciation for a service rendered. These acts of exceptional performance should be recognized through the use of the following forms of commendations and should be made a matter of record in the employee's personnel file.

- A) Oral Commendation
- B) Letters of Commendation at the division/precinct level

### 2-1.2 DEPARTMENTAL LEVEL AWARDS

The Chief of Police shall recognize, commend, and award any employee of the department who has exhibited any type of exceptional performance that goes beyond their normal duty assignment. All recommendations for these awards shall be forwarded through the Chain-of-Command to the Assistant Chief of Police.

Any employee of the Department can make recommendation for an award. Recommendations for an award will be forwarded through the chain-of-command and comments shall be made at each level of the chain. The Chief of Police shall decide a final decision as to the award.

This Departmental Awards Program is not intended to replace any awards program that is in effect within any section/division/unit. It is encouraged that each section/division/unit develops their own commendation policy.

There shall be five (5) categories of awards given by at the highest, departmental level:

1. Administrative Commendation
2. Departmental Commendation
3. Exceptional Merit (Blue and White)
4. Medal of Honor (Red, White and Blue)
5. Meritorious Service Award (Green and White)

#### A) ADMINISTRATIVE COMMENDATION:

This administrative award is presented for acts or achievements that reflect favorably on the department. It is awarded for valid suggestions to improve Departmental efficiency or administration, for acts providing good public relations and for recognition for that little extra effort that is given by an employee performing their routine assignments.

- A certificate is the award for this category, presented by the Chief of Police.

#### B) DEPARTMENTAL COMMENDATION:

The Departmental Commendation is awarded to Department members who perform a superior accomplishment, which results in a significant contribution to the mission, success or efficient operation of the Department. Such accomplishments may result from a single act during a critical time or incident.

- A certificate is the award for this category, presented by the Chief of Police.

#### C) EXCEPTIONAL MERIT:

The Exceptional Merit Award is presented to Department members who distinguish themselves by conspicuous heroism under exigent or life-threatening conditions, and consciously perform acts of bravery or other outstanding feats while facing imminent danger.

- A medal, ribbon, and certificate are awarded for this category, presented by the Chief of Police with the superior officer/supervisor of the employee involved present.

## EMPLOYEE COMMENDATIONS

### D) MEDAL OF HONOR:

The Medal of Honor is presented for those outstanding individual acts of bravery where an employee underwent a real and high possibility of physical injury or death. This is the highest award and should be presented only for the most exceptional acts.

- A medal, ribbon, and certificate are awarded for this category, presented by the Chief of Police or the Chief Executive Officer of DeKalb County.

### E) MERITORIOUS SERVICE AWARD:

DeKalb County Police Department's version of the Purple Heart, the Meritorious Service Award is presented when an employee receives a serious injury or wound, such as broken bones, deep lacerations or extended hospitalization, while in the performance of their assigned duties. (This is not awarded for routine accidents). This award may be presented in addition to any award mentioned above.

- A medal, ribbon, and certificate are awarded for this category, presented by the Chief of Police.

### F) OFFICER/DETECTIVE OF THE YEAR AWARD (AWARDED BY CIVIC GROUPS)

These awards are presented to officers and detectives whom civic groups recognize for outstanding performance in a year. Such groups as Kiwanis, Rotary, Citizen and others have typically given this type of award. Detectives of the year will also be recognized with this award.

- A ribbon and a certificate are awarded for this category, presented by the Chief of Police or Division Commander with a superior officer/supervisor of the employee involved present.

### G) DEPARTMENTAL OFFICER OF THE YEAR AWARD

This is awarded to one (1) sworn officer whom Departmental personnel wish to recognize for outstanding job performance in a given year. All sworn personnel within the DeKalb County Police Department are eligible for this award, regardless of their assignment within the department.

At the end of each calendar year, the Commander of each Division shall submit a name through the chain of command for consideration. The nomination shall include the reasons each division believes that officer is deserving of the award.

The Chief of Police has sole discretion in choosing one of the Divisional nominees for the Department's Officer of the Year Award.

Division Officer(s) of the Year will be awarded a certificate and a ribbon. The award is presented by the Chief of Police and Division Commander, with a superior officer/supervisor of each of the employees present.

- Department Officer of the Year will be awarded a certificate and a distinctive ribbon. The award is presented by the Chief of Police and Division Commander, with a superior officer/supervisor of the employee present.

### H) CERTIFICATE OF MERIT

This award is given to the Department employees who demonstrate exemplary performance in their duties in a given period. This award identifies the employee who routinely puts forth the extra effort to accomplish a mission. The Chief of Police, Deputy Chief or District/Division Commander must recommend this award.

- A ribbon and certificate are awarded for this category and presented by the Chief of Police, Deputy Chief or District/Division Commander with superior officer/supervisor of the employee involved present.

### I) AWARDS COMMITTEE

This committee will be established to promote consistency in the awards process. For each award recommendation for categories A through E above, an Award Recommendation form, along with the Employee Commendation form will be forwarded through the Chain of Command to the Chief's Office. The Committee will be comprised of personnel appointed by the Chief and will meet monthly to review any awards that are recommended for that time period. The Committee will make recommendations to the Chief of Police who will make a final decision on the awards presented.

J) All award recommendations shall be submitted on the Employee Commendation Form. Upon completion, the original Commendation Form and any award certificate will be presented to the employee. A copy of the Commendation Form will be retained in the employee's personnel file.

### 2-1.3 NON-SWORN (CIVILIAN) AWARDS

#### A) Exceptional Civilian Service

The **Exceptional Civilian Service** is the highest award that may be bestowed to Non-sworn (civilian) employees. Eligibility is determined by measuring contributions against the following example levels of achievement:

- Accomplishing assigned duties of major program significance to the department in such a way as to have been clearly exceptional or preeminent among all persons who have performed similar duties.
- Developed and improved major methods and procedures, developed significant inventions, or was responsible for exceptional achievements that effected large-scale savings or were of major significance in advancing the missions of the Police Department.
- Provided outstanding leadership to the administration of major department programs resulting in highly successful mission accomplishment or in the major redirection of objectives or accomplishments to meet unique or emergency situations.
- Exhibited great courage and voluntary risk of life in performing an act resulting in direct benefit to the department or its personnel.

#### B) Meritorious Civilian Service Award

The **Meritorious Civilian Service Award** is the second highest award granted to Non-sworn (civilian) personnel. Nominees must have established a pattern of excellence.

Eligibility is determined by measuring contributions against the following example levels of achievement:

- Accomplished supervisory or nonsupervisory duties in an exemplary manner, setting a record of achievement, and inspiring others to improve the quantity and quality of their work.
- Demonstrated unusual initiative and skill in devising new and improved equipment, work methods, and procedures; inventions resulting in substantial savings in expenses such as manpower, time, space, and materials, or improved safety or health of the workforce.
- Rendered professional or public relations service of a unique or distinctive character.
- Achieved outstanding results in improving the morale and performance of employees.
- Exhibited unusual courage or competence in an emergency, while performing assigned duties, resulting in direct benefit to the Police Department.

### 2-1.4 SPECIALIZED ACHIEVEMENT AWARDS

In addition to the Departmental awards listed above, ribbons in the following categories may be worn by authorized personnel:

#### A) P.O.S.T. TRAINING CERTIFICATES

These ribbons will be authorized by the Training Section when any employee receives an advanced training certificate from the Georgia Peace Officer's Standards and Training Council.

#### B) FIREARMS AWARDS

These ribbons will also be authorized by the Training Section (Range) when an employee achieves the required score on three consecutive supervised courses or during semi-annual qualification. Awards will be given for the following scores:

1. 100 - Master
2. 93 and above - Distinguished Expert
3. 88 and above - Expert

#### C) SAFE DRIVING AWARD

This ribbon will be authorized by the Accident Review Board when an employee completes two consecutive years of service without a chargeable traffic accident. To be eligible the employee must routinely operate a motor vehicle as part of their official duties. Awards will be made in each multiple of two after the first award.

#### D) FIELD TRAINING OFFICER

This ribbon may be worn by any employee who currently holds Field Training Officer status and is assigned to a location, which utilizes FTOs.

#### E) LONGEVITY AWARD

This ribbon is awarded to officers with twenty (20) years of uninterrupted service with the DeKalb County Police Department.

- A ribbon and certificate are awarded for this category. The Chief of Police, Assistant Chief or the Division Commander presents this award, with the immediate supervisor of the employee involved present.

#### F) GOOD CONDUCT AWARD

## EMPLOYEE COMMENDATIONS

This award is presented to sworn employees who demonstrate exemplary conduct while in the performance of their duties. To be eligible for this award, the officer must have completed at least five years of uninterrupted service as a sworn police officer with the DeKalb County Police Department. In addition, the officer can have no sustained policy violations in the previous three years (exemptions: vehicle accidents, and lost or damaged equipment that does not result in suspension or demotion.)

Applications for this award will be forwarded through the officer's chain of command to the Awards Committee. Final decision for the issuance of the Good Conduct Award for officers demonstrating honorable and faithful service rests solely with the Awards Committee and the Chief of Police.

- A ribbon (light blue) and certificate are awarded for this category and it is presented by a Precinct Commander, Major or higher, or their designee.

**Personnel of this Department will be authorized to wear the above ribbons on their uniforms or normal dress.**

### **2-1.5 CITIZEN'S VALOR AWARD**

This is awarded to private citizens who voluntarily come to the aid of police officers, department employees or other citizens during an incident of criminal activity or other life threatening events and putting their personal safety in jeopardy. Citizens receiving this Award shall not have personal motive or stake in the outcome of the event.

## EMPLOYEE MISCONDUCT

### 2-2.1 ALLEGATION OF EMPLOYEE MISCONDUCT

It is the policy of the DeKalb County Police Department to document and investigate all allegations of employee misconduct received from any source outside or inside the department.

The primary objectives of such investigations are:

Protection of the Public. The public has the right to expect efficient, fair, and impartial public safety services. Therefore, any misconduct by department personnel must be detected, thoroughly investigated, and properly adjudicated to maintain these qualities.

Protection of the Department. The department is often evaluated and judged by the conduct of individual members. It is imperative that the entire organization not be subjected to public censure because of misconduct by one or more of its personnel. When an informed public knows that its Police Department honestly and fairly investigates and adjudicates all allegations of misconduct against its members, this public will be less likely to feel any need to raise a cry of indignation over alleged incidents of misconduct.

Protection of the Employee. Employees must be protected against false allegations of misconduct. This can only be accomplished through a consistently thorough investigative process.

Removal of Unfit Personnel. Personnel who engage in serious acts of misconduct, or who have demonstrated they are unfit for public safety work, must be removed for the protection of the public, the department, and the department employees.

Correction of Procedural Problems. The Department is constantly seeking to improve its efficiency and the efficiency of its personnel. Occasionally, personnel investigations disclose faulty procedures that would otherwise have gone undetected. These procedures can then be improved or corrected.

### 2-2.2 ADMINISTRATIVE/INTERNAL INVESTIGATIONS

To insure the integrity of the DeKalb County Police Department, all alleged or suspected personnel misconduct will be thoroughly investigated. This will be done to clear the innocent, to protect their reputations, to increase morale and the effectiveness of public safety operations, and/or to establish the guilt of transgressors and facilitate prompt and corrective action.

Allegations of misconduct will either be investigated on the line or division level, or by Internal Affairs.

In determining what incidents are to be investigated by the line or division level, and what incidents are to be referred to Internal Affairs, refer to "Incidents to be Investigated" within the Internal Affairs guidelines.

Any information, which is relevant to the determination of whether particular severity or leniency should be shown in the corrective process, should be presented after the investigation of misconduct is complete.

### 2-2.3 INFLUENCING AN INVESTIGATION

Employees of this Department shall not attempt to influence the outcome of an internal investigation, except insofar as providing factual information relevant to the investigation. While an investigation is still in progress and incomplete, members of this department will refrain from contacting the investigating supervisor regarding the progress of the investigation, including but not limited to any preliminary findings, contents of any statements made, witness information, and evidence obtained. If any member feels the need to know any information while the investigation is ongoing, they must request said information through the employee's Division/Unit Commander. Members of this department shall not advise other employees who are involved in an ongoing investigation to be anything less than fully cooperative.

## EMPLOYEE MISCONDUCT

### 2-2.4 CITIZEN LIABILITY FOR MAKING FORMAL COMPLAINTS

A citizen who desires to make an allegation of misconduct on the part of a Departmental employee shall be required to submit a complete and accurate written statement accompanied by the citizen's oath or written affirmation. The complainants and witnesses submitting statements shall be advised that knowingly making false allegations in an official inquiry, such as an internal investigation, may result in criminal prosecution for False Statements (O.C.G.A. 16-10-20), for False Swearing (O.C.G.A. 16-10-71), or for other felony or misdemeanor violations.

### 2-2.5 EMPLOYEE RESPONSIBILITY

While most internal investigations will be instigated by citizen complaints or by Use of Force Reports, all employees have a duty to report violations that come to their attention. However, this rule should be interpreted so as to apply to those instances in which reasonable grounds for belief exist and in which the information was acquired through the course of official duty. Employees will not be subject to corrective action for failure to report mere rumors, nor will action be taken for failure to volunteer the content of personal confidences of a non-criminal nature, although such confidences must be revealed in response to direct questions in an internal investigation. This approach is being taken for the purpose of protecting the personal relationships, privacy and dignity of our employees, as well as preserving the integrity of the internal investigations process.

### 2-2.6 INVESTIGATION PROCEDURES

The individual assigned the investigation of an alleged act of misconduct on the part of a member or employee of the Department shall conduct a thorough and accurate investigation.

Investigating officers or supervisors in charge of an alleged misconduct investigation:

- A. May take a written statement and/or record the statement from the accused employee.
- B. May require that each employee participating in the investigation prepare and submit an individual written report of all facts of the incident known to him or her.
- C. Shall take statements from witnesses and complainants whenever possible.
- D. May tape record interviews with complainants.
- E. Shall review details and facts of an investigation with the accused employee and answer questions in regard to any information in the investigative report that is not considered confidential.
- F. May require any employee involved in any incident under investigation or a witness to an incident under investigation to submit to a CVSA examination. Employees requested to take a CVSA examination for an administrative investigation must do so and refusal to do so will be considered insubordination. The scheduling of CVSA examinations shall be coordinated with Internal Affairs.

During the course of the investigation, employees may not refuse to take a CVSA examination as long as the scope of the investigation is administrative in nature. Once the investigation changes from administrative to criminal, the employee's Fifth Amendment rights attach and the employee may refuse to take a CVSA without the possibility of any corrective action. The fact that an employee attempts to or commits a criminal act may be investigated by Internal Affairs and considered an administrative investigation. A criminal investigation begins where an employee is either charged with a criminal offense or there is strong anticipation of the employee being charged with a criminal offense and this Department or any other law enforcement agency anticipates pursuing the criminal act through the judicial system. During an administrative investigation, if at any time there is a decision to pursue the investigation criminally; at that point the employee is afforded all rights that apply during a criminal investigation. May require any employee whether on duty or off duty, who is under investigation to submit to any intoximeter, urinalysis, blood or other scientific or chemical test, including handwriting, voice analysis, or any other similar type test, in order to sustain any complaint or exonerate the employee. Refusal to comply shall be considered insubordination and may result in corrective action except in criminal cases as mentioned in the previous paragraph. All testing administered under this section will be coordinated through Internal Affairs.

Responsibility for the decision to request an employee to take a CVSA or scientific/chemical test will rest with the investigating superior officer, after the concurrence of the Division/Unit commander or his designee.

During any administrative/internal investigation, any statements, test results, or any other type of evidence may only be used against the employee in an administrative hearing, and may not be used against the employee in any criminal hearing.

During any criminal investigation or hearing, any statements, test results, or any other type of evidence obtained may not only be used in the criminal proceeding but additionally may be used against the employee in an administrative hearing.

Upon completion of the investigation, it will be the responsibility of the investigating officer/supervisor to summarize their findings and place them in an organized, understandable, definitive packet.

#### **2-2.7 CONCLUSION OF INVESTIGATION INVOLVING DEPARTMENT MEMBERS/EMPLOYEES**

All investigations of Department employee's accused of misconduct will conclude with one of the following findings:

- A. Unfounded: The investigation indicates that the act or acts complained of did not occur or failed to involve DeKalb Police Department Personnel;
- B. Exonerated: Acts did occur, but were justified, lawful and proper;
- C. Not Sustained: Investigation fails to discover sufficient evidence to clearly prove or disprove the allegations made in the complaint;
- D. Sustained: The investigation disclosed sufficient evidence to clearly prove the allegations made in the complaint.

#### **2-2.8 ADMINISTRATION OF CORRECTIVE ACTION**

One of the primary tasks of a superior officer is the administration of corrective action. Corrective action can be positive or negative; it may involve encouragement, inspiration, training, or imposition of negative sanctions. It has as its immediate purpose the channeling of individual effort into effective and productive action.

The exercise of positive corrective action requires foresight and planning rather than merely reaction. It involves an evaluation of the human factor which, when combined with proper training, motivation, and recognition of individual and group effort, results in self-discipline.

Corrective action means may range from verbal counseling, where the immediate effect is on the individual, to termination, where the positive result derived is the reassurance of other employees as to unacceptable limits of misconduct. In each case, care must be exercised to make the proper choice in obtaining a desired and just result.

In the administration of corrective action, a superior officer must consider the totality of the circumstances surrounding the allegation of misconduct in making a determination whether the original action or conduct which prompted the complaint was not only legal but whether, under the circumstances, it was necessary and proper as well. Their decision must resolve those factors with the individual's interest and the probable effect of the corrective action upon the attainment of department objectives.

To be effective, corrective action must not only be fair in its application, it must also follow within a reasonable time the act which it is intended to correct. Therefore, there must be a prompt resolution of corrective action cases.

#### **2-2.9 OPTIONS IN TAKING CORRECTIVE ACTION**

The following options are available in taking corrective action against any employee within the Department:

- A. Verbal Counseling/Verbal Advisement  
This method of corrective action should be done verbally or orally with the employee involved and the superior/supervising officer should document the counseling and maintain it in their files for future reference.
- B. Written Counseling/Documents of Consultation  
This method of corrective action should be completed on the DeKalb County Police Department Disciplinary Action Recommendation Form or any other type of approved form for the documentation of the incident. A copy of this documentation should not only remain at the line/division level but should be forwarded to the individual's Internal Affairs file.
- C. Training  
This method of corrective action should be done in order to improve employee productivity, knowledge and effectiveness when problems in this area first surface. This method should be coordinated through DeKalb Police Training Division. All documentation of training as a form of corrective action shall be maintained in the employee's file.

Verbal/written counseling and training are a form of corrective action that should be positive and constructive in nature. Warnings with negative connotations or threats of disciplinary action should be avoided.

The following methods of corrective action are considered disciplinary in nature in that the affected employee will be punished which results in the loss of compensation from the Department:

## EMPLOYEE MISCONDUCT

### D. Suspension Without Pay

This method of corrective action results in the suspension of the employee from the Department for a specified amount of time without compensation. Suspension without pay may range from the equivalent of one to 30 workdays.

### E. Demotion

This method of corrective action results in the involuntary demotion of an employee to a lower classification within the Department. This form of disciplinary action may be recommended along with suspension without pay.

### F. Termination

This method of corrective action is the most severe form of action and results in the dismissal of the employee from the Dekalb County Police Department.

Suspension without pay, demotion, and termination recommendations should be well documented and thoroughly investigated so that the recommending investigating officer/superior officer can be prepared to support their recommendation before any administrative judicial body.

### Relieved of Duty (Suspension with Pay)

This action in and of itself is not considered a form of corrective action; however, it is a prerequisite to further corrective action that warrants disciplinary proceedings. This action should occur only when an employee exhibits such conduct or misconduct that warrants their immediate removal from employment with the Department. Only the Chief of Police, along with the concurrence of the Merit System, has the right to terminate one's employment with the Department. In order to terminate someone, certain procedures must be followed. If an employee does exhibit such conduct that warrants their immediate dismissal, a superior officer of the rank of Police Lieutenant or above, or if outside the line divisions, any division/unit commander or their designee may relieve the employee of their duty and send them home indefinitely pending termination procedures; however, the employee will be carried as suspended with pay until the effective date of termination.

### Psychological Evaluations - Employee Assistance Program

This method may be used in conjunction with any of the previously listed corrective actions. The investigating officer/supervisor who recommends corrective action may feel that the employee is in need of some type of psychological counseling/evaluation through the County's Employee Assistance Program or any other outside program.

## **2-2.10 METHODS OF DETERMINING APPROPRIATE CORRECTIVE ACTION**

As mentioned earlier, corrective action may range from a verbal counseling to termination; therefore, it is of the utmost importance that the investigating officer/superior officer consider the totality of the circumstances surrounding the incident and all mitigating circumstances.

If the act of misconduct on the part of the employee is minor in nature and the employee's past record for misconduct is minimal and the investigating officer feels that a positive form of corrective action is warranted, then some type of counseling may be required.

In determining a corrective action for an employee, it is important to determine what the employee's past record of misconduct reveals. An investigating officer/superior who is conducting any investigation of misconduct shall request through the chain-of-command up to a Police Captain, or if outside the line division, any section/division/unit commander or their designee to contact someone in Internal Affairs in order to request information concerning the past record of the employee under investigation. The ranking officer/employee with authority to grant the request shall then contact Internal Affairs and advise them that they have reviewed their subordinate's request and have granted authority for the investigating officer/superior to obtain any information pertinent from Internal Affairs to complete the investigation. The ranking officer/employee with authority will then advise the investigating officer/superior to proceed with contacting Internal Affairs. Internal Affairs will be required to log all such requests as to name, rank, date, time, and reason for request before giving out any information. It is necessary that this be done in this manner because of the confidentiality of our internal records. Any employee of the department who abuses this policy will be dealt with in an appropriate manner.

It is important that all investigating officers/superiors who conduct any investigation of misconduct have all documentation placed in Internal Affairs in order to assist personnel who have to ascertain past records of employees under investigation.

It shall be the policy of this Department to follow the doctrine of Progressive Discipline, whereby investigating officers/superiors take a positive approach in determining the appropriate corrective action. Unless the employee's misconduct is serious in nature or they have established a pattern of misconduct, the corrective action should be minimal. In investigating an act of misconduct and the employee's record exhibits previous acts of misconduct, the recommended corrective action should be more severe than the previous action and additional acts should progress in severity until termination is warranted.

## **2-2.11 SCHEDULE OF PENALTIES**

The following Schedule of Penalties is established to assist any recommending investigating officer/supervisor in determining what form of corrective action to use and in the case of suspension without pay, the amount of hours to be suspended. This is only a guideline in determining the corrective action to be taken. Policy may exist that could possibly warrant a less severe or more severe type of corrective action to occur. Existing policy takes precedent in determining the corrective action to be used.

In the event the employee is charged with more than one violation resulting from the same act or conduct, the investigating officer/supervisor may consider each violation separately in arriving at the final recommendation for the corrective action to be taken.

The investigating officer/supervisor may also consider any previous misconduct incidents in determining the corrective action to be taken. If previous misconduct incidents are used, the investigating officer/supervisor shall document these previous acts as to the rule/regulation violated, dates occurred, and corrective action taken. The investigating officer/supervisor may only consider previous incidents that occurred within the last three years from the date of the current incident.

The investigating officer/supervisor may additionally consider any mitigating circumstances that may warrant a more severe or less severe corrective action. Mitigating circumstances are circumstances surrounding the incident or the employee that have not previously been addressed. Examples may include, but are not limited to, the employee's attitude about the incident, severity of the incident pertaining to damage or injury, length of service time of the employee with a good work record or if more than one violation occurs out of the same act of misconduct. If mitigating circumstances are used in determining the corrective action to be taken, the investigating officer/supervisor must document the reason.

The following Schedule of Penalties will be divided into two parts. The first part will address the DeKalb County Police Department's rules and regulations found in Section 2-2 of this manual and the second part will address the DeKalb County Rules and Regulations found in the Personnel chapter of the DeKalb County Code and Section 2-2 of this manual.

Each Schedule of Penalties will normally contain four offenses for each rule and regulation. As the number of offenses increase, the severity of the corrective action also increases.

In determining the amount of time to be used in regard to suspension without pay and to promote uniformity throughout the department, days will be used instead of hours. The following conversion chart will help in determining the number of hours in relation to days. Five day 8 hour workweek employees' suspensions will be based on an 8-hour workday.

<u>4 DAY WORK WEEK</u>	<u>HOURS</u>
	1
	2
	3
	4
	10
	20
	30
	40

## EMPLOYEE MISCONDUCT

According to the Personnel chapter of the DeKalb County Code, employees may not accumulate more than 30 days of suspension without pay within a twelve-month period.

### **DEKALB POLICE SCHEDULE OF PENALTIES AND DEFINITIONS**

#### **2-2.12 PROFESSIONAL IMAGE**

Failure to work diligently or with a bearing consistent with the image of a professional employee is prohibited.

Examples may include but not be necessarily limited to:

- A) Any use of tobacco or chewing gum in uniform when in plain view of the public;
- B) Unnecessary shouting or using obscene language;
- C) Leaning on walls, posts, cars, etc.;
- D) Tardiness in reporting for work;
- E) Conducting personal business while on duty;
- F) Taking excessively long meals or refreshment breaks;
- G) Failure to respond promptly or render aid/assistance or furnish information upon a request for Public Safety service;
- H) Failure to return promptly to service after finishing or handling a call or assignment for Public Safety service;
- I) Lack of courtesy to an individual, either on the phone or in person;
- J) Gambling, except when off-duty and at licensed premises.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	2 days suspension
4th offense	Demotion to Dismissal

#### **2-2.13 NEGLECT OF DUTY**

Neglect of duty is prohibited. To this end, there shall be no failure to give suitable attention to the performance of duty. Examples include, but are not limited to: failure to take appropriate action on the occasion of a crime scene, disorder, fire or other act or condition deserving attention; absence without leave, failure to report to duty at the time and place designated; unnecessary absence from one's assignment during a tour of duty; failure to perform duties or comply with any rule or regulation, general or special order; or failure to conform to department operating policies and/or procedures, and in the case of a superior/supervisor, the failure to properly supervise.

1st offense	1 day suspension
2nd offense	3 days suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

#### **2-2.14 PHYSICAL/ MENTAL CONDITION**

Lack of maintenance of good physical/mental/emotional condition, which interferes with the proper handling of departmental business, or demonstrates unfitness to perform job duties, is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

#### **2-2.15 PROMPT PERFORMANCE OF DUTY**

Failure to promptly perform as directed all lawful duties required by constituted authority, notwithstanding the general assignment of duties and responsibilities, is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

**2-2.16 PERSONAL APPEARANCE**

Failure to have a neat, clean personal appearance, which adversely reflects upon the individual's competency, efficiency and pride as a member of the Department and the ability of the county and department to foster and enhance a professional, efficient, effective image/posture is prohibited. To this end, the wearing of an improper uniform, failure to carry all necessary equipment or to maintain one's uniform and/or equipment in good order or comply with any division uniform codes is prohibited.

1st offense	Verbal Counseling
2nd offense	Written Counseling
3rd offense	1 day suspension
4th offense	1 work week suspension

**2-2.17 TRUTHFULNESS**

Employees shall not willfully or knowingly make an untruthful statement (verbally or written), to include electronic transmissions, knowingly omit pertinent information or conduct business in a less than truthful manner.

1st offense	Dismissal
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**2-2.18 FIGHTING/QUARRELLING**

Fighting or quarrelling with another member of the Department is prohibited.

1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	2 work weeks suspension
4th offense	Demotion to Dismissal

**2-2.19 VEXATIOUS/UNNECESSARY COMPLAINTS**

Making a vexatious or unnecessary complaint against a fellow member of the department is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	3 days suspension
4th offense	1 work week suspension

**2-2.20 REPORTS**

Failure to promptly submit such reports as are required by performance of one's duties or by constituted authority is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	2 work weeks suspension

**2-2.21 INSUBORDINATION**

Insubordination which shall include, but not be necessarily limited to, any failure or deliberate refusal to obey a lawful order given by a superior, supervisor or ranking officer with primary responsibility of an incident (such as a detective in charge of an incident or investigation or an instructor or F.T.O. in a training situation) or any disrespectful, mutinous, insolent, or abusive language or action toward a superior or ranking officer whether in or out of the presence of the superior or ranking officer is prohibited.

1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	2 work weeks suspension
4th offense	Demotion to Dismissal

**2-2.22 TERMINATION OF DUTY/ASSIGNMENT**

Termination of duty/assignment is prohibited unless properly relieved or dismissed by constituted authority.

1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	2 work weeks suspension
4th offense	Demotion to Dismissal

## EMPLOYEE MISCONDUCT

### **2-2.23 FURNISHING IDENTIFICATION**

Failure to furnish identification as is consistent with one's duty is prohibited. To this end, a department member/employee shall furnish one's name and assignment in a respectful manner when so requested.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	3 days suspension
4th offense	1 work week suspension

### **2-2.24(1) TARDY**

Failure to report for duty by the scheduled reporting time is prohibited.

1st offense	Documented Verbal Counseling
2nd offense	Written Counseling
3rd offense	1 day suspension
4th offense	2 day suspension
5th offense	1 work week suspension
6th offense	2 work week suspension

### **2-2.24(2) ABSENCE FROM WORK WITHOUT LEAVE (A.W.O.L)**

Failure to report for duty by the scheduled reporting time absent of proper notification is prohibited. Absence from an assigned workstation without permission or abstaining wholly or in part from the full performance of one's duties without permission is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	2 day suspension
4th offense	1 work week suspension
5th offense	2 work week suspension
6th offense	Demotion to Dismissal

### **2-2.25 EXCESSIVE ABSENTEEISM**

The habitual or patterned use of sick leave, or leave without pay, not supported by competent medical evidence or other proof of necessity is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.26 ILLNESS/CONDITION (PHYSICAL/MENTAL) SICK LEAVE**

Failure to notify a superior officer/supervisor when one becomes ill or injured and cannot report for work, or if there is any change in one's physical/mental health that could disqualify the individual from being employed by the department or impair one's abilities to carry out his job assignment is prohibited. Additionally, the use of sick leave without just cause, false statement, or the furnishing of any false information with reference thereto by any member or employee of the department is strictly prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.27 PROHIBITED ASSOCIATION/FREQUENTING**

Frequenting or associating with person(s), organizations, or places with a known criminal or bad reputation/background, unless necessary for Police business, where such associating or frequenting would be detrimental to the image of the department or the county is prohibited. To this end, personal association with persons who have been convicted of a felony within the last five years or who are under criminal investigation or indictment, or who have an open and notorious reputation in the community for felonious activity is prohibited. Examples may include but not be limited to visiting the home of, taking a trip with, cosponsoring a party or social

event with, or forming a business relationship with a person who the officer knows to be convicted of a felony involving moral turpitude, or with a person the officer knows to be engaged in or plans to commit criminal activity.

- 1st offense 1 day suspension
- 2nd offense 1 work week suspension
- 3rd offense 2 work weeks suspension
- 4th offense Demotion to Dismissal

#### **2-2.28 SUBVERSIVE ORGANIZATIONS**

No member or employee shall knowingly be a member or become a member of or connected or affiliated with any subversive organization whose avowed purpose advocates the overthrow, disruption, or interferes with the lawful function of any federal, state, county or municipal government. This also applies to any group, organization or function whose beliefs and practices are in direct conflict with job duties and responsibilities. Exceptions may be made when necessary in the performance of duty and only with the express permission of the Chief of Police.

- 1st offense 1 work week suspension
- 2nd offense 2 work weeks suspension
- 3rd offense Demotion to Dismissal

#### **2-2.29 DIVULGING CONFIDENTIAL INFORMATION**

Discussion of the operations and official business of the department, division, unit or assignment, which is of a confidential nature with anyone outside or inside the Department without the permission of a superior or supervisor, is prohibited. Also, all employees are prohibited from passing to unauthorized persons criminal history information, driver's history information, EMS run reports, or any other document that is considered confidential. (For purposes of this section, all Department documents and orders are to be considered confidential unless identified as otherwise by a superior/supervisor. This section does not apply to orders that are of such nature that they must be communicated to others.)

- 1st offense 1 day suspension
- 2nd offense 1 work week suspension
- 3rd offense 2 work weeks suspension
- 4th offense Demotion to Dismissal

#### **2-2.30 GIFTS/ SOLICITATION/ACCEPTANCE**

Soliciting or accepting any gift/gratuity from a host or donor if the employee knows or has reason to believe that the host or donor is seeking to influence the member/employee's performance or non-performance of an official duty, has an interest which may be substantially affected by the performance of an official duty, has a substantial interest in an enterprise which is licensed or regulated by the County or has a pending matter before the county or the judiciary is prohibited.

- 1st offense Written Counseling
- 2nd offense 1 day suspension
- 3rd offense 1 work week suspension
- 4th offense Demotion to Dismissal

#### **2-2.31 SOLICITATION OF FAVORABLE ACTS**

Soliciting anyone to intercede with the Chief of Police, any County commissioner, legislative body, Merit System, or any elected/appointed official in relation to promotions, departmental assignment, disposition of pending charges or findings in a disciplinary proceeding is prohibited. Nothing in this Section shall be construed to be applicable to licensed attorneys-at-law of the state, when representing an employee/member of the Department.

- 1st offense Written Counseling
- 2nd offense 1 day suspension
- 3rd offense 1 work week suspension
- 4th offense Demotion to Dismissal

#### **2-2.32 COURT APPEARANCE**

Any member of this department who is subpoenaed ordered, or notified of any judicial hearing (criminal or civil) will honor said subpoena and notify their immediate supervisor in a timely manner.

- 1st offense Written Counseling
- 2nd offense 1 day suspension

## EMPLOYEE MISCONDUCT

3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.33 SERVING AS A CHARACTER WITNESS**

Giving testimony as a character witness for any defendant in a criminal trial without the knowledge of the Chief of Police or his authorized agent is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	3 days suspension
4th offense	Demotion to Dismissal

### **2-2.34 PRIVATE BENEFIT FROM DEPARTMENTAL ASSOCIATION**

Use of prestige or influence of one's official position is prohibited. The use of the time, facilities, equipment or supplies of the department for the private gain or advantage to oneself or another are prohibited unless approved by the Chief of Police or his authorized agent.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.35 WITHHOLDING INFORMATION ON CRIMINAL ACTIVITY**

Failing to report or withholding information on criminal activity is prohibited.

1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	2 work weeks suspension
4th offense	Demotion to Dismissal

### **2-2.36 DEPARTMENTAL CORRESPONDENCE**

Entering into official department correspondence with anyone of any agency outside the department, except with the approval of the Chief of Police or his authorized agent is prohibited. All official department communications, by telephone or otherwise, outside of the metro Atlanta area without the permission of a superior/supervisor is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	3 days suspension
4th offense	1 work week suspension

### **2-2.37 NOTICES/ POSTING/CIRCULATION/DESTRUCTION/DEFACING**

Destroying or defacing any official written notice relating to Police business is prohibited. The posting or circulation of any notices of a non-official derogatory character relating to any person, group or police activity is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.38 DEPARTMENTAL RECORDS/REPORTS/CITATIONS**

Stealing, altering, forging or tampering with any kind of Police Department records, reports or citations is prohibited. To this end, 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/supervisor is prohibited. Additionally, the obtaining/duplicating or attempted obtaining/duplication of any information from department files, sources or reports other than that to which one is properly entitled to in accordance with one's duties/assignments is prohibited.

1st offense	1 work week suspension
2nd offense	2 work weeks suspension
3rd offense	Demotion to Dismissal

**2-2.39 DUTY TO READ/UNDERSTAND/COMPLY WITH ORDERS**

Failure to read, understand, comply or maintain a working knowledge of all laws, rules and regulations, general and special orders, policies and procedures of the Department, written or verbal order of a Superior/Supervisor is prohibited. To this end, it shall be considered Neglect of Duty to fail to inquire of a Superior or Supervisor until the matter is resolved any question as to the meaning of applications of any law, rule or regulations, general or special order, policy or procedure, written or verbal order.

- 1st offense Written Counseling
- 2nd offense 1 day suspension
- 3rd offense 1 work week suspension
- 4th offense Demotion to Dismissal

**2-2.40 RECEIPT OF MAIL/CALLS/VISITORS**

Consistently receiving personal mail, or visitors while on duty, utilization of departmental telecommunications equipment for non-duty related purposes without authorization is prohibited.

- 1st offense Written Counseling
- 2nd offense 1 day suspension
- 3rd offense 3 days suspension
- 4th offense 1 work week suspension

**2-2.41 RESIDENCE TELEPHONE/ADDRESS**

All employees shall maintain a telephone at one's residence and immediately notify the Chief of Police, in writing, of any change of address or telephone number.

- 1st offense Written Counseling
- 2nd offense 1 day suspension
- 3rd offense 3 days suspension
- 4th offense 1 work week suspension

**2-2.42 RECOVERED PROPERTY/EVIDENTIARY MATERIAL**

Failure to turn over to the designated agent of the department or properly handle all lost, stolen, recovered, abandoned or evidentiary material which comes into the possession of a Department member as a result of the performance of departmental duties is prohibited. To this end, all such material shall be turned over prior to the completion of the tour of duty unless otherwise instructed by competent authority.

- 1st offense 1 day suspension
- 2nd offense 1 work week suspension
- 3rd offense Demotion to Dismissal

**2-2.43 PICKET LINES**

Entry into any buildings, structures, or premises where persons have been placed to indicate a labor dispute in progress, except when necessary in the performance of and while on duty is prohibited. To this end, strict impartiality shall be followed and gratuities, food and/or drink shall not be accepted from a party participating in the dispute.

- 1st offense Written Counseling
- 2nd offense 1 work week suspension
- 3rd offense 2 work weeks suspension
- 4th offense Demotion to Dismissal

**2-2.44 FEES/REWARDS**

Acceptance or receipt of any fee or reward from any source for any services rendered in the line of duty without the knowledge and written consent of the Chief of Police or his authorized agent is prohibited.

- 1st offense Written Counseling
- 2nd offense 1 day suspension
- 3rd offense 3 days suspension
- 4th offense 1 work week suspension

## EMPLOYEE MISCONDUCT

### **2-2.45 SETTLEMENT OF DUTY INCURRED EXPENSES/DAMAGES**

Acceptance from any person of money or other compensation for damages sustained or expenses incurred in the line of duty without first notifying the Chief of Police is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.46 USE OF PRIVATE EQUIPMENT**

Use of private equipment for official purposes or while on duty unless directed/authorized to do so by the Chief of Police or his authorized agent is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	3 days suspension
4th offense	1 work week suspension

### **2-2.47 DEPARTMENT PROPERTY LOSS/DAMAGE NEGLIGENCE/INATTENTION**

Loss/damage to department property due to negligence or inattention to duty is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.48 LOSS OF COUNTY PROPERTY/EQUIPMENT REPORTING**

Failure to promptly report to the Chief of Police or his designated agent the loss of any department property/equipment that has been furnished the individual is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.49 PARTICIPATION IN CIVIL MATTERS**

Giving a deposition, affidavit or appearing as a witness in a civil matter stemming from one's official duties as a department member without the knowledge of the Chief of Police or his authorized agent is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.50 POSSESSION OF KEYS**

Possession of keys, pertaining to Department business or obtained under departmental authority, not one's own without the approval of the Chief of Police or his designated authority is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.51 LEAVING COUNTY LIMITS**

Going beyond the County limits while on duty unless in the performance of actual duty, or upon the direct order of a superior or supervisor is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

**2-2.52 VALUABLE ITEMS BUYING/RECEIVING/SELLING**

Buying, receiving, or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to the attention of or which arose out of department employment except as may be specifically authorized by the Chief of Police is prohibited.

- 1st offense Written Counseling
- 2nd offense 1 day suspension
- 3rd offense 1 work week suspension
- 4th offense Demotion to Dismissal

**2-2.53 UNAUTHORIZED PERSONS IN VEHICLES**

Allowing unauthorized persons to ride in county vehicles is prohibited. Only the Chief of Police or his designated agent may grant such authorization.

- 1st offense Written Counseling
- 2nd offense 1 day suspension
- 3rd offense 1 work week suspension
- 4th offense Demotion to Dismissal

**2-2.54 DEPARTMENTAL PROPERTY REPORTING DAMAGE/RETURN**

Failure to immediately report in writing all damage to vehicles, property and equipment or to file such report, which contains all known facts surrounding the cause and nature of the damage, is prohibited. In the event that county vehicles, equipment or property are found bearing evidence of damage which has not been reported, it shall be prima facie evidence that the last person using the property or vehicle was responsible. Additionally, members shall return all equipment owned by the Department when they retire, resign, or otherwise leave the Department, and they shall return any equipment when ordered to do so because of suspension or other absence from work.

- 1st offense Written Counseling
- 2nd offense 1 day suspension
- 3rd offense 1 work week suspension
- 4th offense Demotion to Dismissal

**2-2.55 PAYMENTS OF DEBTS/LEGAL LIABILITIES**

Willful or negligent failure to pay all just debts and legal liabilities is prohibited.

- 1st offense Written Counseling
- 2nd offense 1 day suspension
- 3rd offense 3 days suspension
- 4th offense 1 work week suspension

**2-2.56 VIOLATION OF LAW**

Violation or attempted violation of any Federal, State, County or Municipal Law is prohibited (whether criminal proceedings are instituted or not).

- 1st offense 1 work week suspension
- 2nd offense 2 work weeks suspension
- 3rd offense Demotion to Dismissal

**2-2.57 POSSESSION/USE OF ALCOHOL**

Possession and/or use of alcohol or alcoholic beverages on duty other than in an authorized duty capacity are prohibited. At no time may an employee of the department use or be under the influence of alcohol where such use or influence impairs or compromises the efficiency and integrity of the department or county. (To determine one's fitness for duty, all evidence and/or circumstances up to and including the results of an intoximeter test may be considered.)

- 1st offense 1 work week suspension
- 2nd offense Dismissal

## EMPLOYEE MISCONDUCT

### **2-2.58 POSSESSION/USE OF CONTROLLED SUBSTANCES**

Possession or use on-duty of controlled substances (as defined in Ga. O.C.G.A. 16-13-30), except with the approval and guidance of a licensed physician and with the knowledge of a superior officer or supervisor is prohibited. At no time may an employee of the department use or be under the influence of a controlled substance where such use or influence impairs or compromises the efficiency and integrity of the department or county. (To determine one's fitness for duty, all evidence and circumstances up to and including the results of a urinalysis and/or blood test may be considered.)

1st offense	1 work week suspension
2nd offense	Dismissal

### **2-2.59 POLITICAL UTILIZATION OF OFFICIAL POSITION**

Utilization of one's official position with the Department for political purposes is prohibited. To this end, the use of one's official position for a non-duty related involvement in an election is prohibited. Nothing in this section should be construed to prohibit a member of the department from, as a private citizen: (a) exercising the right of suffrage, (b) casting a vote or expressing one's opinions privately, (c) being delegates to or members of a political caucus, or (d) taking part in political canvass.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	2 work weeks suspension

### **2-2.60 OFF-DUTY EMPLOYMENT**

Off-duty employment without the knowledge and approval of the Chief of Police or his designated agent is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	2 work weeks suspension

### **2-2.61 PUBLIC CRITICISM OF THE DEPARTMENT**

Public criticism of the Department, its policies or members by talking, writing, or expression in any manner where such talking, writing, or expression: (a) is defamatory, (b) is obscene, (c) is unlawful, (d) tends to impair the operation of the Department by impairing its efficiency, interfering with the ability of supervisors to maintain discipline, or having been made with reckless disregard for truth or falsity is prohibited. To this end, employees and members shall make maximum utilization of the grievance procedures of the Department as described in the general orders of the Department.

1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	2 work weeks suspension
4th offense	Demotion to Dismissal

### **2-2.62 ISSUANCE OF ORDERS**

Orders from superiors/supervisors to subordinates shall be in a professional, clear, understandable language, civil in tone and manner and issued in pursuit of Departmental business.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	2 work weeks suspension

**2-2.63 UNLAWFUL ORDERS**

No superior/supervisor shall knowingly issue any order, which is in violation of any law, ordinance or Departmental rule. Obedience to an unlawful order is never a defense for an unlawful action; therefore, employees are not required to obey any order, which is contrary to any law or ordinance. Responsibility for refusal to obey rests with the employee. They shall be strictly required to justify their action.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

**2-2.64 UNJUST OR IMPROPER ORDERS**

Employees who are given orders, which they feel to be unjust or contrary to rules or regulations, may first question the order in a professional and respectful manner with the issuing authority. If the order is lawful and stands as issued, the employee is expected to obey the order to the best of their ability and then may proceed with any remedy provided.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

**2-2.65 CONFLICTING ORDERS**

Upon receipt of an order conflicting with any previous order or instruction, the member affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original instruction then rests with the individual issuing the second order to have the original order rescinded. In no event, shall a subordinate officer/supervisor countermand a superior officer's/supervisor's order unless immediate danger to lives or property exists.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

**2-2.66 USE OF FORCE**

Use of force that is excessive to accomplish one's lawful purpose is prohibited.

1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	Demotion to Dismissal

**2-2.67 COOPERATION WITHIN THE DEPARTMENT**

Cooperation between the section, divisions, units and ranks within the Department is essential. Therefore, all employees are strictly charged with establishing and maintaining a high spirit of cooperation within the Department.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

**2-2.68 CONDUCT TOWARD FELLOW EMPLOYEES**

All employees shall treat their superiors/supervisors, subordinates, peers and associates with respect. They shall be courteous and civil at all times in their relationships with one another. The spreading or utterance of rumors or defamatory remarks concerning fellow employees will not be tolerated. Any acts of counseling, disciplining, complaining or criticizing must be done positively and constructively in an appropriate setting. When on duty and especially in the presence of other employees or the public, superior officers shall be referred to by rank.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

## EMPLOYEE MISCONDUCT

### **2-2.69 UNWANTED CONDUCT**

In order to maintain a quality-working environment for all employees and potential employees of this department, any action in the form of intimidation, humiliation, insult or subjecting someone to offensive physical or verbal abuse or actions of a sexual, ethnic, racial, or religious nature is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.70 MISCONDUCT KNOWN TO DEPARTMENTAL PERSONNEL**

Failure to report a fellow department member or employee's violation of a law, rule or regulation, policy or procedure, general or special order is prohibited. To this end, all such violations shall be reported in writing to a superior/supervisor in the department.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.71 CONDUCT UNBECOMING ON/OFF DUTY CONDUCT**

Engaging in conduct on or off duty which adversely affects the morale or efficiency of the department, or in the alternative, engaging in conduct on or off duty which has a tendency to destroy public respect for the employee and/or the department and/or destroy confidence in the operation of the county service is conduct unbecoming and is prohibited.

1st offense	1 day suspension
2nd offense	3 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

### **2-2.72 THIS SECTION REMOVED**

### **2-2.73 COOPERATION WITH INTERNAL INVESTIGATIONS**

Employees will fully cooperate with any internal / administrative investigation or inquiry. They will answer questions, respond to lawful orders, provide relevant material and statements and not knowingly or willfully omit pertinent information.

1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	Demotion to Dismissal

### **2-2.74 BODY WORN CAMERA**

Misuse or failure to adhere to the body-worn camera policy is prohibited.

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	2 work weeks suspension
5th offense	Demotion to Dismissal

### **ROUTING OF COMPLAINTS/INVESTIGATIONS FROM INCEPTION TO CONCLUSION**

The purpose of specifying the routing for any complaint on a department employee or for any investigation of alleged misconduct is to insure that all appropriate members in the department who need to be made aware of this are, in fact, advised with the opportunity to review; that the matter is investigated completely, thoroughly, and fairly; and, if any corrective action is required, that it be carried out swiftly and immediately.

- A. When an allegation of misconduct is made at the line/division level and it is of the type that will be investigated at that level, and the result is some form of disciplinary action other than counseling, the investigating officer/supervisor, upon conclusion of the investigation and recommendation, shall forward the completed investigation through the chain-of-command up to the Chief of Police for approval.

- B. If a complaint or investigation is initiated at line/division level and the investigating officer/supervisor determines that the incident is such that warrants an investigation by the Internal Affairs Division, the complaint shall be forwarded through the chain-of-command up through the division head at which time the investigation will be turned over to Internal Affairs. Upon completion of the investigation by Internal Affairs, their findings shall be sent back to the division head and then sent back down the chain-of-command for a recommendation by the original investigating officer/supervisor.
- C. If the complaint is initiated at Internal Affairs, then Internal Affairs must first determine whether the incident should be investigated by the line/division level and if so refer the complaint to the appropriate location within the department. If the incident is one that requires an investigation by Internal Affairs, they shall complete said investigation and the findings shall be forwarded to the Chief of Police for review. Upon completion of the Chief's review, the findings shall be forwarded to the employee's division head and then sent back down the chain-of-command for a recommendation by the employee's supervisor.
- D. If the complaint or investigation originates out of the Office of the Chief of Police, Internal Affairs will then be requested to investigate the incident and report its findings back to the Chief of Police. If corrective action is warranted, the findings will be sent back to the section/division/unit head and then sent back down the chain-of-command for a recommendation by the employee's supervisor.

As the recommendation is forwarded through the chain-of-command up to the Chief of Police, each superior officer may concur with the recommended corrective action, lower it, or raise it. In the event that a recommended action is changed, that superior officer shall justify the change.

After the recommendation leaves the Office of the Chief of Police, it is reviewed by the Merit System and upon their concurrence is sent back to the Department to be served on the employee.

## **DEKALB COUNTY CODE SCHEDULE OF PENALTIES**

### **DEKALB COUNTY RULES AND REGULATIONS**

#### **PERSONNEL CHAPTER - CAUSE FOR DISMISSAL OR DISCIPLINARY ACTION**

The following is taken from the Personnel Chapter of the DeKalb County Code, Chapter 20, Article 9, Section 20-191 and refers to causes for dismissal and corrective action. These rules and regulations from the Personnel Chapter may be used alone or with DeKalb County Police Department Rules and Regulations from Section 2-2 of this manual in determining if any employee has violated any provision in this manual.

If any of the following Personnel Chapter violations are used, they shall be referenced on all documentation as violations from the Personnel Chapter of the DeKalb County Code, Chapter 20, Article 9, Section 20-191.

**The DeKalb County code should not be used for D.O.C./ Written or Verbal Counseling.**

#### **20-191.2 SUBSTANDARD WORK QUALITY**

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

#### **20-191.3 IMPROPER USE OF COUNTY EQUIPMENT OR PROPERTY**

1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal

#### **20-191.4 SELLING OR SOLICITING ON COUNTY PROPERTY WITHOUT PRIOR AUTHORIZATION**

1st offense	Written Counseling
2nd offense	1 day suspension

## EMPLOYEE MISCONDUCT

3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.5</b>	<b>UNAUTHORIZED USE OF TELEPHONE OR OTHER COUNTY COMMUNICATIONS EQUIPMENT</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	2 work weeks suspension
<b>20-191.6</b>	<b>CONDUCT UNBECOMING AN EMPLOYEE OF THE COUNTY WHILE ON DUTY</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 week suspension
4th offense	Demotion to Dismissal
<b>20-191.7</b>	<b>LEAVING THE WORK AREA WITHOUT PERMISSION FROM THE SUPERVISOR</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 week suspension
4th offense	Demotion to Dismissal
<b>20-191.8</b>	<b>FAILURE TO CALL IN WHEN SICK OR ABSENT FROM WORK WITHOUT PRIOR APPROVAL</b>
1st offense	1 day suspension
2nd offense	2 day suspension
3rd offense	3 days suspension
4th offense	Dismissal
<b>20-191.9</b>	<b>NEGLECT, CARELESSNESS OR DISREGARD OF COMMON SAFETY PRACTICES</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.10</b>	<b>VIOLATION OF DEPARTMENTAL RULES</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal (Use these penalties if a penalty is not specified by Department regulations.)
<b>20-191.11</b>	<b>MALICIOUS MISCHIEF, HORSEPLAY, WRESTLING OR OTHER UNDESIRABLE CONDUCT</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.12</b>	<b>FALSIFYING ANY OFFICIAL RECORD OR DOCUMENT</b>
1st offense	1 work week suspension
2nd offense	2 work weeks suspension
3rd offense	Demotion to Dismissal
<b>20-191.13</b>	<b>GIVING A FALSE ANSWER OR FALSE INFORMATION ON APPLICATION</b>
1st offense	1 day suspension
2nd offense	1 work week suspension

3rd offense	Demotion to Dismissal
<b>20-191.14</b>	<b>HABITUAL UNEXCUSED TARDINESS</b>
1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	Demotion to Dismissal
<b>20-191.15</b>	<b>LOAFING, NEGLECT OF DUTIES OR OTHERWISE WASTING OF WORKING TIME</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.16</b>	<b>SLEEPING DURING WORKING HOURS EXCEPT WHERE CONDITIONS OF WORK AUTHORIZE AND WARRANT</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.17</b>	<b>POSSESSION OF INTOXICATING BEVERAGES OR CONTROLLED SUBSTANCES AT PLACE OF WORK OR IN OFFICIAL COUNTY VEHICLES</b>
1st offense	1 work week suspension
2nd offense	Dismissal
<b>20-191.18</b>	<b>POSSESSION OF OR BRINGING A FIREARM OR OTHER DEADLY WEAPON ON COUNTY PROPERTY, OR IN AN OFFICIAL COUNTY VEHICLE UNLESS DULY AUTHORIZED BY DEPARTMENT HEAD</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.19</b>	<b>REPORTING TO WORK UNDER THE INFLUENCE OF INTOXICATING BEVERAGES OR DRUGS NOT PRESCRIBED BY A PHYSICIAN</b>
1st offense	1 work week suspension
2nd offense	Dismissal
<b>20-191.20</b>	<b>FIGHTING, THREATENING, INTIMIDATING, COERCING OR OTHERWISE INTERFERING WITH THE RIGHTS OF OTHER EMPLOYEES</b>
1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	2 work weeks suspension
4th offense	Demotion to Dismissal
<b>20-191.21</b>	<b>GAMBLING ON COUNTY PROPERTY</b>
1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	Demotion to Dismissal
<b>20-191.22</b>	<b>INSUBORDINATION OF A SUPERVISORY DIRECTIVE OR JOB ASSIGNMENT</b>
1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	2 work weeks suspension
4th offense	Demotion to Dismissal

## EMPLOYEE MISCONDUCT

<b>20-191.23</b>	<b>ACCEPTANCE OF A FEE, GIFT OR SERVICE OR ANY ITEM OF VALUE IN RETURN FOR A FAVOR</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.24</b>	<b>LOSS OR DAMAGE OF COUNTY PROPERTY THROUGH CARELESSNESS OR NEGLIGENCE</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.25</b>	<b>VIOLATION OF A SAFETY RULE WHICH RESULTS IN PERSONAL INJURY OR PROPERTY DAMAGE; REFUSAL TO USE PROPER SAFETY EQUIPMENT WHEN PROVIDED</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.26</b>	<b>FAILURE OF A SUPERVISOR TO ENFORCE ESTABLISHED SAFETY REGULATIONS, OR REQUIRING EMPLOYEE TO PERFORM UNSAFE ACT</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.27</b>	<b>EXCESSIVE ABSENTEEISM</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.28</b>	<b>EXHAUSTION OF ANNUAL LEAVE WITHOUT PRIOR APPROVAL</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191. 29</b>	<b>ABUSE OF SICK LEAVE</b>
1st offense	Written Counseling
2nd offense	1 day suspension
3rd offense	1 work week suspension
4th offense	Demotion to Dismissal
<b>20-191.30</b>	<b>MISAPPROPRIATION OF COUNTY FUNDS OR ILLEGAL SALE OR DISPOSAL OF COUNTY PROPERTY FOR PERSONAL GAIN, OR DELIBERATE FALSIFICATION OF OFFICIAL REPORTS, EMPLOYMENT APPLICATION OR MISREPRESENTATION OF PERSONAL INFORMATION IN ORDER TO QUALIFY FOR APPOINTMENT OR PROMOTION</b>
1st offense	1 work week suspension
2nd offense	2 work week suspension
3rd offense	Demotion to Dismissal

<b>20-191.31</b>	<b>CONVICTION OF A FELONY CRIME OR MISDEMEANOR INVOLVING SERIOUS MORAL TURPITUDE</b>
1st offense	Dismissal
<b>20-191.32</b>	<b>ENGAGING IN A STRIKE, WORK STOPPAGE, SLOW DOWN OR ACT OF SABOTAGE</b>
1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	Demotion to Dismissal
<b>20-191.33</b>	<b>SUBSTANTIAL INCOMPETENCE OR INEFFICIENCY IN CARRYING OUT WORK ASSIGNMENTS</b>
1st offense	1 work week suspension
2nd offense	2 work weeks suspension
3rd offense	Demotion to Dismissal
<b>20-191.34</b>	<b>FAILURE TO REPORT FOR WORK WITHOUT PRIOR APPROVAL, EXCEPT WHEN SICK LEAVE IS AUTHORIZED</b>
1st offense	1 day suspension
2nd offense	2 days suspension
3rd offense	3 days suspension
4th offense	Dismissal
<b>20-191.35</b>	<b>STEALING OR SIMILAR CONDUCT, INCLUDING DESTROYING, DAMAGING OR CONCEALMENT OF ANY PROPERTY OF THE COUNTY</b>
1st offense	1 day suspension
2nd offense	1 work week suspension
3rd offense	Demotion to Dismissal
<b>20-191.36</b>	<b>WILLFUL DAMAGE OF OR ATTEMPT TO DAMAGE COUNTY PROPERTY</b>
1st offense	1 work week suspension
2nd offense	2 work weeks suspension
3rd offense	Demotion to Dismissal
<b>20-191.37</b>	<b>THREATENING PHYSICAL VIOLENCE OR STRIKING A SUPERVISOR OR SUBORDINATE</b>
1st offense	1 work week suspension
2nd offense	2 work weeks suspension
3rd offense	Demotion to Dismissal
<b>20-191.38</b>	<b>OPERATION OF ANY COUNTY-OWNED OR COUNTY LEASED VEHICLES OR EQUIPMENT WITHOUT PROPER STATE LICENSE OR WHILE UNDER THE INFLUENCE OF ANY MEDICATION OR DRUG WHICH HAS BEEN PRESCRIBED BY A DOCTOR AND CARRIES THE WARNING NOT TO DRIVE OR OPERATE MACHINERY WHILE USING SAME</b>
1st offense	1 work week suspension
2nd offense	2 work weeks suspension
3rd offense	Demotion to Dismissal

## CHAPTER 20, ARTICLE 9, SECTION 20-186

### DEFINITIONS

## EMPLOYEE MISCONDUCT

- A. Delinquency - Violation of duty to the job requirements or county regulations.
- B. Excessive Absenteeism - The habitual or patterned use of sick leave, or leave without pay, not supported by competent medical evidence or other proof of necessity. On a national average, employees experience 2 to 3 incidents of sick leave absence a year. Unsubstantiated absences in excess of the following rule of thumb may be an indication of excessive absenteeism:
  - 1. 2 incidents in three months.
  - 2. 4 incidents in six months.
  - 3. 6 incidents in one year.(An incident is a single day or consecutive series of absences.)
- C. Incompetence - The lack of qualities or the incapability of doing the job. Skills, knowledge and abilities are inadequate, unsuitable, or obsolete to perform at minimally acceptable standards of performance.
- D. Inefficiency – Non-production, wasteful use of time, energy or material; or repeated errors and mistakes.
- E. Insubordination - The unwillingness or refusal to perform assigned work, or deliberate failure to comply with written or verbal instructions from a proper supervisory authority.
- F. Misconduct - Mismanagement of job responsibilities and county property, intentional improper behavior on the job, or deliberate violation of county regulations.
- Z. Negligence - Careless disregard for or lack of attention to job-related matters.

## GRIEVANCE AND APPEAL PROCEDURES

### 2-3.1 DEKALB COUNTY GRIEVANCE PROCEDURE

#### I. GENERAL PURPOSE

*The purpose of this grievance procedure is to give all employees of the DeKalb County Police Department a definitive method by which they may assert any perceived or actual grievances they might have against the Department. This grievance procedure provides a method for asserting those grievances within the confines of efficient departmental operation and fairness to personnel. The procedure will be mandatory and the failure to follow the procedure specifically will result in a waiver of further utilization of the grievance mechanisms in the Department in order to seek redress.*

#### II. DEFINITIONS

1. *Aggrieved person - An aggrieved person is any non-probationary employee of the DeKalb County Police Department who has been terminated, demoted, suspended with or without pay, transferred to a position requiring a salary reduction, has received a salary reduction, or has been prevented from applying for or acquiring any training school, training program or any promotional position when such was generally available to other members of the Department. An aggrieved person shall also include an employee of the DeKalb County Police Department who believes unjust discrimination has been exercised or may be exercised in any phase of employment because of race, color, religion, national origin, sex, political affiliation or opinion, age, handicap or other non-merit factor.*
2. *Department - The Department is the DeKalb County Police Department, DeKalb County, State of Georgia, including all Sections and Divisions within the Department. The term also includes unsworn employees of the DeKalb County Police Department.*
3. *Disciplinary Action - Termination, demotion and suspension without pay.*
4. *Adverse Personnel Action (APA) - any of the specified items over which an aggrieved person may institute this procedure.*
5. *DeKalb County Personnel Code - the Personnel Chapter to the DeKalb County Code and its Administrative Procedures and section of the DeKalb County Code which pertain to termination appeal hearings.*
6. *Days - are calendar days.*

#### III. NOTIFICATION OF PROCEDURE

*It shall be the responsibility of the DeKalb County Police Department to ensure that every employee is aware of this grievance procedure and fully understands it. To this end, the Department will prepare written copies of this procedure for distribution to all existing employees of the Department and all future employees of the Department.*

#### IV. ACTION BY DEPARTMENT

*Prior to instituting any APA, the Department may first elect to utilize this procedure. Such process shall begin with the serving of proper written notice.*

### 2-3.2 MERIT SYSTEM APPEAL RIGHTS

#### DISCIPLINARY ACTION

*Disciplinary action is defined as an adverse action taken for cause by the Chief Executive Officer or department head which results in suspension without pay, involuntary demotion, or dismissal (termination).*

*No regular status employee of any department or office of the county which has been brought under the Human Resources and Merit System pursuant to the DeKalb County Code, may be disciplined except for good cause and in accordance with the rules and regulations of the Human Resources and Merit System, as approved by the governing authority of the county. Any employee so disciplined shall have the right of appeal of said discipline pursuant to the rules and regulations so adopted for that purpose, by filing his/her notice of appeal in writing with the Human Resources and Merit System Director within ten (10) days after the effective date of his/her discipline. If the appeal is determined to be timely filed by the Human Resources and Merit System Director, an appeal hearing will be scheduled in accordance with the DeKalb County Code and the Hearing Officer and Merit System Council Procedures, Section 1055 and 1056 of the DeKalb County Administrative Procedures to the Code. Disciplinary action (or discipline) is defined as an adverse action taken for cause by the Chief Executive Officer or department head, which results in suspension without pay, involuntary demotion, or dismissal (termination).*

## GRIEVANCE AND APPEAL PROCEDURES

### NOTICE OF DISCIPLINARY ACTION

The department head shall sign and issue written notice of disciplinary action to the employee. The notice shall include the following:

- A. *The effective date of the disciplinary action. If actions are sent through the U.S. Mail they will be considered delivered after three (3) days from date of placement in the mail to the employee's last known address*
- B. *The specific charges for the disciplinary action in sufficient detail for the employee to be aware of the reason for the intended action.*
- C. *A statement advising the employee that the employee has right to respond to appeal by filing a written request for appeal directly to the Human Resources and Merit System Director within ten (10) days after the effective date of the suspension, demotion, or termination*
- D. *A signature and date block designated on the letter to record the employee's signature and date of receipt of the letter. If the employee refuses to sign acknowledging receipt, the official presenting the letter will so indicate the employee's refusal and date of refusal. If the letter is mailed to the employee, the department will record the Certified Mail number and enter the date letter was mailed.*

### 2-3.3 DEPARTMENTAL RULES

Department heads may establish rules, regulations, and/or procedures that are related to the work of their department, and not inconsistent with those established by the CEO or the DeKalb County Code. Department heads must submit their departmental rules, regulations and /or procedures to Human Resources for review prior to enactment. Human Resources will maintain a reference set of each department's rules and regulations. It is the department head's responsibility to ensure their employees are provided copies of and given an explanation of all the current rules and regulations that cover their positions. It is the employee's responsibility to seek clarification of their departmental rules and regulations through their chain of supervision at any time they have questions.

Department heads should ensure that employees sign verification that they have received and had explained to them any rules and regulations that cover their positions. It is the responsibility of employees to adhere to the rules, regulations, policies and procedures that apply to their assigned jobs within their department.

### 2-3.4 HUMAN RESOURCES REVIEW

The Human Resources Department will review copies of the notice of disciplinary action and all supporting information and documentation prior to issuance to the employee, regardless of merit or probationary status.

Department heads will conduct a thorough investigation and consult with all affected parties and provide appropriate documentation to the Human Resources Department for approval prior to issuance of disciplinary action to a regular, merit status employee.

Probationary employees (those serving in their initial working test period after employment with DeKalb County) and non-merit status employees are not afforded the right to appeal disciplinary actions under the DeKalb County Code.

Letters forwarded to the Human Resources Department for review affecting termination of probationary employees at or beyond three months of employment for performance related reasons will include a copy of the interim performance appraisal and/or documentation to show the employee was advised of performance deficiencies and given an opportunity to correct deficiencies, but failed to do so. The disciplinary action letter will include the following:

- A. The disciplinary action to be effected, i.e. suspension, demotion, or termination.
- B. The effective date of the final action.
- C. A statement indicating that since the employee is in probationary status, he or she is not afforded the right of appeal under the DeKalb County Code.

Although not considered a disciplinary action, all Letters of Direction and Letters of Counseling which direct filing in the employee's official personnel file maintained by the Human Resources Department, will be signed by the employee's department head and forwarded, along with supporting information, to the Human Resources Department for review prior to issuance to the employee (regular and probationary status). The letter will include the following:

- A. The specific charge(s), violation(s), or wrongdoing committed by the employee.
- B. A statement explaining what the employee should have done and/or should do in the future.
- C. A statement advising the employee that the letter will be filed in his or her official personnel file and that he or she may submit written comments relative to the contents of the letter of counseling or direction and that their comments will be placed along with the letter in their official personnel file.

### **2-3.5 GRIEVANCE AND DISCIPLINARY ACTION PROCEDURES**

#### **A. Employee Grievance Procedures**

It is the policy of DeKalb County government to ensure that all employees are treated fairly and equally. The Board of Commissioners of DeKalb County has provided, by ordinance, the general guidelines for employee disciplinary actions and appeals; however, employees are encouraged to resolve problems at the lowest level of supervision within their department.

In all personnel matters (except as provided in the following paragraph), employees shall follow the chain-of-supervision or chain-of-command in resolving disputes. Following the line of supervision or chain-of-command requires an employee to bring any matter concerning his or her personal situation at work to the attention of that employee's immediate supervisor for resolution. If the matter is not resolved at that level, the employee may then bring the matter to the attention of the next level supervisor and if not resolved then may proceed up the line of supervision to the department head. Upon exhaustion of all available avenues to resolve the problem within the employee's department, employees may contact the Human Resources Department's Employee Relations Division for assistance.

Employees are encouraged to report and pursue matters concerning discrimination, harassment (sexual, racial, religious, age, disability, national origin, sexual orientation, or any other characteristic protected by law), misconduct criminal or unethical activity, and matters of legitimate public concern within their departmental chain of supervision but may elect to pursue these matters directly with the Human Resources Director, the EEO/Employee Relations Manager, the Office of the CEO, or other appropriate external agencies. Employees have the right to present grievances and respond to inquiries without fear of retaliation.

#### **B. Disciplinary Action Procedures**

Every effort should be made to find an acceptable solution to problems by informal means at the lowest level of supervision. Suspensions, involuntary demotions, reductions in force, or allegations of discrimination for which the code provides an appeal, which cannot be resolved informally, will be reviewed by one Hearing Officer in accordance with the DeKalb County Code and these Procedures. Hearing Officers will afford employees, who have filed their appeal in writing to the Human Resources Director in accordance with the DeKalb County Code, hearings on suspensions, demotions, reduction-in-force, and alleged discriminatory actions. An appeal hearing will be scheduled in accordance with the DeKalb County Code and the Hearing Officer and Merit System Council Procedures, Section 1055 and 1056 of these Administrative Procedures.

### **2-3.6 HEARING OFFICER AND MERIT SYSTEM COUNCIL PROCEDURES**

The Board of Commissioners of DeKalb County has provided, by ordinance, the authority to the CEO to establish a pool of Hearing Officers to review and render decisions concerning employee appeals of terminations, suspensions, demotions, reduction-in-force, or allegations of discrimination (as provided in DeKalb County Code Section 20-194). The CEO has designated the Director of Human Resources to establish and administer this program. The Hearing Officer Review will afford the employee the right to present evidence and to be heard in the manner and under such rules, regulations, and procedures as herein prescribed in the Administrative Procedures to, and provisions of the Personnel Chapter of the DeKalb County Code.

The Human Resources Director will recommend individuals to serve as Hearing Officers (minimum of 10) and submit to the CEO for approval. Hearing Officers may be added to or removed from the pool at any time, with or without cause, at the discretion and upon the direction of the CEO.

Hearing Officers will be compensated at an hourly rate of \$62.50 with a minimum of \$250.00 and maximum of \$500.00 set for each hearing. Hearing Officers will be compensated an additional \$125.00 for preparing a Response to a Petition of Writ of Certiorari in review of decisions rendered in appeal hearings. Within 30 days after the Hearing Officer issues his or her written decision, or if appeal is taken to the Superior Court, within 15 days after responding to the Petition of Writ of Certiorari, the Hearing Officer will submit to the Human Resources Director his or her bill for fees, itemizing the time spent carrying out each of the Hearing Officer responsibilities.

One Hearing Officer will be selected on an availability basis by the Human Resources Director and assigned to conduct an appeal hearing within 45 days after an appeal for hearing is filed unless the Human Resources Director has granted a continuance of the appeal hearing. The Director of Human Resources will coordinate and announce the time and date(s) for the hearing and coordinate and prepare all correspondence relating to scheduling the hearing. Hearings will be scheduled so as to allow for the continuous and maximum evidence to be heard. Hearings will begin at 10:00 a.m. each day and unless completed will conclude no earlier than 5:00 p.m. each day, allowing for reasonable lunch and break periods. If the hearing has not been concluded by 5:00 p.m., the continuation of the hearing will be heard on the next business day. Variances from scheduling the hearing will be made only upon approval of the Human Resources Director.

## GRIEVANCE AND APPEAL PROCEDURES

In that employee appeal hearings are administrative in nature, the Hearing Officer is not bound by strict courtroom procedures as is normal for a judicial hearing. The following procedures will serve as guidelines to which both the employee (appellant) and department head or their attorneys, if represented, will follow when preparing for and presenting their cases before the Hearing Officer and to which the Hearing Officer will adhere when conducting hearings.

- A. The Hearing Officer will hold a hearing within 45 days after Human Resources receives notice of appeal unless the Human Resources Director has granted a continuance of such hearing. The appellant, department head of the appellant, and the Hearing Officer will be notified in writing of the date, time and location of the hearing at least 15 working days in advance of the hearing. Under unusual circumstances the Human Resources Director may waive this 15-day notice period. All parties will be afforded copies of the Personnel Chapter to the DeKalb County Code and these Administrative Procedures upon written request.
- B. The appellant will be allowed reasonable time off from regular duties to file the request for a hearing, obtain documents to be used at the hearing, and attend the hearing.
- C. The appellant will be entitled, upon request, to review his or her personnel files, both the file maintained by the Human Resources Department and the file maintained by his or her department.
- D. With respect to termination hearings, when an attorney represents the appellant, the County Attorney will appoint an attorney from the Law Department to represent the department. With respect to all other disciplinary hearings, when an attorney represents the appellant, the department may request, through the Human Resources Director, that the department be represented by the Law Department. If the request is supported by the Human Resources Director, the Law Department may provide representation if warranted by the nature of the case. If the appellant is represented by an attorney, the appellant will be required to notify the Human Resources Director of the name, address, and telephone number of their attorney within five days from receipt of the notice of his or her hearing date. Failure to provide such timely notification will constitute the appellant's waiver of the 45-day deadline established to hear such appeal.
- E. Authority to grant a continuance of the hearing rests with the Director of Human Resources. Requests for continuance must include a reason and be submitted in writing to the Director of Human Resources.
- F. The appellant or his or her attorney may request in writing at least five working days before the hearing that the Human Resources Director notify those county employees the appellant desires to have testify at the hearing. The Human Resources Director will only be responsible for notifying current county employees that their attendance is requested, but cannot compel the attendance of the requested witnesses. The Director of Human Resources will notify these employees that their presence is requested and that they will be afforded time off with pay during their attendance at the hearing, if the hearing takes place during their normal working hours.
- G. Both appellant and department representative or their attorneys, if represented, will, upon written request from one to the other received not later than 10 working days prior to the hearing, exchange a list of all potential witnesses who may/will testify on their behalf and a list of all documents that may/will be used during the hearing and provide access to review or copy all documents. The witness and document list/copies must be provided not later than five working days preceding the date of the hearing.
- H. The Human Resources Director or designee will announce the purpose of the hearing and answer any procedural questions before turning the hearing over to the Hearing Officer.
- I. Upon objection by appellant or the department, no documentation will be entered into evidence or witnesses allowed to testify at the hearing that have not been provided pursuant to paragraph G above.
- J. The Hearing Officer will have the right to strike any testimony or disallow admittance of any document that he or she determines not to be relevant to the disciplinary action taken.
- K. The Hearing Officer will have the right to question all witnesses and to obtain clarification of any document or testimony presented.
- L. Witnesses for both appellant and department who will/may offer testimony will do so under oath, which will be administered by the Hearing Officer at the beginning of the hearing. Witnesses not sworn at this time will be sworn prior to testifying.
- M. The Hearing Officer will consider any special requests prior to presentation of evidence/testimony (i.e., invoking the rule of sequestration, procedural questions not addressed by Administrative Procedures, etc.)
- N. Both appellant and department representative or their attorneys, if represented, will identify and number all documents they desire to submit as evidence as exhibits ("appellant exhibits" and "department exhibits") and present three copies to the Hearing Officer at the start of the hearing.
- O. Brief opening and closing statements by the parties will be allowed if requested by the parties. The department or its attorney will present its opening statement first. The department may elect to waive its opening portion of closing argument and present its entire closing argument following appellant's closing argument.

- P. The department or its attorney will present evidence supporting the disciplinary action taken. The appellant's attorney will have an opportunity to question witnesses of the department relative to all matters raised in the disciplinary action letter and evidence presented by the department. The appellant or appellant's attorney will then have an opportunity to present evidence in support of the request for reversal. The department or department's attorney will have an opportunity to question witnesses of the appellant relative to the evidence presented by the appellant. The department will have the right to introduce rebuttal evidence in support of its case that the hearing officer deems relevant and pertinent to the issues raised by the appellant. Such rebuttal evidence will include the right to introduce unidentified rebuttal documents or call unidentified rebuttal witnesses.
- Q. After the department and appellant or their attorneys have completed the presentation of their cases, the Hearing Officer will adjourn the hearing.

The Hearing Officer will issue the written decision as soon as possible, but in no event more than 20 days from the conclusion of the hearing and provide the written decision to the Human Resources Director, who will forward a copy of the Hearing Officer's decision to all parties concerned. The Hearing Officer may reverse an action only upon a finding that the action was based upon an error in fact or was motivated by a non job-related factor. The written decision will contain findings of fact and conclusions and clearly set forth the grounds for such decision.

The Hearing Officer will provide the originals and copies of all evidence submitted during the hearing to the Human Resources Director within 20 days of the hearing to be maintained as official records. The Human Resources Director will maintain a record of each hearing which will include such information to document the date, time, and place of each hearing; names of representatives and witnesses who attend the hearing; and the decision of the Hearing Officer.

The Hearing Officer's decision may be reviewed by the Merit System Council upon timely application filed with the Human Resources Director. The review by the Merit System Council may not reverse the decision of the Hearing Officer unless it is determined that such findings of fact or conclusions were clearly erroneous. The Merit System Council will render a written decision within 30 days from the date the application for review is filed in Human Resources to either affirm or reverse the decision of the Hearing Officer. If the Merit System Council does not issue a decision within 30 days from the date of the application for review is filed, the decision of the Hearing Officer will stand as affirmed.

The Superior Court of DeKalb County may review decisions of the Hearing Officer and/or Merit System Council. If the Hearing Officer made the decision from which appeal is taken, the Hearing Officer, after being properly served, will prepare the Response to a Petition for Writ of Certiorari. If the Merit System Council made the decision from which appeal is taken, the Merit System Council, after being properly served, will prepare the Response to the Petition for Writ of Certiorari. The decision from which appeal to Superior Court is taken is a decision of the Hearing Officer when the adversely affected party has requested no review by the Merit System Council. If the adversely affected party requests review by the Merit System Council, then any decision appealed to the Superior Court is a decision of the Merit System Council.

## SPECIAL SERVICES DIVISION

### 3-1 PURPOSE AND RESPONSIBILITY

The Special Services Division will consist of the Employee Services Section, Financial Services Section, Grants, Planning and Research Section, Information Technology Section, Mail/Copy Center/ Supply Section, Capital Projects Unit, and Building Custodial Service.

The policy and procedures outlined herein address those personnel, Financial Services and support functions that are basic to meeting the management, information and operational needs of the Department.

### 3-1.1 COMMAND, ADMINISTRATION AND PERSONNEL ASSIGNMENT

#### A. CHIEF OF SPECIAL SERVICES DIVISION

The Chief of Special Services Division is responsible for the operation of the Division and has the final divisional authority in matters of operation, policy, and discipline. He will exercise such lawful directives as are necessary to assure the effective performance of the Division. He will have the authority to assign or transfer Divisional personnel as necessary and beneficial to the Division.

#### B. SECTION AND UNIT SUPERVISORS

The section and unit supervisors are responsible for assignment, direction and control of personnel under their command to assure the proper performance of duties and adherence to established rules and regulations and the continuation of supervision in their absence. All supervisors are responsible for the research and development of new and innovative methods to improve their operation and further the attainment of Division objectives.

### 3-1.2 FINANCIAL SERVICES SECTION

#### A. RESPONSIBILITIES

The Police Department's Fiscal Management Officer, will report directly to the Chief of the Special Services Division, and will head the Financial Services Section. The Fiscal Management Officer's primary responsibility will be to supervise and coordinate the department's daily Financial Services and budget preparation and control. Other responsibilities will include, but are not limited to:

1. Local accounting system
2. Purchasing
3. Accounts receivable
4. Monetary control
5. Internal audits
6. Funding for emergency purchases
7. Coordinating funding for training and travel
8. Annual coordination with Sections/Divisions in preparing individual budgets and activity analyses as recommended in the "Budget Preparation Manual."
9. Facility Custodial Services.

#### B. FISCAL PROGRAM CONTROL

The Police Department accounting system will be controlled by the Finance Department pursuant to DeKalb County Code. The Department will have access to the on-line Financial Management Information System of the County's Finance Department to monitor the Department's financial position, which includes, but is not limited to:

1. Initial appropriation for each account or program
2. Balances at the commencement of the monthly period
3. Expenditures and encumbrances made during the period, and
4. Unencumbered balances

#### C. BUDGET PREPARATION

Annually, during July, each component commander will prepare a proposed budget for the coming fiscal year. Proposed budgets will be prepared in accordance with the "Budget Preparation Manual". Division/Section budgets will be due no later than July 31st of each year.

Commanders will supply supporting documentation and justification for all budget requests. Each request for additional personnel will be accompanied by documentation supporting the need based on increased demands for service or implementation of new programs.

Each commander of divisions/sections, through the Chief of Police, will, in addition to their budget submissions, annually review the status of all sworn personnel serving in staff or non-line positions. Each position will be evaluated according to

responsibility and duties to insure that a sworn employee is essential to the position. Any position that is judged not to need a sworn employee will be recommended for conversion to a non-sworn position as part of the division's budget recommendations.

**D. REQUISITIONS**

The requisition and purchase of Departmental equipment and supplies shall be controlled by the County Purchasing and Contract Department pursuant to DeKalb County Code. Any powers delegated to the Police Department and the Financial Services Section through the County Finance Department shall be strictly limited to those set out in the *"Fiscal Purchasing Procedures"*, *"The DeKalb County Standard Operating Procedures for Purchase Requisitions"*, *"DeKalb County Purchasing Supply Contract Policies"*, *"DeKalb County Bid Proposal Procedures"*, and any other applicable guidelines or policies from the DeKalb County government or the DeKalb County Police Department.

In general, personnel desiring to purchase goods, material or services with County funds will utilize the following procedures:

1. All requests for funds will be submitted to the Financial Services Section on an Inter-Department Requisition (for Training Requests see 4-16.25). The form must be completed to include a suggested vendor, complete description of the item or service and an approximate price. If the item or service was an approved item on an annual or mid-year County budget, the requisition should be clearly marked to indicate such.
2. Requisitions will be submitted through the chain-of-command to the Division Chief or his designee for an authorizing signature. Divisions, sections and units, which report directly to the Chief of Police, will submit requisitions to the Administrative Services Division Chief or the Police Chief for approval.
3. Intra-Department Requisitions will be processed by the Financial Services Section, on a first-come-first-serve basis, usually within five to seven business days. The yellow copy of the form will be returned, indicating that the order has been processed.
4. Purchases, which exceed \$2500.00 for goods and \$2,500 for repairs or services, but less than \$15,000, must be forwarded to the County Finance/Purchasing Departments for processing. All purchase requests and status must be processed through the Financial Services Section. Upon approval by the Finance Department, the Purchasing Department will solicit bids for the item or service unless it is currently available on a State or Federal contract. The Purchasing Department will handle the ordering of purchases and the forwarding of documents to the selected vendors. Bid submissions from vendors will normally be forwarded to the requestor for approval prior to the purchase.
5. Purchases, which exceed \$15,000.00, must be approved by the Board of Commissioners.
6. Prior to the release of any payment for a purchase, proof of delivery must be forwarded to the Financial Services Section. It will be the responsibility of the requestor to insure that bills, invoices, shipping lists, etc. are forwarded to the Financial Services Section for proper payment.

**E. INVENTORY AND CONTROL**

Each Division/Section will be responsible for the inventory and control of all assigned County equipment, supplies, properties, or any other assets and will update the inventory list annually. The inventory list will be forwarded to the County Finance Department pursuant to DeKalb County Code.

**F. EMERGENCY REQUESTS**

In the event an emergency exists that requires the immediate purchase, requisition or rental of equipment, supplies or services, the same procedures for submitting paperwork will be followed; however, these requests will be given priority and hand-carried when possible to the appropriate County official for approval.

For the transfer of funds or the emergency appropriation of funds, the Financial Services Section will coordinate with the County Finance Department and follow all established procedures.

A memorandum must accompany requests for emergency purchases or funds transfer from the Chief of Police to the Purchasing Director authorizing the purchase or transfer.

**G. AUDITS**

The Financial Services Section or the Department may, at any time, announced or unannounced, be audited by the County Internal Audit Division, pursuant to DeKalb County Code. The County Commission may appoint an external independent committee to audit the Department. The Financial Services Section will be responsible for coordinating and assisting in these audits. The Financial Services Section may be called upon to audit or to assist in the audit of any component within the Department.

The Financial Services Section will also coordinate and assist with an annual inventory of property held by the Property and Evidence Section. In addition, the Financial Services Section will coordinate and assist with unannounced semi-annual inspections of the Property and Evidence Section.

#### H. CASH TRANSACTIONS

The Financial Services Section will not conduct any cash transactions within the Department. Any component within the Police Department that handles daily cash transactions will coordinate these transactions through the Revenue Collection Section of the County Finance Department and will follow and abide by all County policies for collecting, safeguarding and disbursing cash. These components that handle cash transactions will conduct, at a minimum, at least quarterly accounting of their agency cash activities.

#### I. MISCELLANEOUS

The Financial Services Section will be responsible for the coordination of any repairs to be made to general office equipment (copy machine, fax machine, etc.). Computer Related equipment will be coordinated by the department's Information Systems Section.

Personnel, authorized by their Division/Section/Unit to requisition equipment, repairs, or supplies, will complete a Departmental Requisition Form and submit it through channels to the Financial Services Section.

#### J. TRAINING REQUESTS

All training requests from Police Department employees will be coordinated through the Divisions training coordinator and forwarded to the Financial Services Section for final processing. The respective training coordinators will be responsible for the processing of all funded and non-funded requests for training schools, seminars or other similar functions. The training coordinator and designated staff members will be responsible for keeping statistics relative to the approval/disapproval rate of training requests.

#### K. ROUTING OF TRAINING REQUESTS

The following procedure will be adhered to concerning the proper routing of all training requests: Also, see section 4-16.19 (A) for further information.

1. All Police Department employees requesting to attend any training function will first contact the Training Coordinator in writing, by telephone or in person to request the appropriate forms. The requesting employee should have available all information about the school/seminar requested such as what, when, where, why, sponsored by who and funds needed if applicable.
2. Upon receipt of the request, the Training Coordinator will separate funded requests from non-funded requests and assign each request a control number.
3. If the request is for state authorized training, the Training Coordinator will contact the appropriate training facility and inquire of registration availability, lodging and meals, if applicable. If the training request is for non-state authorized training, it will be up to the requesting employee to contact the training facility for registration, lodging and meals.
4. In all cases, it will be up to the requesting employee to make transportation arrangements. If the training request is to be funded by the department, the requesting employee should forward the training request through the chain-of-command for approval. Once the request has been approved through the Chief of Police, the training request will be returned to the requesting division. The division will then submit the training request to the Financial Services Section. All funded training must meet the approval of the County Executive Assistant prior to planned travel.
5. If the training request is non-funded, the requesting employee will forward the training request through the chain-of-command for approval. Once the request has been approved through the Chief of Police, the training request will be returned to the Training Coordinator.
6. Once the Training Coordinator has received the training request with departmental approval, the Coordinator will then determine if the requesting employee will be accepted by, the state authorized training facility. Employees who receive approval from within the department to attend a training function must also acquire approval and acceptance by the organization offering the training.
7. Once final approval has been obtained for the employee to attend a funded or non-funded state authorized training function, the Training Coordinator will then notify the requesting employee and the employee's supervisor of the approval.
8. If an employee is disapproved to attend a training function, the Training Coordinator will notify the requesting employee and the Training Coordinator will retain the disapproved request.
9. Once the funds have been made available and received by the Financial Services Section for funded training, the requesting employee will be responsible for obtaining the funds from the Fiscal Management Section.
10. Upon completion of any training, school, seminar, etc., the employee must furnish a copy of any certificate awarded to the employee's training section within their respective section/division. This must be done within five days of completion of the training.
11. Anytime funds are requested for training, the employee will be required to complete an Expenditure Report that accounts for all funds spent. The employee must return this completed form within five days of completion of

the training. If any funds are to be returned to the county, the funds must accompany the Expenditure Report. Also, if any funds are due the employee, this should be reflected on the Expenditure Report.

12. The Training Coordinator will work with each section/division training section to ensure that the employee's training record is current.
13. All employees are reminded that training requests, which require funds from the county, must be submitted and received by the Financial Services Section at least 45 days prior to the beginning of the training. Exceptions to this 45-day requirement must meet approval by the Chief of Police.

### **3-1.3 SUPPLY/MAIL/COPY SERVICES UNIT**

#### **A. RESPONSIBILITY**

The Supply Supervisor will be responsible for the Supply/Mail/Copy Services Unit. The Supply Supervisor will report directly to the Support Services Section commander. The Supply Unit's primary responsibility is that of obtaining, storing and issuing accessories, supplies and clothing to Department employees. Other responsibilities of the Supply Unit will include, but not be limited to:

1. Coordinating the issuing of clothing, supplies and accessories to all eligible personnel and maintaining documentation on items issued.
2. Coordinating the procurement, storage and issuance of printed forms used by the Department.
3. The procurement of supplies for the Department when needed on an emergency basis.
4. The receipt and inventory of all County clothing, supplies and uniform related equipment whenever employees sever their employment with the Department, and shall determine the usefulness of these items, as to whether they will be reissued or not. Special use equipment such as radios, ballistic vests, weapons, and vehicles will be inventoried and issued by the responsible units.
5. Serve as a liaison between the Department and the County centralized Purchasing Unit and exercise responsibility for picking up supplies from this unit.
6. Assisting in the evaluation of Department equipment and supplies relevant to quality, specification, etc.
7. Providing large quantity production copying for the department.
8. Responsible for the receipt and mailbox delivery of departmental mail.

#### **B. EMPLOYEE RESPONSIBILITY FOR ISSUED EQUIPMENT, CLOTHING AND SUPPLIES**

The Supply Unit is responsible for issuing clothing, supplies and equipment to eligible employees of the Department. Any employee who is issued clothing, supplies or equipment will be directly responsible for those items. Employees should insure that they sign for only those items assigned to them and that they receive a receipt for each item returned to the Supply Unit.

All serviceable clothing that is returned to the Supply Section for exchange must be commercially cleaned before being returned. This does not apply to torn or unserviceable clothing but only to those exchanges made because of size difference or an employee's severance from the Department. Serviceable clothing that is not cleaned will not be accepted for exchange purposes. All replacements of clothing or equipment will be done on a one-for-one basis.

The Supply Unit will provide each entitled employee a full set of Departmental clothing, supplies and equipment and will replace any items damaged, destroyed, or worn out during the scope of the individual's employment with the Department. This replacement will be free of charge to the employee.

Special Services Division, Training Division, will issue the Ballistic Vest.

#### **C. DAMAGED, DESTROYED OR LOST EQUIPMENT, CLOTHING OR SUPPLIES**

Employees will not leave county-issued firearms and equipment in a location or under any circumstances that might allow casual loss, theft or unauthorized use by third parties. Issued firearms and equipment shall not be normally stored in a vehicle. If exigent circumstances exist which require the temporary storage of equipment in a vehicle, due care must be exercised to minimize the risk of theft. Items should not be left in the passenger compartment of any vehicle unless secured in a locked, permanently attached storage device.

In the event that any employee damages, destroys, or loses clothing or equipment other than while within the scope of their employment, it will be the employee's responsibility to reimburse the Department for the replacement cost of the lost or destroyed item (exceptions to this policy may be made in situations such as victims of crime, acts of God, thefts, fires or any other uncontrollable circumstance).

Any time Departmental clothing, supplies or equipment is damaged, destroyed or lost; the employee will be responsible for immediately notifying their supervisor and will complete a Lost/Damaged Property Report. The purpose of this report is to have a uniform policy throughout the Department whereby information concerning the loss or damage of County property is documented, reviewed and centrally located and processed. Each section/division/unit may require additional documentation from the employee concerning the loss or damage of County property (i.e., official police Incident Report, memorandum from employee to supervisor, written statements, etc.). If further documentation is required, it will be

added to the Department's Lost/Damaged Property Report. Whenever Departmental clothing, supplies or equipment is damaged, destroyed or lost through some type of criminal activity, a police Incident Report will be filed with the appropriate police agency and a copy of the police report will be attached to the Lost/Damaged Property Report. Whenever County property is lost or damaged, the completed Lost/Damaged Property Report will be forwarded through the employee's chain-of-command to the section/division/unit head then forwarded to the Supply Unit. Once a decision has been made at the section/division/unit level and a disagreement results concerning whether the employee is responsible for the loss/damage or not, (financially and/or administratively), final determination of responsibility will rest with the Chief of Police or his designee.

**D. ISSUANCE OF EQUIPMENT, CLOTHING, SUPPLIES FROM OTHER DEPARTMENTAL COMPONENTS**

Situations may exist where it is more appropriate to issue County clothing, supplies or equipment to employees through the section/division/unit and bypass the direct issuance from the Supply Unit. In such situations, an individual representing the section/division/unit will be responsible for receipt and distribution the items. This individual will fully account for all items received through the Supply Unit and shall report this accounting to the Supply Coordinator.

**E. SPECIALIZED EQUIPMENT**

For certain specialized or heavy equipment (vehicles, ladders, medical supplies, etc.), the section/division/unit, in coordination with the Financial Services Section, with approval of the Chief of Police, may deal directly with the vendor, thus bypassing the Supply Unit.

**F. REQUISITIONS**

Any requisition or purchase through the Supply Unit, of Departmental equipment, supplies, furniture or clothing, will follow applicable County and Departmental policies and will be coordinated with the Department Financial Services Section.

**G. EMPLOYEE SEVERANCES**

When a department employee severs their employment, it is their responsibility to return all County issued clothing, supplies and equipment. The employee's supervisors will ensure that the employee has returned all county issued supplies and clothing in a timely manner. In cases where Internal Affairs is conducting an active investigation and a resignation/termination occurs, Internal Affairs will coordinate with the employee's supervisors to determine responsibility for the return of all County equipment, supplies, clothing, etc. The employee will also be responsible for obtaining and completing a Payroll Release Form. The Payroll Release Form is used to ensure that the employee has properly cleared all appropriate Departmental sections and to insure that all County issued clothing; supplies and equipment have been returned. The employee must obtain the signature of someone in authority from each listed section and upon completion; the employee will deliver the form to the Personnel Services Section. Any monies due an employee (i.e., final paycheck, severance pay, accrued leave time, etc.), will be held by the Department until the Payroll Release Form has been completed and approved.

All radio equipment will be turned into the Communications Division.

All weapons will be turned into the Range and checked for serviceability.

**H. OFFICER RETIREMENT**

Retiring Officers retiring will be allowed to keep certain items of equipment as long as they begin receiving their pension immediately upon retirement;

- All Badges (number badge, CID and rank)
- 2 - Full uniforms
- 1 - Long sleeve shirt\*
- 1 - short sleeve shirt\*

\*or two of the same style shirt

- 1 - set of Rank insignia
- 1 - Garrison belt
- 1 - Tie
- 1 - Dress hat with hat badge

Notes: a) Lieutenants and above may keep 1 long sleeve white shirt in addition to the items listed above

b) Command Staff may keep 1 command uniform; including dress jacket and pants if issued.

**I. BUILDING MAINTENANCE**

**1. Responsibility**

Custodial personnel assigned to the Department will be responsible to the Fiscal Management Officer. Their primary responsibility will be to plan, organize, and participate in the performance of custodial and maintenance duties within Police Department facilities. Other responsibilities will include but not be limited to:

- a. Sweeping, waxing, mopping, scrubbing, vacuuming, cleaning windows, walls, floors, furniture, and other equipment at the headquarters building.
  - b. Ordering and maintaining inventory records of various custodial equipment and supplies.
  - c. Performing general maintenance on Departmental equipment.
  - d. Loading, unloading and moving supplies, equipment and furniture.
  - e. Preparing and maintaining necessary records and reports.
2. Major Maintenance
- Any maintenance required within the Police Department Building or any of its facilities, that is beyond the capacity of the custodial personnel, will be handled by the County's Facilities Maintenance Department (FM). FM will assign one of its employees to the Department and this employee will have the responsibility for any minor maintenance required within the Building that is above the capacity of the custodial personnel. The individual assigned by FM may be contacted during normal business hours. Examples of minor maintenance will include changing lights, minor electrical and plumbing repairs, heat and air conditioning repairs, etc. On any major maintenance problem that is above the capacity of custodial personnel and the individual assigned to Police department from FM, the employee requesting such maintenance will reduce the request to writing and forward it to the Director or his designee. The request will then be forwarded to the Director of FM. No employee will request work through FM without approval from the Director or his designee.
3. Emergency Maintenance
- Any time an emergency occurs within a Police facility requiring immediate attention, FM will be notified. Each component commander will have a list of FM personnel on-call for emergency maintenance.
4. Outside Janitorial and Custodial Services
- The Department may contract with outside vendors for janitorial and custodial services in the Police Department Building or any of its facilities. Whenever a problem arises with an outside vendor, the commanding officer at the facility will notify, in writing, the Administrative Services Division Manager of the problem and recommend possible solutions to the problem.

### **3-1.4 PLANNING AND RESEARCH UNIT**

The Planning and Research Unit is responsible for planning and research projects upon requests from the Special Services Division Commander, any Division Chief or the Chief of Police. The unit shall also be available and assist all components of the Department with any special projects that may require research, planning and development of information necessary for implementation. By virtue of their assignment to Special Services under the office of the Chief of Police, they shall have access to all necessary information resources. Specific functions of assistance from this unit will include, but are not limited to, the following:

- A. Development and establishment of section/division multi-year plans that include goals and operational objectives, anticipated workload and population trends, anticipated personnel levels and anticipated capital improvements and equipment needs.
- B. Periodic analysis of field operation activities to facilitate accurate and timely decision making in the allocation or deployment of Departmental resources.
- C. Operations planning
- D. Budgeting
- E. Grant Application Coordination and Reporting
- F. Federal funding projects
- G. Instructional manual development
- H. On an annual basis, evaluates initial problem or condition that would require the implementation of a specialized assignment and conducts a cost-benefit analysis of continuing such an assignment.

### **3-1.5 PERSONNEL SERVICES SECTION**

#### **A. RESPONSIBILITIES**

The Personnel Services Section will be headed by an Employees Services Supervisor, who will report directly to the Administrative Services Division Manager. The primary responsibility of the Personnel Services Section will be that of maintaining the department's standards under FLSA, payroll, and maintaining all employee records. Other responsibilities include, but are not limited to:

1. Receives, verifies, reviews, and make corrections to all personnel Labor Allocation Reports. Enters sorts, verifies, and distributes paychecks.
2. Monitors various leave reports, i.e., annual, sick, holiday, military, liberty, etc. Advises appropriate personnel of leave accrual changes, (ex. normal work hours, change in shift assignment)

3. Processes paperwork regarding new employees, merit increases, longevity, promotions, demotions, transfers, changes in work hours, evaluations, and disciplinary actions including terminations, requisitions and reclassifications.
4. Receives, processes, reports, and monitors on-the-job injury claims and coordinates all benefits with Risk Management concerning Worker's Compensation. Receives, reviews, reports, and coordinates with Risk Management, doctor referral slips. Obtains authorization for second medical opinions, or follow up care.
5. Delivers and receives payrolls, personnel forms, paychecks, and various types of correspondence to appropriate County departments. Prepares and processes all personnel actions, requisitions, and separation notices for the Department. Prepares various types of correspondence and completes appropriate personnel/payroll forms.
6. Maintains various logs, reports and records, then filing all appropriate documents within an employee's personnel or medical files. Maintains copies of records on various training programs completed in employee files.
7. Maintains a current listing of vacancies within each section/division/unit, by total vacancies, current employees and by position or job classification. These totals are continually updated and verified with the Merit System to insure that personnel are legally employed by the County in accordance with budget authorizations.
8. Maintains name and address changes on all employees. Notifies employees of annual updates for Emergency Contact Information and maintains information in the employee's medical file.
9. Coordinates Temporary Light Duty assignments for the Department.
10. Coordinates Fitness for Duty exams.
11. Creates and reviews payroll or personnel related departmental forms.
12. Informs all personnel of policy and procedural changes regarding employee benefits. Conducts in-service training of payroll and personnel related matters for employees and all levels of management in this department.
13. Assists employees with questions concerning payroll, benefits, leave time, insurance, pension/retirement, and any other personnel related matters.
14. Conducts various inquiries, research, or audits of payroll and personnel related matters.
15. Maintains for employees and supervisors copies of appropriate Federal, State, County and Departmental forms and posters.
16. Receives, responds to and coordinates unemployment claims and hearings for employees.
17. Prepares, notifies the Division/Section/Units of upcoming employee evaluations. Upon return, processes evaluations to the Merit System.
18. Receives and processes employee requests for Family Medical Leave Act. Monitors duration of leave taken by employees.
19. Coordinates and approves all leave or payroll adjustments, overpayments and underpayments.
20. Provides copies of all personnel/payroll-related records requests for various court agreements or settlements.
21. Coordinates Veterans Administration, POAB, as well as other private organizations offered to employees.
22. Ensures all existing employees provide all required paperwork prior to issuing their final checks. (ex. - payroll release forms, etc.)

**B. HOURS OF OPERATION**

The Personnel Services Section operates Monday through Friday, 8:30 a.m. until 5:00 p.m. The Section will be open during other periods as deemed necessary by the Chief of Police.

**C. EMPLOYEES CONDUCTING PERSONNEL BUSINESS**

Each division/section/unit shall designate a representative to deal directly with Personnel and to obtain general information requested by any employee within the representative's division/section/unit.

Employees who need to obtain forms maintained by the Personnel Services Section may be able to obtain these forms by personally requesting such from their division/unit/section representative, or the Personnel Services Section or by submitting a written request.

An employee who experiences an employment or payroll related problem, (i.e., tax changes, payroll problems, benefits, etc.), that needs to be addressed by the Personnel Services Section, will first complete any appropriate Departmental form that addresses the specific problem and forward the form to the Personnel Services Section. If there are no appropriate forms to address a specific question or problem, the employee may reduce the problem to writing in memorandum form and submit it to the section//division/unit representative or the Personnel Services staff. For the convenience of the employee, a mail slot is available in the front of the Personnel Services Unit.

**D. EMPLOYEE PERSONNEL FILES**

The Personnel Services Section will maintain two current up- to-date files on every employee within the Department. Files will be known as an Employee's Personnel File and will contain current information on the employee, i.e., personnel actions, commendations, corrective actions, diplomas, awards, evaluations, qualifications, certificates, waivers, affidavits,

and acknowledgment of receipts. The other file will be known as the medical file, which will contain medical and physical information, initial on-the-job injury reports or other basic medical information (any medical, physical, or psychological information on an employee that relates to or has anything to do with fitness for duty shall be treated confidential and shall be maintained in a separate file within Internal Affairs), injury and accident reports along with all Supervisor's Reports, Incident Reports, documentation, memorandums, physician's statements and findings and recommendations, and any other miscellaneous information not mentioned above concerning or relating to the individual. An employee's personnel or medical file will be considered confidential, however, it may be reviewed by the following individuals: the employee, the employee's supervisors, Internal Affairs or designated persons authorized by the Chief of Police. The reason for review of an employee's personnel file shall be based on a business or employment reason. Any time an employee's personnel file is to be reviewed, an appointment must be set up first with the Personnel staff. Anyone permitted to review an individual's personnel file may obtain copies of any information contained in the file. In the event, employee requests copies of documentation that they have previously received; a copying fee may be imposed. Employees reviewing their personnel file may not remove the file from the Personnel Services Section. Certain information, such as medical and physical reports may be considered confidential and only authorized individuals within the Department, designated by the Chief of Police, will be allowed to review this information. The Personnel Services staff will insure that this information is kept from unauthorized individuals.

**E. ORIENTATION FOR NEW EMPLOYEES**

Whenever the Department hires new employees, it is the responsibility of the Personnel Services Section to meet with these employees and insure that all required forms are completed. The Personnel Services staff will advise new employees of Departmental policies and procedures and answer all questions regarding their employment.

**F. DEPARTMENTAL FORMS**

There are many Federal, State, County and Departmental forms that are required to be completed by all employees. Most of these forms originate out of the Personnel Services Section and are completed during employee orientation.

During an individual's employment with the Department, events may arise that require certain forms to be amended, revised or updated, (i.e., W-2 forms, beneficiary forms, emergency forms, insurance changes, etc.). Whenever an employee determines the need to amend, revise or update any form issued through the Personnel Services Section, the employee may contact the Personnel Services staff to obtain a form to make the appropriate changes.

It is imperative that the Personnel Services Section maintains updated name changes, addresses and telephone numbers. Whenever an employee changes their name, address or telephone number they will immediately complete the appropriate form and submit it through the chain-of-command.

There is a payroll problem form for employees to complete whenever they experience a problem with their paycheck. These forms should be completed in order to better serve the employee. A full written explanation from the Personnel Services Section will be returned to the employee whenever a problem or potential problem concerning their paycheck develops.

**G. EMPLOYEE BENEFITS/PERSONNEL PROCEDURES**

See Section 3-2 of this manual

**3-1.6 INFORMATION TECHNOLOGY UNIT**

This component is responsible for providing support and guidance to all members of the department on matters involving utilization of County-maintained, computer-based information systems, office automation systems, personal computers and facsimile machines, often acting as appointed liaison between the department and other County departments involved in related areas.

Section functions include, but are not limited to, system procurement, system design and specification, preparation of bid proposals, negotiation of service maintenance contracts, performance analysis of individual areas in order to coordinate information processing, provision of technical/mechanical support, repair, and maintenance of all new and existing computer equipment, supply personnel training and assistance, installation and assembly of system/equipment, supervision, audit and assessment of ongoing computer-related projects, act as information center on both software and hardware features, compatibility, and availability, management of both Local and Wide Area Networks installed throughout department's divisions.

## **PERSONNEL PROCEDURES**

### **3-2.1 PURPOSE AND SCOPE**

Personnel policy for employees of the DeKalb County Police Department is promulgated through State and Federal legislation and ordinances passed by the DeKalb County Board of Commissioners. These laws and ordinances apply equally to all employees of the DeKalb County government.

Within the Police Department, personnel policy and employee benefits are administered or controlled by the Personnel Services Section. Employees of this department may make direct inquiries to the Personnel Services Section at any time. The phone number is 770-724-7500.

The purpose of this section is to provide assistance to the employee and a brief overview of available benefits and pertinent guidelines regarding the administration of personnel policy within the Department. (Management of the Personnel Services Section itself is discussed elsewhere in this Chapter.)

### **3-2.2 CLASSIFICATION**

DeKalb County utilizes a position classification and compensation plan to permit recruitment and retention of the services of qualified employees. It provides equitable treatment internally, and allows pay schedules that are competitive with other government organizations and the private sector. The administration of the plan includes responsibility for reviewing existing or new positions for purposes of classification, reclassification, and pay adjustments; however, major changes are subject to the approval of the County Board of Commissioners.

### **3-2.3 ADMINISTRATION**

The authority to administer the DeKalb County Human Resources Department and to establish required procedures is vested in the Human Resources Director by the Code of DeKalb County. Primary responsibility for continuous administration of the classification and pay plans lies with the Human Resources Director and his staff. It should be recognized that County officials, department heads and supervisors also have responsibility in maintaining the plan. The Human Resources Department will normally conduct a comprehensive review of the classification plan annually. Between comprehensive reviews, the Human Resources conduct desk audits of various positions to assure that the plan is current and corresponds with existing conditions.

### **3-2.4 CLASSIFICATION PLAN**

The County's classification plan is divided into two parts: Classified and Unclassified Service. The unclassified service includes elected and appointed officials, and employees of their offices. Positions in the unclassified service are not governed by the County's Personnel Code and are considered exempt from such regulations.

The classified service includes all positions under the Merit System. Each position is assigned to a particular class, and has its own class number, job description, physical requirements and an individual position number.

The class specification states in writing the major characteristics of an occupational class so that similar duties and responsibilities assigned to positions in various departments can be recognized and like requirements and compensation grades applied.

A. The principle ways the plan provides information are listed below:

1. It differentiates the boundaries of the various classes by distinguishing each class from every other in terms of kind and complexity of work performed, difficult and responsibility of work, and minimum qualifications.
2. It is the primary guide in allocating positions to classes.
3. Serves as a dictionary of class titles by defining and standardizing class titles.
4. Is a convenient, current, written record, which identifies the basic characteristics of any class.
5. Provides the basic job content information from which to derive a quantitative job content evaluation for each class.

B. The principle components of a class specification include:

1. Class Title - describes the type of work performed and indicates its relative level or rank.

2. Purposes of Classification - indicates the basic purpose of the work performed and gives some indication of the difficulty and responsibility of the class and those characteristics of the work, which distinguishes it from other classes.
3. Essential Functions - lists typical tasks which are common to most positions in the class described. An attempt is made here to give a good indication of the range of different duties. Any single position in a class will rarely include all examples of tasks.

The list is descriptive but is not intended to be restrictive or limiting.

4. Minimum Qualifications - lists statements which make general qualitative and quantitative distinctions between levels of knowledge, skill and ability components, training and experience.
5. Minimum requirements to perform essential job functions.

### **3-2.5 ORIENTATION**

Personnel employed by this department are to begin their employment at the beginning of a pay period. Emergency filling of vacancies requires the written approval of the Chief of Police. All newly hired or re-employed employees are required to attend an orientation session prior to reporting for duty, or being issued any county equipment. The new employee will only be scheduled for orientation after they have completed all requirements of the Human Resources Department, Health Department, and Background Unit of this department.

When management of the employing unit, division or section has ensured the new employee has completed all of the requirements of the above mentioned areas, they are to contact the Personnel Services Section and schedule time for the orientation sessions to be conducted.

Orientation sessions will be conducted on Monday after the beginning of the pay period. New employees will receive their Employee Manual, with information regarding the agency's role, purpose, goals, policies and procedures, working conditions and regulations, and responsibilities and rights of employees.

### **3-2.6 COMPENSATION PLAN**

DeKalb County utilizes a pay plan to provide a pay system that will allow the County to recruit and keep qualified, competent employees.

The County's compensation plan provides a salary schedule that establishes pay grades and the steps (increases) within each grade. Each job class is assigned to a pay grade consistent with the duties and responsibilities of the class.

The salary schedule has 32 grades. (refer to DeKalb County Classification and Salary Schedule). Every classification has a minimum pay rate and a maximum pay rate of a particular grade. The maximum step for each grade is 46.

A new employee normally begins at the lowest step of the grade. Increases in salary are granted on an annual merit basis, with exception of the working test period in which an employee, upon completion receives a one step increase. The increases are not to be considered automatic, they are granted on a merit basis and at the written recommendation of the supervisor(s) and with the approval of the department Chief.

### **3-2.7 SALARY ADJUSTMENTS**

Annual studies are conducted by the Human Resources to assure adequate and fair salaries. These studies can result in an all-position salary adjustment for a given classification.

### **3-2.8 WORKING AND OVERTIME COMPENSATION POLICY**

DeKalb County is subject to the provisions of the Federal Fair Labor Standards Act (F.L.S.A.). These regulations govern rates of pay, overtime compensation and hours of work.

#### **A. PAYROLL DISTRIBUTION**

All Police Department employees are paid on a biweekly basis. Paydays are on Friday. All payroll checks will be distributed by the Personnel Services Section. During regular biweekly payroll or overtime cycles, checks will be forwarded to the Supervisor(s) located within the employees' actual work location.

1. Employees terminating their employment are to report to the Personnel Services Section to obtain their final paperwork, payroll or leave checks.

- a. Final payroll or leave checks will only be released to the terminating employee. Terminating employees may make a written request to the Personnel Services Section to have those final checks mailed (via certified mail) to their residence.
2. If an employee has lost or damaged their payroll check, they are to notify the Personnel Services Section by completing a payroll problem form and forwarding it directly to the Personnel Services Section.
  - a. If an employee has any part(s) of a damaged check, it should be attached with the payroll problems form and enclosed in an envelope.
  - b. In both instances, (lost or damaged), the Personnel Services Section will have to request a stop payment be placed on that check issued to the employee.
  - c. Reissuing replacement checks may be delayed for three (3) to five (5) working days after proper notification.
3. All payroll inquiries or problems are to be forwarded to and researched by the Personnel Services Section. This is to insure that proper payroll is issued.
4. It is the responsibility of the employee to notify the Personnel Services Section immediately of any overpayment or underpayment of monies. Notification will be made by the employee by completing a payroll problem form and attaching a copy of the payroll check in question. It will then be forwarded to the Personnel Services Section for proper research and/or action.
5. If it is determined by the Personnel Services Section that an employee is due any additional money as a result of time worked or overtime above the biweekly pay of ten (10) hours or more, then an additional check will be processed as soon as possible. If the time due the employee is less than ten (10) hours (straight time or overtime), the time and monies will be added to and paid on the next regular biweekly payroll.
6. Rotation of shift, work hours or off days:  
 Employees who are eligible to receive overtime pay are required to work a minimum of forty (40) hours each week within a 7-day period or as indicated on the Labor Allocation Report. (LAR) Employees who do not meet this minimum 40-hour requirement will not be eligible to receive pay for hours not worked for payroll purposes. All supervisors are hereby instructed to schedule their employees regardless of shift changes, changes in work hours, or changes in off days for a minimum of 40 hours each week. Any employee in these instances who works less than 40 hours in a week will have the following options:
  - a) Make a written request for the use of their personal leave time.
  - b) Make a written request for Approved Leave without Pay. (ALWOP-Code 11)

In these options, the employee will be required to use for said hours the respective pay codes, which would be needed to meet the 40 hour workweek requirement. Supervisors may grant Approved Leave Without Pay up to 10 hours in those instances, which would be affected by the employee rotation schedules. Any other "Leave without Pay" requests must be in accordance with the policies and procedures of the Police Department.

In connection with this procedure, all written requests made by the employees in the future should accompany the Labor Allocation Sheet to the Personnel Services Section on Monday of each week for proper handling of payroll.

**B. LABOR ALLOCATION REPORT (LAR)**

All employees' time, whether working, vacation, sick, etc., will be reported to the Personnel Services Section on a weekly Labor Allocation Report.

Labor Allocation Reports will be governed by the following provisions:

1. The LAR form or the electronic LAR is an official Department document and its use by any employee will be subject to the provisions of Sections 2-2.17 and 2-2.48 of this manual. Any corrections or additions made to an LAR will be initialed by the approving authority for manual forms. Errors will be struck-through with one line only; no erasures or whiteouts will be accepted. The electronic form will be submitted by a supervisor or his designee. Changes in this format will be handled by revised submission and notification to the Personnel Representative handling the entry process for the unit.
2. The employee, employee's supervisor, may complete entry of times on the LARs or other person designated by the component commander. The employee will verify that the correct times were entered and sign a copy of the LAR prior to its submission to the Personnel Services Section. LARs is not to be signed by the employee until after such time their time is complete, recorded and correct.
3. All LARs will be completed and turned into the Personnel Services Section prior to 1000 hours each Monday.
4. All entries listed on a LAR will be coded with one of the pay codes listed on subsequent pages in this section.
5. Employees may not be allowed to work or take leave time that has not been properly recorded on the LAR except during regular scheduled off days.

6. After the LAR has been completed and signed by the employee, any and all corrections or changes made to the LAR should be with the employee's knowledge or notification.
7. When an employee transfers, retires, resigns, or is terminated from employment, the actual date of such event is to be reflected on the LAR.

**C. OVERTIME**

Employees who perform work which exceeds the maximum number of hours prescribed for standard work periods established in their respective division will be entitled to receive either overtime pay at 1.5 times their regular salary rates, or compensatory time at 1.5 standard hours for each hour worked, whichever is applicable under the Fair Labor Standards Act. (Currently, the department's policy is to pay overtime compensation rather than grant compensatory time off.) The employee's immediate supervisor must approve all requests for overtime compensation. Cash payments or compensatory time are not granted to job classes designated executive or administrative professional by the Administrative Procedures guidelines.

1. Employees' overtime is authorized for ordered work hours performed by an employee which is in excess of:

**Overtime-Eligible Employees Only  
40 hours per week/7 day Cycle**

2. Calculation of overtime will be based on the employee's regular rate of pay. This rate will include the base rate for the employee's classification plus all differential or incentive rates to which the employee would be entitled for the overtime work performed.
3. Overtime Compensation Examples
  - a. The following examples would be considered as working time for overtime compensation purposes:
    - 1) An employee instructed by their supervisor to remain on the job after their normal shift to complete an assignment, project or report.
    - 2) Time spent in court as a result of actions taken by an employee in the course of their regular duties or job classification.

**DEKALB COUNTY DEPARTMENT OF POLICE DEPARTMENT PAY CODES**

TYPE	DESCRIPTION
001	Regular
002	Overtime
003	Sick Leave
004	Annual Leave
005	Holiday Time
006	Comp Time Accrual
007	Workers Comp No Pay
008	Adjustment
009	Expense Checks
010	Workers Comp Pay
011	Approved Leave Without Pay
012	Unapproved Leave Without Pay
013	Family Medical Leave Act
014	Suspension No Pay
015	Training & Conference Pay
016	Other Administrative Pay
017	Comp Time Taken
018	On The Job Injury
019	Jury/Witness Pay

020	Military Leave
021	Off Duty Court Time
023	Sick Comp Payout
024	Light Duty Return To Work
025	Blood Time Accrued
026	Blood Time Used
027	Saylors Leave Accrual
028	Liberty Sod Day
030	Annual Leave Pay/off
031	Sick Leave Payoff
032	Incentive Pay Rate \$.32 MR
033	Travel Allowance
034	Sick Leave Donation
035	Sick Leave Donation Used
036	Incentive Pay Rate \$.20/Supvr
037	Clothing Allowance
038	Holiday Bank No/Pay
039	Holiday Bank With Pay
040	Saylors Leave Pay
041	Auto Allowance/FICA
042	Car Allowance Reimbursement
044	Annual Leave Donation
045	Annual Leave Donation Used
059	Saylors Leave Payoff
990	Leveling Pay Adjust.
991	28 day Leveling Adjustment

- 3) Any time, including travel time, an off-duty employee is called away from home to respond to an emergency situation. (i.e., detectives called to investigate a crime, traffic specialists called to investigate a traffic accident, arson investigators called to investigate a fire, or employees called in as a result of an emergency call-up such as a natural disaster or civil disturbance.)
- 4) Time spent "on-call" if directed by a supervisor or authorized court official, but only when the employee must remain at home and immediately available for duty. This does not include time when an employee has relative freedom of movement by leaving a phone number where they can be reached or uses a beeper.
- 5) Time spent when an off-duty employee is required to act in their official capacity to handle an emergency, but only until on-duty personnel can arrive on the scene and take charge or is given further instructions by a supervisor.
- 6) Time spent by off-duty employees in required training, medical evaluations or investigations, such as the basic academy, in-service training, physical fitness examinations, Internal Affairs investigations, etc.
- b. The following examples would not be considered as working time for overtime compensation purposes:
  - 1) Travel time to regularly scheduled work or court that is in the immediate area of the employee's normal work place (generally DeKalb County).

- 2) Time spent in training programs, which are not required or mandated as a condition of employment, but rather are attended solely for the possible career advancement of the employee.
- 3) Any time spent acting in an official capacity while being paid by an employer other than DeKalb County; or any subsequent time spent as a result of that employment. (i.e., a police officer working an approved extra job would not be compensated by the County for any time spent on that extra job, nor would they be compensated for court time that was the result of an arrest made while working the extra job)

### 3-2.9 THE LONGEVITY PLAN

The plan rewards tenured employees for continued service to the County. Permanent, full-time County employees will receive the additional amount indicated after the completion of the required number of service years as listed below. Permanent, part-time employees receive one-half (1/2) the amount.

Years of Service	Percentage of Salary
08	2.00
09	2.25
10	2.75
11	3.00
12	3.25
13	3.50
14	3.75
15	4.25
16	4.50
17	4.75
18	5.00
19	5.25
20	5.75

### 3-2.10 HAZARDOUS DUTY PAY

Certain classifications listed in the compensation plan are eligible for Hazardous Duty Pay of \$162.00 per month as follows:

- A. Qualified Pilot who has the appropriate FAA license and has been designated to serve in an active pilot capacity on County owned or leased aircraft; or
- B. Bomb Technician who has the appropriate certification from the Redstone Arsenal Missile and Munitions School and has been designated to serve in an active bomb disposal capacity for the DeKalb County Police Department.

### 3-2.11 HOLIDAY PAY

All full-time employees will be paid for a normal workday for each legal holiday established by the Board of Commissioners. Part-time employees will be paid the pro-rata part of a normal workday based on hours per day normally worked. Temporary employees, whether part-time or full-time are not eligible for holiday pay. Departments requiring work on holidays will pay employees at the regular day's rate of pay, comparable time off may be granted at a later date not to exceed twelve months following the actual holiday. Holidays will not be taken prior to the county approved or observed day of the holiday. No holiday leave accrues during leave without pay, disability leave, suspensions, or absence while on Workers' Compensation. Employees terminating their employment in good standing may receive pay for any accrued holiday up to a maximum of ten (10) days.

Holidays, which are not taken within 12 months of accrual, will be lost with no compensation to the employee.

Employees required to work on holidays will not be granted monetary compensation other than the day's normal rate of pay.

It is the responsibility of the employee to track their accrued leave time and to ensure they have sufficient leave available for their use prior to requesting leave.

The following are paid holidays:

**Holiday**

Christmas Day	(December 25)
New Year's Day	(January 1)
M.L. King's Birthday	(Third Monday in January)
Washington's Birthday	(Third Monday in February)
Memorial Day	(Last Monday in May)
Independence Day	(July 4)
Labor Day	(First Monday in September)
Veteran's Day	(November 11)
Thanksgiving Day	(Fourth Thursday in November)
Day following Thanksgiving	(Friday immediately following Thanksgiving)

If a holiday occurs during the week, it is observed on the actual day of the holiday. If the holiday falls on a Saturday, it is observed the Friday prior to the holiday. If the holiday falls on a Sunday, it is observed on the Monday after the holiday. It is the employee's full responsibility to keep track of their available leave balances and to insure they do not request to use leave time that is not available for their use.

**3-2.12 LEAVE POLICIES**

**A) ANNUAL LEAVE**

Annual (vacation) leave with pay accrues for all participating County employees as shown below, except that:

1. Temporary and emergency employees do not accrue annual leave;
2. Part-time employees accrue annual leave at one-half (1/2) the rate shown;
3. No annual leave accrues when, due to an unexcused absence, an employee works less than 75 percent (75%) of the scheduled hours in a pay period;
4. No annual leave accrues during leave without pay, disability leave, suspensions, or absence while on Workers' Compensation.
5. Forty-hour employees accrue annual leave according to the following chart:

<u>Length of Service</u>	<u>Accumulation</u>	<u>Hourly Rate</u>
<u>Full-time employees</u>	<u>Per Year</u>	<u>Per Month</u>
0 yrs.- 5 yrs.	15 days	10 hours
6 yrs.- 10 yrs.	18 days	12 hours
11 yrs.- 15 yrs.	21 days	14 hours
16 yrs.- 20 yrs.	24 days	16 hours
21 yrs.- 25 yrs.	27 days	18 hours
Over 25 yrs.	30 days	20 hours

6. Employees who work 160 hour schedules accrue and use leave on rates based on those schedules.
7. An employee may not use any part of accumulated annual leave until six months after they are employed. Accrued, but unused, annual leave in any year will be accumulated for succeeding years up to a maximum of sixty (60) workdays. On an annual basis, the employee will be credited with one (1) day of annual leave for each fifty (50) days of unused accrued sick leave on December 31 of each year.
8. An employee who has completed at least six (6) months of employment, upon separation from employment with the County, may receive pay for accumulated annual leave up to a maximum sixty (60) days at the employee's regular rate of pay.
9. Employees with permanent status who terminate in good standing (other than retirement) may be granted and paid for one (1) day annual leave for each fifteen (15) days of unused sick leave. The total combined sick and annual leave for which pay will be received will not exceed sixty (60) days.
10. Annual leave shall be scheduled in advance and requires approval. Vacation schedules shall be arranged to provide the least possible disruption of department work programs.
11. Annual leave can be used for emergency situations when approved by a department head. Annual leave, to the extent that the purpose for such leave qualifies for leave under the Family and Medical Leave Act of 1993 (FMLA), will be used to attain the twelve (12) work weeks of leave required under the FMLA.

12. It is the responsibility of the employee to track their accrued leave time and to ensure that they have sufficient leave available for their use prior to requesting leave.

**B) SICK LEAVE**

For employees of the classified service, sick leave with pay accrues at the rate of one day (8 hours) per month, and an additional one-half (1/2) day of leave will accrue on June 30 and December 31 of each year.

A part-time employee will accrue sick leave at the rate of one-half (1/2) day per month (4 hours) and an additional one-fourth (1/4) day on June 30 and December 31 of each year. Accrued but unused sick leave is cumulative for succeeding years. There is no limit to the amount of unused sick leave you may accumulate.

No sick leave benefits are accrued when an employee is on leave without pay or is eligible for Workers' Compensation payments due to an injury arising out of and in the course of County employment.

Otherwise, employees are eligible for sick leave with pay under the following circumstances:

1. Personal illness or physical incapacity and doctor or dentist appointments of the employee, employee's spouse or children living in the same household; or serious illness of spouse, children, or parent as defined in the Family and Medical Leave Act of 1993. (FMLA) See this section in this chapter.
2. Enforced quarantine of the employee in accordance with community health regulations.

When on sick leave, employees should inform their immediate supervisor of the fact and the reason thereof immediately, as failure to do so may be cause for denial of sick leave with pay for the period of the absence.

A medical certificate signed by a licensed physician may be required by the department to substantiate a request for sick leave for any of the following:

- 1) Any period of absence consisting of three (3) or more consecutive days.
- 2) Sick leave of any duration if absence from duty recurs frequently or habitually, provided the employee has been notified in writing that a certificate will be required.
- 3) To support the use of family and medical leave and unscheduled annual leave when sick leave has been exhausted.

It is the responsibility of the employee to track their accrued leave time and to ensure that they have sufficient leave available for their use prior to requesting leave.

It is the responsibility of the supervisor(s) to ensure that an employee has obtained a medical release and may safely perform the primary function of the job for which they were hired. Employees who are away from work for an extended time or condition due to a personal illness or injury will be required to furnish a Doctors Task Appraisal Form (and any attachments) to their supervisor prior to their returning to duty. Supervisors are responsible for forwarding all medical information to the Personnel Services Section to be maintained in the employee's medical file.

**C) MILITARY LEAVE**

An employee who is a member of the National Guard or any of the United States Military Reserve organizations, which require periodic training, may be entitled to special military leave with full pay. Division Chiefs are authorized to grant Military Leave With Pay for a maximum of eighteen days during any one calendar year. Military leaves in excess of 18 days (8 hours per day) per federal fiscal year (Oct. 1 thru Sept. 30) will normally be granted as Approved Leave Without Pay or the employee may elect to use any accrued personal leave time (annual or holidays).

An employee requesting military leave should submit, through the chain-of-command, to the Division Police, at least one week in advance, a statement from the proper military authority ordering the employee to duty for the time which leave is being requested. If it is not possible to obtain official or written orders prior to the requested leave, the employee will submit the order or the Verification of Military Duty form upon their return to duty and prior to the next pay period. In the event the employee is ordered to serve an extended military tour, it will be the responsibility of the employee to contact the Benefits Section of the County to insure continued coverage of insurance or pension benefits during their absence.

Upon approval of any requested military leave, a copy of the request and any attached orders will be forwarded to and maintained by the Personnel Services Section.

**1. LONG TERM MILITARY DEPLOYMENT AND REINTEGRATION**

Employees who are also members of the armed services may be activated into a full time military position.

Under the Uniformed Services Employment and Reemployment Act of 1994 (USERRA) these employees are afforded certain rights in regards to their civil employment.

The department Chief of Staff is the point of contact (POC) for each division with an employee who is activated for any period in excess of 180 days.

Any employee who is notified of a pending activation will provide that information to their chain of command with a set of orders as available as soon as authorized.

Personnel who are activated will meet with the POC in an effort to determine the length of deployment and any special needs that the employee may require to include departmental contact information for the employee's family members. All critical items will be turned in for storage during the deployment.

When an employee returns to work they will meet with the POC before continuing their assignment. This meeting will be to coordinate the re-issue of critical items and ensure that any required refresher training and firearms qualifications are met.

Employees returning from active duty, especially combat operations may have difficulty adapting back to civil law enforcement.

Employees returning from extended combat operations will be required to see a department approved psychiatrist prior to resuming active enforcement roles.

#### D) JURY DUTY

Employees who are subpoenaed by any court as a juror are entitled to leave of absence. Employees receive their regular pay and the time will count as time in service for all days during which they are subpoenaed.

#### E) FAMILY AND MEDICAL LEAVE ACT (F.M.L.A.)

The Family and Medical Leave Act (FMLA) of 1993 obliges the County to allow eligible employees to take up to 12 weeks of leave during a 12 month period for certain personal, family and medical events. To be eligible to take FMLA leave, the employee must have worked for the County for at least 12 months and worked at least 1,250 hours during the year preceding the start of the leave. In determining whether an employee has worked the required 1,250 hours, FLSA's hours-worked are to be applied; i.e., all hours that the County permits an employee to work must be counted. The 12-month period will be calculated from the first day the FMLA leave begins.

Family or medical leave granted to County employees shall consist of paid and unpaid leave, as appropriate, and shall be granted for any of the following reasons:

1. The birth, adoption, or foster care placement of a child; leave must be taken within 12 months of the birth, adoption, or placement.
2. The serious medical condition of an employee's parent, spouse, or child that requires the employee's care.

Following are definitions for the purpose of this policy:

Parent- Biological parent of an employee or an individual who stood in loco parentis to an employee. Parents-in-laws are not included.

Spouse- legal marital partner of the employee.

Child- biological, adopted, or foster child, stepchild, legal ward, or child of a person standing in loco parentis.

The child must either be under 18 years of age, or if older, unable to care for themselves due to a physical or mental disability.

The first 12 weeks of maternity leave granted to an employee due to pregnancy-related conditions will satisfy the 12 weeks of family leave to which the employee is entitled to under FMLA. The employee will be required to first use all of her accrued paid vacation (annual leave), sick leave, holidays, and compensatory time for the leave of absence.

Expectant mothers/fathers may use sick leave during their absence for the birth, adoption, or placement of a child, provided that proper medical certification is provided to the department.

A husband and wife who are eligible for FMLA leave and are both employed by the County shall be limited to a combined total of 12 weeks of leave during any 12 month period for the birth, adoption, or placement of a child. When the husband and wife both use a portion of the 12 weeks of FMLA leave, for either the birth or adoption of a child or to care for a sick parent, each shall be entitled to the remainder of the 12 weeks for another qualifiable purpose.

An employee who has not accrued 12 weeks of paid leave will be provided with sufficient unpaid leave (LWOP) to total the 12 workweeks of leave provided under this policy.

#### SUPERVISOR'S RESPONSIBILITY:

Any employee that is on leave for any reason relative to a medical condition relating to themselves or a qualifying family member, (see above criteria) for a period of one week (5 work days 40 hours for Police) will be required to complete the appropriate FMLA forms. These forms can be obtained from the Personnel Services Section. Even if the employee has enough leave time to cover the anticipated absence, they are required to submit the forms. FMLA leave includes annual leave, sick leave, holiday leave, compensatory leave, etc. If the affected employee knows they will be absent for an extended period of time (i.e. maternity leave, prescheduled surgery, etc.), they should submit the appropriate FMLA forms prior to their absence. If the supervisor is aware of an instance where an employee has been absent for 5 or more days for a covered medical condition as stated above, and the employee has failed to submit the proper FMLA forms, that supervisor is to contact the Personnel Services Section so correspondence can be sent to that employee notifying them of

their placement on FMLA leave. All FMLA leave is considered pending until final approval is received from the DeKalb Merit System. Any questions regarding this procedure are to be directed to the Personnel Unit or the Merit System. Further information can also be found in the County Personnel Code-Administrative Procedures.

A) Basic Regulations and Conditions of Applying For Leave

- 1) Requesting Leave- Employees requesting consideration of leave under FMLA will submit the green FMLA Request Form #1.
- 2) Certification- An employee will be required to furnish certification from their health care provider verifying the severity of the illness or condition, including when it began, its probable duration, and medical facts surrounding the illness or condition.

If leave is being requested for the employee's own serious health condition, the health care provider must confirm the employee's inability to perform their essential job functions.

Certification of all illnesses will be submitted to the department on the yellow Certification of Physician or Practitioner form (FMLA #2) and should accompany the FMLA request form #1 at the time of submission by the employee. Agency/legal documentation must be provided when requesting leave for the adoption or foster care placement of a child.

Upon completion of the FMLA form(s), the employee shall submit these to their immediate supervisor for their signature in a timely manner. It will be the responsibility of the supervisor to forward all requests and attachments directly to the Personnel Services Section.

Upon verification of the information submitted, the Personnel Services Section will forward the request to the Chief of Police for consideration and/or recommendation. Upon receipt of final approval/disapproval from the Merit System, the Personnel Services Section will notify the employee and their Division as to the approval. It will be the supervisor's responsibility to record all leave time as requested by the employee on the Labor Allocation Sheet (LAR) during the employee's absence, and to ensure the employee completes a Late Signature Form upon their return to duty.

The County may require an employee or their ill family member to get a second opinion examination conducted by a physician chosen by the County at the County's expense. If a third opinion is necessary, the County will pay for that examination.

At any time while an employee is on leave under this policy, the employee will be required to furnish additional medical information every 30 days to their supervisor from their health care provider. This information shall indicate the status of the serious medical condition and certify that they are unable to perform the functions of their job or are still needed to care for an ill parent, spouse, or child. It will be the responsibility of the employee's supervisor to forward all information and updates to the Personnel Services Section to be maintained in the employee's medical file.

- 3) Intermittent Leave- If medically necessary for a serious health condition of the employee, their parent, spouse or child, leave may be taken on an intermittent or reduced leave schedule. If leave is requested on this basis, the County may require the employee to transfer temporarily to an alternative position which may better accommodate recurring periods of absence or a part-time schedule, provided that the position has equivalent pay and benefits, and for which the employee is qualified.
- 4) Married Couples Employed by the County- Spouses who are both employed by the County are eligible for a total of 12 weeks of leave (rather than 12 weeks each) for the birth, adoption, or foster care placement of a child.
- 5) Employees must attempt to schedule their leave so as not to be disruptive to the department or its operation.

B) Advance Notice

A minimum of 30 days notice of the employee's intent to take leave is required when it is foreseeable because of any of the following reasons:

- 1) The expected birth of a child or placement of a child for adoption or foster care; or
- 2) Planned medical treatment for a biological parent, spouse, or child with a serious medical condition; or
- 3) Planned medical treatment in the case of the employee's own health condition.

If the birth, adoption, placement, or planned medical treatment will take place in less than 30 days, then the employee must give notice as soon as practical.

C) Employee Benefits During Leave

Employees will be required to continue to pay the same portion of the cost for coverage that they would pay if actively at work.

- 1) Regular payroll deductions will be made for Group Health, Life, Disability, and Pension Benefits when an employee is on (paid) personal leave.

- 2) Employees who are on leave without pay (LWOP) status have the responsibility to contact the Benefits Manager of the County for their continued benefits. Employees are responsible for timely payments of all premiums. Failure to pay the monthly premium within 30 days of the due date will result in termination of their coverage.
- 3) Sick, Annual, or Holiday time will not accrue while an employee is absent while on LWOP.
- 4) Retirement Plan: Contributions to the County's retirement plan will not be made while an employee is on LWOP. However, upon the employee's return to work, credit for service time will be given to the employee while on FMLA if they make such a request in writing and pay for the cost of coverage for the period of their absence.

D) Employees Returning to Work

An employee taking leave in connection with FMLA will be reinstated to their former or equivalent position upon their return, with equivalent employment benefits, pay, and other terms of their employment. In cases where an employee takes FMLA leave due to their own serious health condition, the employee will be required to provide a release to return to work from their health care provider before being reinstated.

Prior to returning to duty, it will be the employee's responsibility to obtain the Doctor's Task Appraisal Form, copy of their job description and the Physical Requirement Checklist from their supervisor. The employee is to have the health care provider complete the forms and return to their supervisor. Supervisors are to forward the Doctor's Task Appraisal Form and attachments to the Personnel Services Section to be maintained in the employee's medical file.

E) Request To Extend FMLA Leave

Employees will be expected to return to duty as of the date shown on their original FMLA request form.

If for reasons (as outlined in this policy) an extension of FMLA leave time may be required. The employee is required to submit their request for an extension on the appropriate FMLA forms prior to their original return to duty date.

Employees who are absent from work as a result of their FMLA request may not be approved to work additional or secondary employment during their absence.

F) LEAVE OF ABSENCE WITHOUT PAY

Leave of absence without pay may be granted for a period of not more than 6 months if approved by the Division Head and the Chief of Police.

All requests for Leave Without Pay are to be submitted in writing. These requests will be granted only after the employee has exhausted all sick, annual, holiday, or compensatory time. (the only exception being during the time used in connection with Official Military Duty)

Employees on Leave Without Pay do not accrue leave time or seniority during their absence.

Employees on extended leave without pay are required to update the department in writing every 30 days as to the progress or condition for which the approval was granted.

It is the responsibility of the employee to contact the Benefits Section of the County to insure the continuation of insurance or pension benefits.

Any Leave Without Pay of more than 6 months must have the approval of the Board of Commissioners.

G) PERSONAL LEAVE (MATERNITY)

1. The Administrative Procedures of the DeKalb County Personnel Code provide the following outline of procedures for applying for maternity leave:
  - a. The employee will keep her immediate supervisor informed of her status, and will inform her supervisor, as soon as possible, of the date her doctor has indicated she can be expected to return to work.
  - b. If the employee's recovery due to pregnancy related conditions exceeds the sick and annual leave credited to the employee, the supervisor will inform the employee as to the proper procedures for applying for leave without pay.
2. The DeKalb County Police Department has, due to the hazardous nature of its sworn positions, instituted the following procedures, in addition to those listed in Item #1:
  - a. Upon learning that she is pregnant, a sworn employee will request that her doctor complete a Doctor's Task Appraisal Form. This form will be reviewed and attached to a copy of the job description and physical requirement checklist for the position for which she is employed. Upon completion of the forms, they will be returned to her supervisor.
  - b. If, in her doctor's opinion, the employee can no longer perform her regular duties, she will request, in writing, through the chain-of-command to the Division Chief, to be placed in a temporary restricted duty assignment for the duration of her pregnancy.
  - c. The Division Chief will approve temporary restricted duty assignments only if such a position is currently available; no positions will be created for this purpose. While in these restricted duty assignments, uniforms and firearms are not to be worn. Sworn police officers under this status will not qualify with their firearms until such time they are released back to full duty.

- d. Employees working or assigned to temporary restricted duty may not obtain approval to work any outside or secondary employment.
- e. All medical information will be forwarded to the Personnel Services Section and maintained in the employee's confidential medical file.
- f. Any employee requesting to include the newborn child under their health care coverage is required to submit proper paperwork within the first 30 days of the birth of the child.

### **3-2.13 SEPARATION PAY (LEAVE ACCUMULATIONS)**

Any employee who has completed at least six (6) months of employment, upon separation from the County, may receive pay for their accrued annual and holiday leave up to a maximum of sixty (60) days at the employee's regular rate of pay. Employees are entitled to receive up to a maximum of ten (10) accrued holidays in excess of the maximum of sixty (60) days accrued annual leave. Employees with permanent status who terminate in good standing (other than retirement) may be granted and paid for one (1) day of annual leave for each fifteen (15) days of unused sick leave. The total combined leave will not exceed sixty (60) days.

### **3-2.14 EMPLOYEE SEVERANCE**

Whenever any employee of this Department severs their employment, it will be the responsibility of that employee to return all County clothing, supplies and equipment.

It is the responsibility of the employee's supervisors to ensure that the employee has returned all county issued supplies and clothing in a timely manner. In cases where Internal Affairs is conducting an active investigation and a resignation/termination occurs, Internal Affairs will coordinate with the employee's supervisors to determine responsibility for the return of all County equipment, supplies, clothing, etc.

Upon notification of the employee's intent to resign or termination notice being served, the employee's supervisor will be responsible for contacting the Supply Unit (via email) to communicate the employee's termination date.

The Supply Unit will query all items which have been issued to the employee through the supply database. The Supply Unit will contact the Firing Range to request information on all issued weapons, and then will complete an Employee Exit Form. The Supply Unit will then return the information to the employee's supervisor and the Training Division. The employee will gather all necessary items for final check out.

The officer will report to the Training Division to surrender their firearms and ballistic vest. It is the responsibility of all sworn personnel who sever their employment to render their weapons safe prior to reporting to the Firing Range to turn in their county issued weapons.

The employee will report to the Communications Division to return their county issued radio and associated equipment. All remaining county issued equipment will be returned to the Supply Unit.

It is the responsibility of the Supply Unit to inventory all items in accordance with the Employee Exit Form. The purpose of the Employee Exit Form is to insure that the employee has properly cleared the appropriate Departmental sections listed on the form and to insure that all County issued clothing, supplies, communications equipment, training items, and weapons have been returned and are undamaged and in proper condition.

The employee will be responsible for obtaining the signatures of designated Training, Firing Range, Communications, Fiscal Management and Supply Unit personnel, who will then complete the check out inventory form for their areas. The Supply Unit will obtain the signature of the employee, scan or copy the document, and email or fax the necessary departments indicating the employee has checked in all items listed on the Employee Exit Form.

Any monies due an employee (i.e. final paycheck, severance pay, accrued leave time, etc.), will be held by Personnel until the Employee Exit Form has been completed and approved.

### **3-2.15 EXIT INTERVIEWS**

Whenever any employee of this Department severs their employment, it will be the responsibility of the employee's immediate supervisor to obtain from the employee the exact reason(s) for leaving. The reason(s) will be documented and submitted through the chain-of-command and will be filed in the employee's personnel file.

### **3-2.16 DEDUCTIONS**

Deductions for Federal and State income taxes are made from each paycheck an employee receives. The amount of tax withholding depends on total wages and the number of dependents claimed on withholding forms. There will also be

deductions for retirement (a condition of employment for County Human Resources employees), insurance programs participated in by the employee, the DeKalb County Federal Credit Union, Savings Bond Plan, the Deferred Compensation Program, and other programs chosen by the employee. (Note: Any employee who is on Leave w/o Pay or any other non-pay status for a period in excess of 2 weeks will be required to pay for insurance coverage that could not be deducted from their payroll checks.) It is the responsibility of the employee to contact the Benefits Manager of the County to insure continued benefits.

### **3-2.17 PAYROLL ATTACHMENTS**

All employees of the Chief of Police are subject to salary attachments served by the courts or federal government. Since the County has no alternative but to comply with these orders, the following information may assist the employee in understanding or correcting any errors in these deductions. The most common are:

#### **A) GARNISHMENTS**

Garnishments are usually served by order of the State Court of DeKalb County. The orders are served on the County Payroll Department on Mondays and require that 25% of the employee's net (gross less State Tax, Federal Tax, FICA and pension) salary be withheld. If the garnishment is for Child Support, the deduction is 50% of net. All funds withheld are forwarded to the court between 30 and 45 days after receipt. A garnishment will appear on the employee's pay stub as "MISC-G". Additional information can be obtained by calling State Court at 371-2917.

#### **B) IRS LEVIES**

The Payroll Department will notify the Department of receiving an IRS levy and request that an employee complete a dependent statement in order to determine the amount of deduction. The employee is to complete the form and return it within 3 working days. If the employee does not complete the form, the Payroll Department will withhold all but \$75.00 weekly of the employee's net pay. Levies may be released when the employee presents a Release of Levy form from the IRS to the Payroll Department. An IRS levy will appear on the employee's pay stub as "MISC-L". Additional information can be obtained by calling the IRS at 331-3009.

#### **C. BANKRUPTCIES**

Bankruptcy notices are sent to Payroll from the Bankruptcy Court at the request of the employee or their attorney. The notice gives an identification number and an amount to collect. A bankruptcy deduction will appear on an employee's pay stub as "MISC-B". Additional information can be obtained by calling 524-7505.

#### **D. CHILD SUPPORT**

The courts, Adult Probation or the Child Support Recovery Office, may order Child support deductions. A child support deduction will appear on the employee's pay stub, as "MISC-C". Additional information should be obtained from the ordering authority. Sworn police officers shall be aware of any possible sanctions taken in regards to their Peace Officer Certification by P.O.S.T. (Peace Officers Standards and Training Council of Georgia)

### **3-2.18 EMPLOYEE BENEFITS**

#### **A) SOCIAL SECURITY**

All employees are enrolled in the Federal Insurance Contributions Act (usually called Social Security). Social Security provides income protection for the employee and their family when they reach retirement and in the event of long-term disability or death. The employee and the County share the cost of this protection. The employee's share will be deducted from their paycheck. Both the percentage paid by the employee and that which the County contributes, as well as the maximum amount of your salary that can be withheld, are subject to periodic change by the federal government.

#### **B) INSURANCE**

The County contracts for a group policy carried by a major life and casualty insurance company. All County employees are eligible for coverage by this plan, and can choose whether to cover other eligible members of their family. The County pays 70% of the cost of this coverage, and the employee pays the other 30% through payroll deductions.

#### **C. FLEX PLAN**

Employees who are enrolled in the County insurance program are allowed to pay a portion of their premiums as a pre-tax deduction. Employees who do not wish to take advantage of pre-tax deductions must sign a waiver form. The Flex Plan offers 2 types of spending accounts, which are the Health Care Reimbursement Account and the Dependent Care Reimbursement Account.

Employees may elect to have tax-free deductions made from their payroll checks to cover medical payments not covered by their regular insurance plan.

Newly hired employees may enroll within 30 days of employment. All other employees may enroll during the annual open enrollment.

For further information, contact the Employees Benefits Manager as assigned to the Risk Management Division of the Finance Department at 371-2296.

#### D. SAVINGS BONDS

Employees have the option of joining the County's savings bond program, which allows them to purchase savings bonds through payroll deductions.

It is the responsibility of the employee to notify the Decatur Payroll Department in writing of their address change for savings bonds.

#### E) DEFERRED COMPENSATION

DeKalb County employees are provided the option of supplementing their retirement with tax deferred savings, through payroll deductions, in the deferred compensation program.

#### F) DEKALB COUNTY EMPLOYEE'S FEDERAL CREDIT UNION

The Credit Union is operated for the benefit of employees; it is completely independent of the County. Membership is voluntary.

Employees may join the Credit Union by completing a membership application, paying a small one-time membership fee and purchasing a share to be deposited in their account. Permanent employees who have been with the County for one year may make application for loans.

#### G. POLICE AND FIRE PENSION FUNDS

The State of Georgia provides, through surcharges on traffic fines and fire insurance, supplemental pension benefits to sworn police and fire personnel throughout the State. Participation is voluntary and requires employee contributions.

#### H. HEALTH INSURANCE

The County provides standard health care coverage and several HMO policies for its employees. Each employee is free to choose the coverage, which best suits his or her individual needs. All coverage will be paid 70% by the County and 30% by the employee in the form of payroll deductions.

Employees may change insurance carriers only during an open enrollment period, which occurs once a year.

#### I. FEDERAL AND STATE POLICE DEPARTMENT DEATH BENEFITS

The Federal government and the State of Georgia both pay a death benefit to the eligible survivors of any sworn Police Department officer who is killed in the line of duty. The Chief of Police shall designate personnel to automatically apply for these benefits upon the death of a covered employee; no action is necessary on the part of the employee's survivors.

The County provides a pension plan to assist in planning for retirement. As a member of the plan, employees are required to contribute .5% of their salary. The County pays an amount equal to .5% of the employee's salary.

### 3-2.19 PENSION PLAN

The County provides a pension plan to assist in planning for retirement. As a member of the plan, employee's are required to contribute .5% of their salary. The county pays an amount equal to .5% of the employee's salary.

#### A. Retirement possibilities include:

- 1) Early retirement at age 50 with 10 years of service.
- 2) Normal retirement at age 55 with 10 years of service.
- 3) Retirement at age 65 regardless of years of service.

B. Employees eligible for any of the options above may calculate their retirement benefits using the following method:

- 1) Compute your average monthly salary for the 36 consecutive months in which you made the most money out of the last 120 months you worked.
- 2) Compute the number of years of credited service you have in the pension plan. At retirement, any accumulated sick leave will be converted into credited service. Each 21.5 days of sick leave will equal one month (1/12 year) of service.
- 3) 2.75% of average earnings times (x) the number of years of service. Maximum pension of 82.5% is attained with 30 years of credited service.
- 4) Employees who retire before the normal retirement age of 55 will lose 1.25% (1/8%) of normal benefits for each year taken in advance of age 55, up to a maximum penalty of 6.25%.

#### C. Examples of normal retirement at age 55:

a.	Average Monthly Salary:	\$1,000.00
	Credited Years of Service:	25 years
	25 Years of Service at 2.75% per year:	
	Monthly Benefit from Pension Plan	\$687.50
b.	Average Monthly Salary:	\$1,000.00
	Credited Years of Service:	35 years
	30 Years of Service at 2.75% per year	
	Reaches a maximum pension of 82.5%	82.5%

Monthly Benefit from Pension Plan (75% of \$1,000): \$825.00  
82.5% of salary = maximum benefits

For additional information, contact the Pension Administrator assigned to the Risk Management Division of the Finance Department at (404) 371-2296.

### 3-2.20 DISABILITY PENSION

Employees who have at least five years continuous service in the County Pension Plan and become disabled, can submit an application for a disability pension to the DeKalb County Pension Board. If approved, they will receive one-half of their monthly salary at time of the disability. To remain on disability retirement longer than 12 months, the disability must prevent the employee from working at any occupation for which he is reasonably qualified by education, training or experience. If the employee is 50 years of age or older and has 10 or more years of service, the pension may be changed to a regular retirement. At age 65, all disability retirements are converted to regular benefits.

Further information on the pension plan can be obtained by contacting the Employee Benefits Manager assigned to the Risk Management Division of the Finance Department (404-371-2296).

### 3-2.21 REPORTING FOR DUTY (CALEA 26.1.1)

In order to promote uniformity and clarity for incidents of absenteeism and reporting late for duty by Police Department employees, the following policy is in effect.

#### PURPOSE

The purpose of this section is to establish a consistent policy for administering corrective action to employees who fail to report for work in a timely manner. The provisions set forth in this order are to be used by supervisors as merely a guideline in determining appropriate corrective action. When considering any corrective action for violation of reporting for duty, supervisors shall refer to directives and the schedule of penalties set forth in Sections 2-2.24 and 2-2.25 of the Employee Manual.

#### POLICY

No Employees will be absent from scheduled duty or assignment unless leave or an excused absence has been granted.

#### PROCEDURE

- A. Employees will report for duty at the time and ~~to the~~ location assigned to them, and will also report physically and mentally prepared to perform their assigned duties.
- B. Employees will report properly equipped and cognizant of any information required for the proper performance of their assigned duties so that they may immediately begin performing said duties.
- C. Employees will also remain aware of any scheduled changes in their shifts, off days, and reporting location.
- D. Scheduled training constitutes an order to report for duty under this policy.
- E. Pre-arranged scheduled overtime duty will also constitute an order to report for duty.
- F. As noted in the Employee Manual, an employee who is overtime exempt under the provisions of the Fair Labor Standards Act (FLSA) may only be suspended without pay for periods constituting an entire workweek except for infractions of safety rules of major significance.
- G. The recommended schedule of penalties set forth in this policy apply to only employees who are overtime eligible. Those who are overtime exempt under FLSA will be handled on a case-by-case basis within the parameters of FLSA.
- H. An employee who is unable to report for scheduled duty or assignment will make notification according to policy set forth under definitions for TARDY and AWOL.
- I. In addition, when employees are scheduled for external duties such as training, physicals, meetings, administrative or criminal investigations, court appearances, or any other Departmental scheduled activity, the employee will notify the supervisor involved and state the reason and expected time of return. Notifications shall be prior to the scheduled reporting time. Notifications after the scheduled time will be deemed AWOL.
- J. Reporting late for duty will be classified into 2 categories, those being Tardy and AWOL.
  1. TARDY:  
An Employee is tardy when they report for work after the scheduled reporting time, and has notified their supervisor within 30 minutes after the reporting time.
    - a. If the employee's immediate supervisor is not available, a prior shift supervisor or an on-duty Communication supervisor is to be notified.

- b. If an employee (overtime-eligible) fails to work an entire shift due to tardiness, that employee's scheduled time worked shall be reduced in increments of 1/4 hour on the electronic timekeeping system with a Code 12, Unapproved Leave Without Pay.
- c. This adjustment on the electronic timekeeping system for time worked is separate from any corrective action assessed for the tardy infraction.
- d. Supervisors must examine the totality of the circumstances before determining whether the tardy should be excused.
- e. It will be the supervisor's discretion to determine if an employee will report for work and if it would be beneficial to the Department for that employee to do so.
- f. If the employee refuses to report for work for the remaining time left on their shift after being told to do so by their supervisor, the employee will be carried as AWOL for that entire shift.
- g. If an employee does call within 30 minutes after the designated reporting time, corrective action will not be taken if the supervisor excuses him.
- h. However, supervisors will document all late for duty incidents, even when excused, for the purpose of determining future corrective action when reporting late for duty becomes excessive.
- 2. AWOL (Absent from Work Without Approved Leave):  
An Employee is AWOL when they report for work after the scheduled reporting time and has failed to notify their supervisor within 30 minutes after the scheduled reporting time.
  - a. If the employee's immediate supervisor is not available, a prior shift supervisor or an on-duty Communication supervisor is to be notified.
  - b. Employees who do not report for work at the scheduled time and do not notify their supervisor prior to the prescribed reporting time, shall be considered AWOL.
  - c. Supervisors must examine each case separately and examine the totality of the circumstances prior to determining whether that employee is AWOL.
  - d. If employees report late or do not report at all, that employee's scheduled time (overtime eligible employees) not worked shall be reduced in increments of 1/4 hours on the electronic timekeeping system with a Code 12, Unapproved Leave Without Pay.
  - e. This adjustment on the electronic timekeeping system for time worked is separate from any corrective action assessed for the AWOL.
  - f. Once an employee does make contact with their supervisor, it will be the supervisor's discretion if the employee will report to work the time remaining on the shift.
  - g. Supervisors should do all that is possible to utilize that employee; however, if that employee would not report to work by a time that would be beneficial, the employee shall be advised not to report at all, and carried on the electronic timekeeping system with Code 12, Unapproved Leave Without Pay for the entire shift.
  - h. If the supervisor grants an absence, then the appropriate leave time will be reflected on the electronic timekeeping system.
  - i. If an employee has an excessive number of unsubstantiated absences (including AWOL) within a short period of time (refer to the section on Excessive Absenteeism), the violation is Excessive Absenteeism.
- K. Excessive Absenteeism as defined by the Merit System is the habitual or patterned use of sick leave or leave without pay (including AWOL) not supported by competent medical evidence or other proof of necessity.
  - 1. The number of unsubstantiated absences pursuant to the following rule of thumb may be an indication of excessive absenteeism for 40-hour employees:
    - 2 incidents in 3 months
    - 4 incidents in 6 months
    - 6 incidents in 12 months
  - 2. Excessive absenteeism may not be the most appropriate policy violation to cite in cases of excessive AWOLs

#### GENERAL GUIDELINES

- A. In that discretion is given to supervisors to examine each case of tardy and absenteeism in order to determine if that tardy or absence is excused or unexcused, each Section/Division/Unit Commander must ensure that equality and uniformity is established in the decision-making process.
- B. In determining corrective action to be administered, extenuating or mitigating circumstances may exist that might warrant a more or less severe corrective action pursuant to this policy. In these situations, the employee's supervisor will justify the action.

- C. The total number of tardy and/or AWOL incidents are to accumulate over the previous 36-month period from the current incident date of Tardy/AWOL.

### 3-2.22 ON-THE-JOB INJURIES

On-the-job injuries are those injuries, which occur while an employee is performing their regular assigned duties as a member of the DeKalb County Police Department. These injuries require special processing and procedures to insure that employees receive timely medical treatment and are returned to duty in the most safe and efficient manner possible. Per Georgia Code Section 34-9-207; when an employee has submitted a claim for payment of weekly income benefits or the employer has paid any medical expenses, that employee shall be deemed to have waived any privilege or confidentiality concerning communications related to the claim or history or treatment of injuries arising from the incident that the employee has had with any physician, including but not limited to, communications with psychiatrists or psychologists. Notwithstanding any other provision of law to the contrary, when requested by the employer any physician who has examined, treated, or tested the employee or consulted about the employee shall provide within a reasonable amount of time and for a reasonable charge all information and records related to examination, treatment, testing, or consultation concerning the employee. Any posters, forms, and other literature can be obtained by contacting the Personnel Services Section at (404) 294- 2505.

#### A. OFFICIAL NOTICE POSTERS

1. It is the responsibility of the supervisor to ensure the current and official (pink poster) notice of county approved physicians is posted for all employees to review.
2. Employees are to be instructed that they may select any physician listed on the official poster for medical treatment in connection with an on the job injury.
3. Employees who elect and receive medical care from an unauthorized physician or care facility may be subject to their claim being controverted, thus resulting in any and all medical expenses incurred to be considered the personal responsibility of the employee. Any and all time away from work during such events will then be considered the employee's personal leave time.
4. Under any managed care program, (such as CRA, etc.) it is the employee's responsibility to contact the managed care group unless it is an emergency.

#### B. REPORTING

When an employee has any type of on-the-job accident, injury or is exposed to a communicable disease or hazardous substance, the reporting listed below is mandatory. An employee shall notify a supervisor immediately of such incidents; failure to do so in this timely manner may result in denial of a claim.

1. A DeKalb County Accident Investigation Report is to be completed along with any other required Department report (Traffic Accident Report, Incident Report, etc.) and turned in prior to the end of the shift or within 24 hours of the incident. It is the responsibility of the supervisor to immediately notify the Personnel Services Section as to the nature and extent of the employee's injuries in the following manner:
  - a. Telephone Report (294-2505)
  - b. Fax a copy of the Accident Investigation Report marked, "Preliminary Report" to 294-2532.  
The original report will then be forwarded through the chain of command to the Personnel Services Section for proper processing.  
Failure to properly complete the necessary forms may result in loss of timely Workers Compensation benefits to the employee and disciplinary action for their supervisor.
2. The Personnel Services Section will be responsible for reporting all injuries of employees of this department to the Risk Management Benefits Section unless supervisors are advised differently.
3. An exposure to a communicable disease should be reported on an Accident Investigation Report but does not necessarily require a Refusal of Treatment Form (explained below). All reports or injuries which may indicate a possible exposure to communicable disease or AIDS are to be forwarded to the Personnel Services Section as outlined in item #1 marked, "Exposure". It is the responsibility of the supervisor to immediately report all exposures to the Infection Control Officer.
4. Any serious injury which requires hospitalization or ambulance (EMS) transport to a medical facility will be immediately reported by phone to the Personnel Services Section by the employee's immediate supervisor. During hours the Personnel Services Section is closed, a message will be left on the Section's answering machine (294-2533). The reporting supervisor should leave their name, the name of the injured employee, and the name of the medical facility and a brief description of the employee's injuries.

#### C. MEDICAL TREATMENT REFUSAL

An employee who is injured on the job has the option of refusing immediate medical treatment at a County medical facility. In all such cases, a Refusal of Treatment Form signed by the employee and their supervisor and turned in with

the Accident Investigation Report prior to the end of the shift or within 24 hours of the incident. (Completion of this form by the injured employee in no way affects treatment by a County authorized medical facility at a future time if the employee so desires.)

**D. INITIAL MEDICAL TREATMENT**

1. Supervisors have the authority to issue Doctor Referral Forms to employees for the initial care or treatment of an on the job injury. Supervisors may not issue the Doctor Referral Forms in bulk nor more than 24 hours in advance of the employee's regular scheduled appointment.
2. In an emergency situation it is the responsibility of the injured employee's supervisor to obtain and complete the necessary forms or information concerning transport, treatment and any needed follow-up treatment.
3. If non-emergency medical attention is required, the supervisor will give complete and give the employee a Doctor Referral Slip along with the Doctor's Task Appraisal Form and a copy of the Physical Requirements Checklist for the exact job classification of the employee. These forms are to be completed by the attending physician at the time of treatment.
4. Doctor Referral Slips must be completed by the supervisor and given to the employee prior to any medical care being given. The supervisor must complete the following items:
  - a. Check the location of clinic at which the employee wishes to be seen;
  - b. Full name of employee;
  - c. Division/Unit;
  - d. Date of injury;
  - e. Date going to doctor or clinic;
  - f. Time of appointment or time sent to clinic;
  - g. Must be dated and signed by employee;
  - h. Show type of injury;
  - i. Supervisor's name and contact phone number.
5. The bottom portion of the form is to be completed by the physician at the time the patient is examined.

**E.** The employee is required to return the Doctor Referral Slip to their supervisor within twenty-four hours of the appointment. If the employee is unable to return the form due to their medical condition, it will be the responsibility of the supervisor to make arrangements to obtain the forms in the required time frame.

**F.** Once the Doctor Referral Slip is returned from the employee to the supervisor the following information should be checked:

- 1) Date and time the patient was treated;
- 2) The diagnosis of the patient is to be completed by the physician;
- 3) One box from Items #1, 2, or 3 should be checked. If this has not been accomplished, the employee's supervisor must contact the physician who was seen and obtain the proper information. A notation should be made that the information was obtained by phone, the date and time of the conversation and the name of the physician.
- 4) If the employee is to have a follow-up appointment scheduled, it will be indicated by date and time in Item #4.
- 5) If the employee is to be referred to another physician, this will be noted and must include the name of the physician, date and the time of the appointment.
- 6) If the employee is to be seen by a physical therapist, a doctor's signature will not appear on the form.

**G.** Doctor Referral Slips that arrive in the Personnel Services Section improperly completed will be returned to the employee's division commander for proper completion. This may cause a delay in payment of benefits to the employee.

**H. CONTINUED MEDICAL TREATMENT**

- 1) The employee must obtain a Doctor Referral Slip from their supervisor prior to doctor's visit.
- 2) The physical requirements and a Doctor's Task Appraisal Form should accompany the Doctor Referral Slip upon each visit and be returned to the supervisor within twenty-four hours of treatment.

**I. RESTRICTED DUTY ASSIGNMENTS**

- 1) When an employee is injured on-the-job and is under a physician's restrictions which prevent them from performing in their regular job classification, but they are able to do some work under doctor's restrictions, they may, at the discretion of the division commander or Chief of Police, be placed on "Restricted Duty." Restricted duty positions will meet the following qualifications:
  - a. The duty position previously existed - no positions will be created to allow an employee to work restricted duty.
  - b. The duties of the position must conform to any restrictions imposed by the employee's physician.
  - c. For police personnel, the position must allow the wearing of civilian clothing, and cannot involve any type enforcement activity or the operation of marked police vehicles.

2. If the employee requires restricted duty assignment due to physical limitations caused by their on-the-job injury, the following will be required:
  - a) Any physical restrictions must be clearly specified in writing by the attending physician and should include the length of time this status is recommended.
  - b) The Department may reassign the employee to any position, in any section or division, or on any watch or shift, which is consistent with the employee's physical restrictions.
  - c) The Division Chief may request temporary assignment of the employee to any other section or division as approved by the Chief of Police if no restricted duty positions are available in the division to which the employee is assigned.
  - d) Any changes in employee work hours or work location anticipated to last more than five days will be reported to the Personnel Services Section prior to such changes being made in order to properly track the employee.
  - e) Regardless of any medical recommendation by the employee's physician relevant to the duration of "restricted-duty assignments", periods in excess of two weeks will be reported to the Director.
  - f) Temporary Assignment of Duties Form  
If an injured employee is temporarily assigned to another section or division a Temporary Assignment of Duties Form will be completed and forwarded through the chain-of-command to the Personnel Services Section. The following items will be completed on the form:
    - 1) Employee's name and social security number;
    - 2) Work location at time of injury;
    - 3) Regular Hours worked prior to injury;
    - 4) New assignment - Indicate where the employee will be assigned work, the duty hours, off-days, lunchtime (30 min./1 hr.), immediate supervisor, type of duties and dress code (uniform/general).
    - 5) Workers Compensation area (leave blank.)
    - 6) List exactly what activities from which employee is to refrain. (Information should be obtained from Doctor Referral Slip). Show physician's name and date the employee was seen by the physician.
    - 7) Have employee review and sign the form indicating that they understand what the new assignment is and what the restrictions are. The supervisor should then sign the form and submit it through the chain-of-command. (NOTE: The transferring supervisor, the receiving supervisor and the employee will all be held accountable for insuring that the employee abides by all restrictions set forth by the physician.)
  - g) Doctor's Task Appraisal Form  
The purpose of the Doctors Task Appraisal Form is to allow the attending physician to have better knowledge of the physical requirements of the employee's current job classification and to allow the physician to better outline any restrictions the employee may require for their recovery. This form must be completed by the physician and returned any time the employee will not be returning to their normal duties or anytime they are returning to their normal duties after a restricted duty assignment.

#### J. WORKER'S COMPENSATION BENEFITS

##### Temporary Total

Employees who suffer an injury out of and in the course and scope of their employment with the County would be entitled to receive compensation while refrained from duty by an authorized treating physician. The statutory weekly Temporary Total Disability benefit (TTD) equals 2/3 of the employee's average pre-injury weekly wage, up to the current maximum of \$35.00 (pursuant to OCGA 34-0-261, Rev. 07/99). Those employees not otherwise entitled to receive Wage Continuation would be limited to this level of worker's compensation lost-time coverage.

##### Wage Continuation

Employees who meet all criteria of eligibility would be entitled to receive Wage Continuation in lieu of the statutory weekly Temporary Total Disability (TTD) benefit under workers' compensation coverage. This benefit continues the full salary of an employee who has been injured in accidents arising out of and in the course and scope of employment. Wage Continuation pays, in essence, what would amount to the statutory weekly TTD plus the balance of the injured employee's regular salary, without interruption, while eligible. To be eligible, an employee must be full-time (part-time and working test periods specifically excluded) and not in violation of a County Safety Rule (i.e., seatbelt use, other safety requirements such as belts, goggles, etc.)

Employees who meet the criteria of eligibility are entitled to receive Wage Continuation Benefits, for a period not to exceed 26 weeks, provided they meet the necessary requirements of an employee in good standing. While on Wage Continuation, the injured employee's personal leave is not effected.

Restrictions apply to wage continuation and this benefit shall be terminated under the following circumstances:

1. If the employee fails to keep medical appointments, does not follow recommended treatment plans, and/or not return completed doctor referral slips to the supervisor upon completion of the appointment.
2. If the employee does not cooperate fully with rehabilitation efforts.
3. If the employee is declared able to return to full duty work, or restricted work and the County has suitable work available within those restrictions.
4. If the claim is at any time denied under workers compensation.

Should this benefit be terminated for any applicable reason, it shall not be reinstated. In this event, the employee will be paid wages as required by law (reduced rate), if still owed. Wage continuation is a voluntary payment and not required by law. It may be terminated at any time without prior notice but an explanation will be issued.

**K. LABOR ALLOCATION REPORTS (LAR)**

1. An injured employee will be shown as a Code 18 for any regularly scheduled work hours the employee should have worked but did not because of their injury.
2. Should an employee work part of a day and have a doctor's appointment, show their work hours under Code 01 and time spent at the doctor's appointment as Code 18 (on-duty travel time should be included).
3. Should an employee who could (medically cleared for restricted or regular duty) report to duty at 3:00 P.M., call to say they have an appointment at 4:30 with their physician, code as follows: From 3:00 P.M. to 4:00 P.M. (sick or annual leave), from 4:00 P.M. to 30 minutes after the appointment time Code 18.
4. If the employee is released by the physician to return to work and does not, this time will be considered sick or annual leave.
5. Should the employee not be released by the physician to return to work, and it is so noted on the Doctor Referral Slip, a Code 18 should be used for the remainder of the shift.
6. An employee may be assigned to restricted duty if available, upon the written recommendation of their Worker's Compensation physician, by their division commander. Any period, which may exceed 14 days, will be reported to the Chief of Police. All employees are subject to review and reevaluation during this period.

**L. PERMANENT DISABILITY**

Should an employee be unable to ever return to their regular job as a result of an on-the-job injury, the Personnel Services Section will search the available open positions within the Department, taking into consideration the person's qualifications, prior experience and background. Personnel will then talk with the employee, offering any position, which may be suitable employment. The employee is requested to visit their physician with a copy of their current job description, physical requirements, the proposed job description and physical requirements. The physician then compares the jobs and makes the determination as to whether the employee may perform the job(s) offered by the Department. Should there be more than one position, information will be sent to the physician so that he may determine the most suitable.

If the employee accepts any of the offered positions and that position is in a lower pay range, Worker's Compensation will, based on the injury and disability, supplement the employee's salary by up to 66 2/3% of the difference in the two salaries.

Should the physician agree that the employee may perform the duties of any new position(s) offered and the employee refuses to accept the position, they will be asked to sign a refusal form.

At this point, the employee is referred to the current open job positions within the County and is informed, should there be any jobs of interest that they may then apply directly to the Human Resources for possible interview and/or employment. All of these activities will be conducted in accordance with applicable law.

**M. PERSONNEL SERVICES SECTION REVIEW**

The Personnel Services Section upon receipt reviews all accident/injury/exposure reports. The Personnel Services Section will then be responsible for the following:

1. Track employee actual work time, use of OJI time or worker compensation codes;
2. Review and track restricted duty assignments;
3. Review doctor appointment schedules and length of treatment; receive all reports and statements regarding the injury report.
4. Communicate with division commanders and/or the employee regarding any question as to date, time or events of the accident or injury.
5. Insure that copies of all reports and correspondence are forwarded to the Risk Management Division.
6. Should a claim be denied by Worker Compensation, charge back to the employee any and all time taken off from work in connection with the injury, as sick or annual leave time.
7. Review the employee's use of sick, annual and OJI leave time.

**N. OUTSIDE EMPLOYMENT**

Effective in May 1993, all requests for approval of part-time jobs outside an employee's their regular duties with the County will be copied at the Division level and forwarded to the Personnel Services Section. These forms will be placed in the employee's personnel file and will be made available to Risk Management upon request.

An employee working an additional job(s) who is assigned to restricted duty or is being carried on Worker's Compensation will be required to refrain from working the additional job(s) until they are returned to regular duty with the County unless the employee has received written approval from the Division Chief to continue to work the additional job and has also obtained written approval from the attending physician.

**3-2.23 PERSONAL ILLNESS/INJURY (Not Job Related)**

Employees who are unable to perform their regularly assigned duties (or meet the physical requirements of their job classification) because of illness or an injury which occurred off-duty will, in most cases, be required to use personal sick leave for the period of time of their recovery.

Employees whose expected recovery period is in excess of accrued sick leave may request, in writing, through the chain-of-command to the Division Chief, that they be allowed to use any accrued annual leave or holidays for their recovery. These employees may use their accrued sick leave, annual leave and any accrued holidays upon approval of their division commander with a doctor's written statement of injury or illness, which necessitates the use of leave.

Under certain restrictions, employees may be allowed to return to work in restricted duty capacities. Those restrictions are the same as for an on-the-job injury (3-2.22 I 1) in addition to the following:

A. In order to return to work, the employee must obtain approval from their physician. The physician must fill out a Task Appraisal Form after receiving a copy of the employee's physical requirement guidelines for their job classification.

B. If an employee has provided a Task Appraisal Form, which complies with the requirements of the proposed restricted duty assignment, the employee's supervisor may approve placement in the position for a 24-hour period or the next regular business day. Thereafter, approval must be obtained to continue the assignment from the appropriate section or division commander. Any non-job-related assignment, which exceeds two weeks, will be reported, in writing, to the Chief of Police. Permission granted by the Chief of Police, Section or Division Commanders will be based on the physician's assessment of expected recovery time.

C. If the employee is employed in any additional part-time jobs outside their regular employment with the County, written approval from the Chief of Police to continue working the other job(s) is required along with written approval from the attending physician. (NOTE: law enforcement related part-time jobs would not be approved.)

D. No restricted duty assignment will be allowed to become permanent. Every such position will be reviewed on a monthly basis by the granting authority to insure that the employee is progressing toward recovery and a return to full duty is expected in a reasonable length of time. This review will be based on departmental need, medical reports of recovery made to date and the continued availability of the assignment.

At any time, at the request of the Chief of Police, Division Chief, the Employee Services Coordinator or the employee's supervisor, the employee may be required to see the County Physician to determine:

1. the extent of the injury/illness at the time of occurrence, recovery period/progress, and/or
2. if the employee is or will be fit for full duty in a reasonable period of time.

**3-2.24 MANDATORY REPORTING OF NON-JOB RELATED INJURY/ILLNESS**

Any employee who is injured or contracts any illness which could reasonably be expected to effect their ability to meet the physical requirements of their job classification must prepare a memorandum outlining the nature of the illness/injury, expected recovery period, physical limitations, any and all medications, and the name and address of the treating physician and submit it, within 24 hours or prior to the employee's return to work, through the chain-of-command to the Chief of Police.

**3-2.25 PERFORMANCE APPRAISAL**

All Police Department employees will be evaluated under the County Performance Appraisal System. All employees will be evaluated every 12 months.

**A. INTRODUCTION/PURPOSE**

The DeKalb County Performance Appraisal System is designed to accomplish the following objectives:

1. Improve Communications
  - a) Help employees and immediate supervisors reach a mutual understanding of job responsibilities and priorities.

- b) Provide a framework for defining performance expectations, determining a plan of action and overcoming barriers, which detract from effective performance.
- 2. Performance Improvement
  - a) Focus efforts on objectives and activities that maximize job success.
  - b) Provide a framework for identifying, documenting and discussing job performance.
  - c) Recognize employees for a job well done and provide constructive criticism to pin point areas for improvement.
- 3. Employee Development
  - a) Determine development and training needs.
  - b) Identify work assignments that will provide needed new job skills, experience and help build employee morale.
  - c) Help determine other available opportunities for career growth and development.
- 4. Fair, Consistent Treatment of Employees
  - a) Clearly define the basis for evaluation and communication with employees.
  - b) Document reasons for the evaluations that individual employees receive.
  - c) Ensure consistent criteria and use of system across individuals, superiors and departments.
  - d) Provide an avenue for appeal and resolution of disagreements about appraisals.
- 5. Personnel Actions
  - a) Provide basis for pay increases, promotions and transfer decisions.
  - b) Used as basis for disciplinary actions, demotions and discharges.
- 6. The new Performance Appraisal System also:
  - a) Generates job-related appraisal formats, which directly link appraisal content with specific duties and responsibilities of individual jobs.
  - b) Minimizes the need to revise and update performance appraisal format content.
  - c) Maximizes consistency and equity for performance appraisals within and between different departments and units.
  - d) Promotes acceptance and commitment to the appraisal system by involving raters and employees being evaluated in the scale construction process.
  - e) Provides a vehicle for defining specific performance expectations and performance planning.

In summary, this program is based on sound principles of performance measurement, which can be used for any job within the department. The following is an overview of the program and how it works.

The County has developed performance appraisal forms for each of the seven major occupations job groupings in DeKalb County. These groupings include:

- Managerial/Supervisory
- Professional
- Paraprofessional
- Protective Services
- Technical - Office and Clerical
- Skilled Crafts, Service and Maintenance

Each supervisor will be responsible for selecting the appropriate form to be used in completing the appraisal process. In many cases, this process has already been accomplished on a component level.

The DeKalb County Performance Appraisal forms utilize behaviorally defined performance dimensions and standards. Other common characteristics of this performance appraisal form include:

- For each of the occupational job families, there are common responsibility areas and generic performance standards.
- The performance standards within the responsibility areas can also be customized to
- describe the individual performance expectations of each job through use of other standards categories.
- The form provides a check-off box to indicate relevance of a generic performance standard to specific positions.
- The appraisal system uses a five-point scale.
- Performance standards are written to the "Consistently Meets Standards.
- Provides space on the form for the supervisor and employee to further clarify rating criteria through specific behavioral examples.

**B. THE FIVE PHASES APPROACH TO PERFORMANCE APPRAISALS**

Implementation of the performance appraisal program is a five-phase process. The five phases are:

- I. Planning
- II. Monitoring
- III. Evaluation
- IV. Conference
- V. Administration

Each of these phases is summarized below with additional detail provided throughout the remainder of this section. His or her immediate supervisor will evaluate each employee.

1. Phase I: Performance Planning

Performance planning should take place immediately before the start of the employee's appraisal period (i.e., at the beginning of the review cycle). The purpose of performance planning is for both the supervisor and the employee(s) to discuss the performance appraisal system and to clarify areas of responsibilities and performance standards for the job(s).

The supervisor should explain the total performance appraisal process to the employee (s) to ensure understanding of the nature and purpose of the revised performance appraisal system. Additionally, the supervisor should meet with the employee (s) to review and:

- a) Discuss the relevance of responsibilities and the "consistently meets standards" format and how it applies to the employees' job. In addition, both parties should be prepared to modify standards as appropriate.
- b) Develop high performance standards, if feasible.
- c) Take into account employee improvement needs in developing standards.
- d) Seek input from employees in developing standards.
- e) Develop plan of action for employees to follow in meeting performance targets.
- f) Review tasks of the employee's job assignment.
- g) Obtain signature to document the performance planning conference.

2. Phase II: Monitoring

While the annual formal performance appraisal is effective for providing a summary of performance during the report period, once a year performance appraisals are insufficient to recognize good performance or to correct performance problems. Appraising an employee's performance is a continuous process, which should begin as soon as performance requirements have been established. The employee's performance should be observed, monitored and documented by the supervisor. If the employee is to perform at the desired level, it is essential that the supervisor communicate regularly with the employee regarding actual performance as compared to performance requirements. Feedback which is communicated soon after performance occurs is always more effective than feedback that is delayed. Communication between the supervisor and employee throughout the appraisal period also helps to ensure that there are no surprises in the formal appraisal conference. Also, if the job changes, standards need to be changed. Throughout this period, the supervisor should document incidents reflecting effective and ineffective performance.

If the employee is not meeting requirements, performance deficiencies may be identified early and quickly corrected. Coaching or training and development activities may be necessary to assist the employee in acquiring the knowledge or skills necessary to perform at the level that meets position requirements. Corrective action may be required in some instances. If the employee is meeting or exceeding performance requirements, the supervisor should provide the recognition and praise that will reinforce the desired performance.

The process of providing on-going observation, documentation and feedback on performance is the most difficult and often the most ignored responsibility of supervision. Consequently, the "Monitoring Performance" section highlights this area.

3. Phase III: Evaluation

Evaluation refers to the formal process of completing the Annual Performance Review form at the end of the review cycle and reviewing it with the next level of supervision. An overview of this process is provided below: Performance appraisals are conducted annually on a common anniversary date determined by Human Resources. At the time of the annual performance appraisal for each employee, the supervisor should review all relevant documentation and other work related information as appropriate. The rater must rate the employee's effectiveness in meeting each responsibility area and set of associated performance standards. Also, the rater must indicate the importance of each standard and any extenuating factors beyond this employee's control, which influenced his/her performance. In addition, the rater must record comments in the space provided on the form. Prior to appraisal conference, the supervisor should review the employee's appraisal with the next level of supervision and obtain all appropriate signatures on the form.

4. Phase IV: Conference

In the appraisal conference, the supervisor schedules an appointment to meet with the employee to discuss the performance appraisal for the prior rating period and to do performance planning for the next review cycle. In this phase, the supervisor and the employee:

- a. Review responsibilities and standards set at the beginning of the appraisal cycle.
- b. Come to an understanding on the criteria used and the documentation gathered.
- c. Seek employee input in relation to specific responsibilities and standards.
- d. Provide feedback to reinforce, strengthen and define improvement needs.
- e. Manage employee disagreements.
- f. Modify the evaluation, if appropriate.
- g. Obtains the employee's signature or other employee documentation.

5. Phase V: Administration

In this phase, the supervisor completes the appropriate paperwork; notifies the next level of supervision as to the outcome of the conference; and sends a copy of the completed appraisal to the appropriate locations.

C. THE MECHANICS OF THE PERFORMANCE APPRAISAL

1. Performance Planning

a) **Introduction**

The process of performance planning begins with an interactive discussion between the supervisor and the employee(s) concerning the job responsibilities and the supervisor's expectations for satisfactory performance of the work (i.e., the performance standards for the job and the minimum job requirements).

b) **The Employee Involvement Process**

In developing performance job standards, the supervisor should consider consulting with all individuals connected with a certain job. This would include the immediate supervisor, who has the final say on standards, all employees involved in the job and the immediate supervisor's superior, who is responsible for approving the final standards.

Supervisors should involve the employee in the development of standards because:

- Employees know their job and can provide helpful input;
- It ensures that all parties involved will have an understanding of the standards; and
- It enhances employee commitment to attainment of higher performance levels.

If there are several people in a job classification, it might be more practical to involve a few select individuals for participation.

Any of four different approaches may be used to involve employees in the development process.

- The immediate supervisor may prepare the standards and review them with the employee.
- The employee may prepare the standards and discuss them with the supervisor.
- The employee and immediate supervisor may prepare and develop the standards together.
- The employee and supervisor may separately write the standards, and then discuss each version.

\*\*\*In many cases, the performance plans for Police Department employees have already been developed.

The method used will depend on the writing expertise of employees, the amount of time available and judgments about whether participation will help in building commitment to the standards developed. In any event, employee input should be obtained in the development process.

c) **What is A Performance Standard?**

A standard is a gauge or yardstick that describes the results which should exist upon satisfactorily completing a job for a specified level of performance.

In other words, a performance standard specifies a certain level of expected job performance.

Statement of performance standard should include:

- Work behavior or actions;
- Expected outputs or results; and
- Measurement indicators.

In writing performance standards, you should first identify job elements. An element is the smallest step in which it is practical to subdivide any work activity without analyzing the separate motions, movements and mental processes involved.

The second step should be to group elements into responsibility areas.

A responsibility area is comprised of one or more elements and is one of the distinct activities that make up

the necessary steps in the performance of work by the worker.

After the elements have been identified and written, they are grouped into responsibility areas (RA). You will note that these RA's are already specified on the new appraisal forms.

Read through your list of elements and decide which seem to match up with the appropriate RA.

Although many elements will be grouped to form RA's, other elements will stand alone as RA's. There is no limit on the number of RA's in a job; the number varies with the job.

The third step is to prioritize the RA groups. When you write the final standards, they will be listed in terms of their importance, with the most important responsibilities listed first with each RA. To prioritize responsibility areas, you should:

Mentally (or by taking notes on a separate sheet) evaluate the importance of each RA group by considering: (1) time spent; (2) impact on the work unit; (3) safety; (4) loss of time and money (if not done satisfactorily); or other important criteria.

The fourth step is to list the output for each RA. After prioritizing the RA's, the output of each RA should be defined. An output is the expected end result of an activity - the finished product. Here, you should review the objects of the RA statements and decide what the result of each activity is. Then, write the output in terms of tangible results - errors detected, reports written, reliability of test results, number of procedures developed, etc.

The fifth step is to list the measurement indicators. Once expected results or outputs are defined, measurement indicators should be specified for each output. Measurement indicators are the quality, quantity, timeliness and manner aspects of performance standards which reflect the expected levels of performance.

Some tasks will require the inclusion of several indicators while others will employ only one. Use as many indicators as needed to define job performance expectations.

The final step is writing the performance standard. At this point, you have all the components that are necessary to write the performance standard. In writing performance standards, keep in mind that well written standards are:

- clearly understood by the employee and supervisor
- job related
- realistic
- specific
- objectively measurable (where possible)
- documented in writing
- changeable

The qualities of all standards are not the same. Some standards are:

- fixed - unchanging
- obvious - need little explanation, but nevertheless are documented
- only based on the quantity of work, not quality
- multiple - one RA may have several standards

As you gain more experience with writing performance standards, you might find it helpful to develop different standards to represent different levels of performance effectiveness, which includes:

- unsatisfactory
- meets expectations
- outstanding

The different levels chosen should correspond with the full range of the job performance possible. By doing this, the employee and the immediate supervisor will understand what behavior and results are expected to earn high, low and moderate job performance ratings.

All employees and supervisors should remember that once performance appraisal standards are written, they will remain in effect with the employee until the next evaluation period or if the employee changes job classifications, i.e. promotion or demotion or lateral transfer to a completely different job classification. If during the 12 month appraisal period an employee changes job duties, however maintains the same classification, the employee's new supervisor will update the existing performance appraisal standards to address the new jobs being done. i.e., an MPO is transferred from Uniform to C.I.D. during the 12 month appraisal period.

**d) Minimum Job Requirements**

All Police Department employees must adhere to established policies and procedures as a condition of employment. The department views adherence to these procedures as a basic minimum requirement for an employee to be considered a satisfactory employee.

Review the specific job requirements listed under the Minimum Job Requirements section on the inside back page cover of the appraisal. The terminology used to refer to the minimum job requirements are consistent with that used in the Administrative Procedure Codes and Executive Orders. The minimum job requirements listed are not intended to be exhaustive. A space is provided to include additional minimum requirements.

The role of the minimum job requirements during the performance appraisal process is as follows. During performance planning, the immediate supervisor will review and interpret each minimum job requirement as it relates to the employee's job. In this way, the employee understands what he/she is expected to do in order to meet the minimum requirements of his/her job. During the evaluation phase, the immediate supervisor is asked to determine whether the employee has adhered to each of these administrative procedures in the performance of duties and responsibilities.

When discussing each requirement with the employee, you should refer to the following: County codes; administrative procedures; executive orders; employee handbook; employee manual; and departmental procedures, policies, orders, rules and regulations which explain these minimum job requirements in greater detail. The following is a listing of minimum job requirements and where they can be located:

**Attendance:** County and Departmental policy

**Sick Leave:** County and Departmental policy

**Calls in when Sick or Absent:** County and Departmental policy

**Conflict of Interest:** County and Departmental policy

**County Fees and Rewards:** County and Departmental policy

**Adherence to Department:** County and Departmental policy

**Policies and Rules, Conduct:** County and Departmental policy

**EEO/Sexual Harassment:** County and Departmental policy and CEO Policy Memo dated 9/16/99

**Smoking Policy:** County and Departmental policy and CEO Memo dated 2/27/87

**Political Activities:** County and Departmental policy

**Safety and Loss Prevention:** County and Departmental policy

**Punctuality:** County and Departmental policy

**Valid Drivers:** County and Departmental policy

**License:** County and Departmental policy

**e) Assigning Weights**

To determine overall performance effectiveness under the County's Performance Appraisal System, ratings are to be computed and weighted according to the importance of each responsibility area to the performance of each particular job.

There are three occasions in which responsibility area weights may be assigned. These include: (1) initial weighting; (2) specific job review by supervisor; and (3) adding a responsibility area to the appraisal form. In all cases, the department will hold the final approval for the weights that are used.

1) Initial Weighting

Each division/unit will have the responsibility to initially review each job classification to determine the weights assigned to the responsibility areas for that job. This will be done prior to the initial use of the new appraisal system. The weighting scheme should also be periodically reviewed by the department and revised to reflect changes that occur.

The following steps will be followed in the assignment of weights:

**Step 1:** Collect background material such as job descriptions, training materials, and copy of the Performance Appraisal Form used for the job.

**Step 2:** Submit the background material and Performance Appraisal Form to sample of supervisors of the position.

**Step 3:** After review of the materials, individual weights (adding up to 1000 total points) based on the importance of each responsibility area of the job classification should be assigned. (There will be a minimum weight value of 50 assigned to a responsibility area, except for cases where the responsibility area does not apply to the job and is therefore assigned a zero weight. There will also be a maximum weight value of 200 assigned to any responsibility area.)

**Step 4:** Supervisors will next meet to review their weight assignments and reach a consensus on the appropriate weighting. After some discussion, if no consensus is reached, the department head or a designee will be used to help come to a consensus. If real job differences exist among positions within the **same** job classification, then different weights should be recommended. Such **differences** must be documented.

**Step 5:** The consensus weights for each responsibility area and each job classification will be reviewed by the Department Chief or designee for approval. These weights will also be reported to the Human Resources for each job classification.

2) Specific Job Review by Supervisor

In cases where a specific position within a job classification is different (i.e., requirements of one individual's job differs from all others within the same classification), then a supervisor may appeal to the department to change the weights assigned to the responsibility areas. It is the responsibility of the supervisor requesting the change to provide the documentation illustrating the job duties and responsibilities, which set the position apart from all other positions with the same title. The documentation will provide the rationale for the change as well as the recommended weights. The department must grant final approval for such requests.

Changes made to responsibility area weights will be made at the performance-planning phase or during performance monitoring. Changes made, therefore, will allow the employee a sufficient amount of time to modify his or her performance.

3) Adding a Responsibility Area

When a new responsibility area is added to reflect an important job responsibility, the weights assigned to the responsibility areas must be changed to reflect this new area. In this case, the supervisor will again provide the rationale for the addition of the new responsibility area, and recommend the new distribution of weights. The department must grant final approval for this request.

f) **Obtaining Signatures**

The following higher-level review process should be followed during performance planning.

Once the performance plan of the appraisal has been completed, the employee's immediate supervisor should sign and date the appraisal under performance plan and should have the next level supervisor review the appraisal and sign and date it. The appraisal should then be forwarded to the Chief of Police to be signed and dated and then returned to the employee's immediate supervisor. Once the employee's immediate supervisor receives the appraisal from the Chief, the supervisor should meet with the employee for the purpose of discussing what is expected of the employee during the appraisal period. Upon conclusion of this, the employee should sign and date the appraisal. The supervisor should then ensure that the appraisal is maintained in the employee's division/unit/precinct/station file and that the employee receives a copy.

The completed performance plan will be retained in the employee's division/unit/precinct/station file and made available upon request to the Human Resources and any other party authorized to have access to this information.

g) **Brief Overview**

During the performance-planning phase, the employee's supervisor should meet with the employee for the purpose of determining the job standards and rating criteria in which the employee will be evaluated. If the job

standards have already been established, the supervisor should ensure that the job standards are current and address the job being performed by the employee.

Upon completion of the job standards within each responsibility area, the supervisor will then assign weights to each responsibility area. These weights will range between 50 and 200 and must add up to a total of 1000.

Once the job standards have been established, the employee's supervisor should sign and date the appraisal in the signature block for immediate supervisor under the performance plan. The next level supervisor should then sign and date the appraisal and finally, the appraisal should be signed and dated by the department head.

Once the immediate supervisor receives the appraisal back with the department head's signature, the supervisor should then meet with the employee and go over the performance appraisal to ensure that the employee understands what is expected during the appraisal period. The supervisor should also address the County's minimum job requirements as they relate to the employee.

Upon conclusion of the employee's review of the performance appraisal, the employee should sign and date the appraisal in the box designated for the employee under the performance plan.

The employee should be given a copy of the appraisal and the original appraisal should remain in the employee's division/unit/precinct/station file.

#### **h) Monitoring**

During the time between performance planning and the formal appraisal of employee performance effectiveness, employee performance will be observed and monitored by the immediate supervisor.

Regular communication between the immediate supervisor and the employee during the appraisal period is critical. To maximize its effectiveness, informal feedback should be given soon after performance occurs to keep performance on target and to ensure that the employee knows where he/she stands to prevent surprises.

Praise and recognition should be given to reinforce expected and above standard performance. Where performance deficiencies are identified, a developmental Improvement Plan should be completed to indicating corrective actions required to correct problems, early on. Coaching, training, and developmental activities may be necessary to improve performance effectiveness.

Where overall performance or responsibility area is below standard, one or more formal interim or progress reviews should be completed. Next level supervisor and department head review signatures are required prior to meeting with the employee. Where warranted, the immediate supervisor should initiate corrective action following established county procedures.

Documentation of employee performance should be gathered and maintained throughout the appraisal period.

Necessary changes in expected performance and associated performance standards should be documented on the appraisal under the appropriate responsibility area section. Both the immediate supervisor and employee should initiate such changes.

During the 12 month appraisal period if an employee's work performance or responsibility area is below standard for what is expected of that employee, the supervisor should plan to meet with the employee for the purpose of discussing the employee's below standard performance. Prior to meeting with the employee, the supervisor should make a copy of the Performance Appraisal Plan and evaluate the employee on the copy. If the supervisor elects to do this, the supervisor must sign and date the signature block for the immediate supervisor under the "other" column. Alongside "other" should be typed the word "interim". This interim evaluation should then be approved and signed by the next level supervisor and the Chief of Police. Upon the Chief's signature and return to the immediate supervisor, the supervisor should then meet with the employee. The employee and the supervisor will discuss the interim evaluation and the employee will then sign and date the form. All supervisors must remember that the interim should be completed on a copy of the Performance Appraisal and not on the original.

During the monitoring period, if an employee's performance is below standard, the immediate supervisor should conduct an interim evaluation at least 90 days prior to the end of the employee's appraisal period.

If an Interim evaluation is done, the completed form will be given to the employee with a copy maintained in the employee's division/unit/precinct/station file. A copy of the Interim evaluation should also be forwarded through the chain-of-command to the Merit System. During the annual review, the supervisor may refer back to the Interim evaluation.

If during the 12 month evaluation period an employee changes jobs, but remains within the same Human Resources classification (i.e., MPO transferred from Uniform to C.I.D.), the employee's new supervisor will immediately meet with the employee for the purpose of discussing the employee's new job standards and updating and/or modifying the actual Performance Appraisal form. After the discussion with the employee, the supervisor will then document the changes on the form and sign it under the "other" column and type the word

Job Change beside the word "other". The immediate supervisor will then have their supervisor and the Chief sign and date the form and then present the form to the employee for discussion and the employee's signature. Also, if an employee remains in the same job, but has a new supervisor, the employee and the new supervisor should meet to discuss the employee's appraisal.

If, during a 12-month period, an employee transfers to a different shift, watch, precinct, etc., and maintains the same job responsibilities, the employee's immediate supervisor, prior to the transfer, will make a copy of the employee's performance plan and on the copy, evaluate the employee as if the 12-month period was up. This transfer evaluation should be clearly marked on the front of the appraisal "Transfer" and does not require signatures above the rater's signature. This transfer appraisal should accompany the employee and will benefit the employee's new supervisor once the appraisal period is over and the employee is to be evaluated for the previous 12 months.

When a Performance Appraisal is updated or modified because of a job change, the updating or modifying will be documented on the employee's original appraisal form and maintained in the employee's division/unit/precinct file. The employee should also be given a copy of the updated appraisal form.

**i) Evaluation**

The formal evaluation and documentation of the employee's performance effectiveness should be conducted during the last (12th) month of the employee's appraisal period.

During the beginning of an employee's last (12th) month, the department's Personnel Services Section will notify the employee's section/division/unit that the employee's appraisal period is approaching an end and that the actual evaluation should be completed and returned to the Personnel Services Section by a date established on the notification memorandum. It is of the utmost importance that the completed Performance Appraisal is returned to the Personnel Services Section by the established date so that merit increases and/or raises will occur on time.

Once the employee's immediate supervisor receives the memorandum from the Personnel Services Section, the supervisor should begin the evaluation process. The evaluation process should be carried out in the following steps:

**Step 1: Preparation**

The immediate supervisor should review the appraisal process and procedures contained in this section. The responsibilities and performance standards set during performance planning should also be reviewed as well as all relevant performance documentation. Documentation may include input obtained from the employee or information solicited from other supervisory level personnel who work with the employee. Input from other supervisors is very important, especially if the employee changed job duties and supervisors during the previous 12-month appraisal period. The supervisor should also notify the employee and schedule the conference at least two weeks in advance.

**Step 2: Rating Responsibility Area Effectiveness**

The employee's supervisor should review the rating scale descriptions presented on the front page of the appraisal form.

The employee is to be evaluated in each responsibility area. To evaluate employees in a particular responsibility area, check the appropriate box to indicate whether or not the responsibility area is Job Related or Not Appropriate.

Next, for each minimum job standard, which is job, related, provide a rating, which indicates the degree to which the employee has met the standard. If high performance standards were written, use them in making your rating. Refer to the front page of the appraisal form for the rating scale descriptions.

The supervisor will address each individual job standard that is applicable to the employee by rating the employee under the Work Accomplishments columns. The appraisal rating scale is addressed as follows:

**5 Far Exceeds Standards**

Continuously performs all duties in an exceptional manner; significantly exceeds expectations with exceptional quality, quantity and timeliness of work. Significantly exceed all goals, objectives, and performance measurements; always achieves exceptional results well beyond those expected of the position.

**4 Exceeds Standards**

Exceeds most job requirements and displays a high level of competence. Quality of work is higher than established standards of expectations. Goals, objectives, performance measures and/or special assignments

are routinely exceeded.

3 Consistently Meets Standards

Performance satisfies the requirement of the job. Consistently performs the duties of the position capably; meets and occasionally exceeds all expected criteria for quality, quantity and timeliness of work. Consistently meets goals, objectives and performance measurements.

2 Marginal Standards

Level of performance is minimally acceptable and shows deficiencies that need improvement. Performs some duties capably, meets some goals, objectives, and performance measurements, but requires improvement to fully meet standards.

1 Below Standards

Performance does not meet standards or performance measurements and is unacceptable. Major performance deficiencies exist suggesting a lack of willingness and/or ability to perform the requirements of the position. Significant and immediate improvement is necessary.

Next, rate the employee's overall performance effectiveness in the Responsibility Area. In making your rating, consider:

- How important the standards are.
- How difficult the performance standards are to achieve.
- What extents do factors under the employee's control influence the level of achievement.

Refer to the rating scale description and assign a numerical rating of 1, 2, 3, 4 or 5. Record your responsibility area rating and supporting comments in the appropriate spaces on the appraisal form. Check to make sure that the comments are consistent with the rating given. Additional sheets may be attached if needed.

\*\*\*\*\*It is important to note that whenever an employee receives a rating within each job standard of a 1 – Below Standards, 2 -Marginal Standards, 4 - Exceeds Standards or 5 – Far Exceeds Standards, the supervisor will be required to document the reason for these ratings in the space located on the bottom of the page of each job standard.

**Step 3: Compute Overall Performance Rating**

After rating each responsibility area, an overall performance rating should be computed. To compute the overall performance rating:

Record the responsibility area ratings in the appropriate spaces on the inside back page of the appraisal form.

- 1) Record the importance weight assigned to each responsibility area for that job. These weights, as recorded on the forms, will be retained in the employee's file in the Human Resources Department.
- 2) Multiply the importance weight assigned to the responsibility area by the rating to arrive at the weighted rating for each responsibility.
- 3) Sum the Weighted Ratings and divide by 1000 to arrive at the weighted overall rating.
- 4) Document comments to support the overall performance rating in the "Overall Summary" section on the back page of the appraisal form.

**Step 4: Minimum Job Requirements**

The supervisor will then rate the employee under the Minimum Job Requirements section as to whether the employee has performed in a satisfactory or unsatisfactory manner in the specified areas.

\*\*\*\*\*It is important to note that if an employee receives any unsatisfactory rating in one area, the employee's overall rating cannot exceed 3.49. An example would be an employee who has an overall computed average of 4.3 which falls under "Exceeds Standards" and has one area checked Below Standards under the Minimum Job Requirements, then the employee's overall rating will drop to 3.49 or "Consistently Meets Standards".

**Step 5: Appraisal Summary**

After arriving at the employee's overall weight and overall performance rating, the supervisor should reduce to writing an overall general summary of the employee's performance during the appraisal period.

Some essential points to remember about writing the overall summary are:

Be concise, yet descriptive enough to give a reasonably well-informed higher-level manager an accurate picture of the strengths, developmental needs, and overall effectiveness of the employee.

Focus on what is important. Some performance objectives/standards and certain responsibility areas may be more critical in a given evaluation, and more important in terms of the overall purpose and content of the job.

Organize the summary. Group comments and related points together.

Make sure the appraisal summary is consistent with the general level of performance accomplishment and responsibility area effectiveness reflected in other sections of the appraisal form.

Include a summary statement, typically beginning, "In summary", that states the employee's overall level of performance in the words of the performance in the rating scale.

There is no single "perfect" or department-prescribed format for the overall summary. A format that works well for many people is as follows:

Begin the summary with a description of the employee's most positive or strongest accomplishments against objectives/standards. Supplement that with pertinent points on related responsibility areas.

Mention those responsibility areas in which the employee "generally met standards".

Summarize those responsibility areas and performance standards where the employee was deficient. If there are explanatory factors, which mitigate the significance of the deficiency, state them (for example, an unexpected development, such as the resignation of a key staff member, or new legislation).

Include the summary statement described above.

**Step 6: Review Preliminary Rating With Next Level Supervisor**

The preliminary completed appraisal should be submitted to the next level supervisor for review and discussion. Any need for additional documentation, changes in the ratings given, or other modifications should be identified and made at this time. Concerted efforts should be made to resolve any differences in opinion about the ratings given. If such differences in opinion persist, the basis for the differences should be documented on the back page of the form and the Department Head or the Human Resources contacted for assistance.

The next level supervisor should also initial and date the appraisal form after the preliminary review.

**Step 7: Review of Preliminary Ratings By The Chief of Police**

Once the appraisal form has been signed and approved by the next level supervisor, it should be forwarded to the Chief of Police for review and signature. Once this is completed, the form should be sent back to the employee's immediate supervisor.

**j) Conference**

Once the supervisor receives a notice memorandum from the Personnel Services Section that an employee's annual appraisal review is upcoming, the employee should be given two weeks advance notice of the scheduled conference to afford him or her the opportunity to assess his or her own performance for the appraisal period, to prepare questions, and to develop suggestions for performance improvement. The purpose, time and place of the performance appraisal conference should be communicated to the employee. This two-week period will also give the supervisor enough time to evaluate the employee and obtain the necessary signatures.

The face-to-face discussion between the immediate supervisor and employee should be held in private with no distractions or interruptions. The basic tasks in conducting the conference include:

a. Opening Comments

- 1) Explain the purpose and process of the session.
- 2) Put the employee at ease.
- 3) Emphasize importance of two-way communications.

b. Solicit Employee's Self-Assessment

- 1) Immediate supervisor should review one responsibility area at a time. The employee should go over responsibility and associated standards and goals set, and summarize the progress made.
- 2) Probe employee standards for understanding of reasons for successes and failures.
- 3) Identify factors that have enhanced or impeded performance accomplishments.

4) Immediate Supervisor's Evaluation

- 5) Explain behavioral observations made by you during the appraisal period.
- 6) Review strengths and improvement areas.
- 7) Mention factors beyond employee's control considered in the evaluation.
- 8) Seek reaction and input from employee.
- 9) Avoid becoming defensive in reactions, if challenged.

c. Joint Assessment

- 1) Acknowledge that you may not reach agreement with the employee but that an understanding of one another's views will be gained
- 2) Stress a desire to leave on a positive note.
- 3) Review differences in ratings.
- 4) Be flexible, recognize employee's comments, but be firm.
- 5) Modify ratings and comments only after thorough consideration and substantiation.

- d. Develop Plan of Action
  - 1) Establish the nature and amount of improvement needed.
  - 2) Discuss actions to be taken for improvement and employee development.
  - 3) Set the time frames.
  - 4) Identify roadblocks and discuss how these barriers should be handled.
  - 5) Be sure that, in closing the conference, the employee knows what is expected, job priorities are defined, and he or she understands that you recognize and appreciate his or her contributions made.
  - 6) Document the developmental or improvement plan on the back cover of the appraisal form. This documentation should be done in order to assist the employee in pursuit of any goals, objectives, targets, or plans established by the employee, supervisor or both.
- e. Solicit employee reaction to the appraisal and obtain his or her signature to document that a conference was held. Employees should be given an opportunity to record comments in the space provided, if desired. If additional information has been introduced during the conference to warrant reconsideration of the ratings given, the immediate supervisor will meet with the next level supervisor to discuss the ratings again. Employees should receive feedback once final decisions about the ratings have been made. Once again, obtain dates and signatures to document that the feedback was given.  
 If during the conference phase the immediate supervisor changes the performance appraisal, the supervisor should document the reason for the changes on the form and forward the original form to the next level supervisor and the Chief of Police for signature. Once the form is returned to the employee's supervisor, the employee will again have the opportunity to review and discuss the form and sign it.  
 If the employee refuses to sign the appraisal form, explain once again that the signature does not indicate agreement or disagreement with the ratings, but only that the conference was held. If the employee still refuses, the rater should note the refusal to sign on the appraisal form and notify the next level supervisor or the department immediately.  
 Once the Performance Appraisal is completed and signed by the employee, the supervisor will forward the original Performance Appraisal to the Personnel Services Section and make a copy for the employee and the employee's division/unit/precinct/station file. The Personnel Services Section will then forward the original appraisal to the Human Resources and maintain a copy in the employee's personnel file. Once the performance plan is established for the next 12 months, the same cycle will follow as previously discussed. Upon conclusion of the conference with the employee concerning the performance appraisal for the previous 12 months, the supervisor should also use this time to develop a performance plan for the next appraisal period.
- f. Administration  
 The performance appraisal administrative procedures are summarized as follows:
  - a) The Human Resources Department will provide all departments with a report at the beginning of every month which lists the anniversary dates of the employees in the departments for the current and the upcoming month.
  - b) The Personnel Services Unit within the Police Department is responsible for notifying appropriate personnel about upcoming appraisals at least 30 days prior to the employee's anniversary or probationary date.
  - c) The appraisals should be completed in a timely fashion and reports should be submitted by the Personnel Services Section to the Human Resources Department prior to the end of the probationary period or anniversary date.
  - d) A performance-planning meeting is required to discuss employee responsibilities and expected performance. It is preferred that the performance planning be conducted as part of the previous appraisal period's conference, when feasible. Regardless of when the performance-planning meeting is held, a new appraisal form will be used and the employee's signature obtained to document that the meeting occurred. Next level supervisor and the department head (or designee) signatures are also needed to document that the planning session was held. Performance planning documentation should be retained in department records.
  - e) The immediate supervisor should hold a performance planning meeting with new employees, newly promoted employees, and transferred employees within 30 days after beginning work in the new position.
  - f) A formal interim or progress review is required if employee performance during appraisal period is Below Standards, or Marginal Standards, overall. The department and the Human Resources

Department should be notified about any progress review and be sent the original completed progress review.

- g) A formal performance review is required annually but work products, reports, notes, informal review documentation, memos, etc. from throughout the year should be used to substantiate the performance ratings given. The preliminary appraisal should be reviewed and discussed with the next level supervisor and department head or designee before meeting with the employee.
- h) A conference must be held to discuss the employee's performance effectiveness and the basis for the evaluation given. Dates and signatures are required to document that the conference was held.
- i) If additional information has been introduced during the conference to warrant reconsideration of the ratings given, the immediate supervisor and the employee will meet with the next level supervisor to discuss the ratings again. Employees should receive feedback once final decisions about the ratings have been made. Document that the feedback was given.
- j) After the conference between the immediate supervisor and employee has been held and the evaluation finalized, the department head should be notified that the conference occurred and if any significant issues, problems or disagreements were identified.
- k) The Human Resources will continually and at least on an annual basis review the entire performance appraisal system and make any appropriate modifications or changes.
- l) Whenever copies are made of the Performance Appraisal, the copies should be on white paper. Copies on blue paper should be avoided as the original appraisal is on blue paper.

#### D. PROBATIONARY EMPLOYEES

Probationary periods for Police Department employees will be for either 6 or 12-month periods. This not only includes new employees, but also includes employees that have been promoted into a higher job classification. All probationary employees will be evaluated in the same manner under the performance appraisal system previously discussed. Each individual division/unit may elect to evaluate probationary employees independently and more frequently than is required by the Merit System. These evaluations may be designed to meet the individual division/unit needs. In any event, a probationary employee will be evaluated at least every other month. (Example - POI's assigned to the police academy will be evaluated by their police instructor every other week. Once a POI leaves the police academy and is assigned to the Uniform Division with a Field Training Officer, the POI will be evaluated on a weekly basis. Once the POI is assigned to ride alone, the officer's immediate supervisor will evaluate the officer every other month until the officer has served the 12 month probationary period and is evaluated under the department's Performance Appraisal System).

These independent evaluations should be in writing and should document the employee's performance as it relates to the employee's job assignment. In the case of all evaluations, the employee will have an opportunity to review the evaluation and sign it.

#### E. RATER RESPONSIBILITY

All Police Department employees in a supervisory position or any employee in a non-supervisory position that supervise any other employees will be responsible for reading and understanding this entire section as it relates to the mechanics of the Performance Appraisal System.

Every employee promoted into a supervisory capacity will either receive on-the-job training from their immediate supervisor or in-service training from the department on the County's Performance Appraisal System.

Any employee who has a responsibility to evaluate subordinates will in turn be evaluated by their immediate supervisor on their ability to follow all established policy and guidelines as it relates to the performance appraisal system.

#### F. PERFORMANCE APPRAISAL SUMMARY

The following is a summary or brief outline of the entire Performance Appraisal:

##### 1. Performance Planning

An employee's performance plan for the next 12 months should be developed by the employee's immediate supervisor, signed by the next level supervisor and the Chief of Police and then returned to the immediate supervisor to be discussed with the employee. The employee should sign and date the plan, which will be maintained in the employee's division/unit/precinct/station file.

##### 2. Monitoring

During the next 12 months, the employee will be monitored by their immediate supervisor and if the employee's performance is below standard, an interim evaluation will be conducted. If the employee is transferred to another job while maintaining the same job classification, the evaluation will be updated by the employee's new supervisor and if the employee is transferred to a different shift/ precinct, a transfer evaluation will be completed. If the employee is promoted to a higher classification, then a new performance appraisal will be completed by the employee's new immediate supervisor.

3. Evaluation

The Human Resources will notify the department's Personnel Services Section one month prior to an employee's anniversary date. The Personnel Services Section will in turn cause to be notified the employee's immediate supervisor in order to prepare for the actual appraisal. The immediate supervisor will complete the employee's performance appraisal and have the next level supervisor and the Chief of Police sign in the appropriate place. Once the appraisal is returned to the immediate supervisor, a conference will be scheduled. The immediate supervisor should also solicit input from other supervisors for whom the employee worked during the previous 12 months.

4. Conference

The immediate supervisor will meet with the employee for the purpose of discussing the employee's performance during the previous 12 months. Upon conclusion of the conference, the original completed appraisal will be forwarded to the Personnel Services Section and then forwarded to the Merit System. Copies should be made for the employee's division/unit/precinct/ file and the employee's personnel file. Also during the conference phase, a performance plan should be completed with the employee for the next 12 months (Step 1).

**3-2.26 DEPARTMENTAL PROMOTIONS**

Promotions within the Police Department denote the vertical movement in the organizational hierarchy from one rank/position classification to another, which is usually accompanied by additional responsibility and increases in salary

It will be the policy of the Police Department to promote qualified candidates for each authorized position within the Department based on highest qualifications for the particular position, affirmative action objectives, compliance with settlement agreements, existing court orders, County Ordinance, State and Federal law.

The DeKalb County Police Department will work directly with the County Human Resources regarding all phases of promotions and promotional testing.

Promotional testing for departmental employees is an integral part of the Department's total selection process and, accordingly, must meet the legal, professional, and administrative requirements for selection procedures. The promotional process as a whole and its individual components and procedures must satisfy professional, legal, and administrative requirements designed to insure validity, utility and minimum adverse impact. All testing and other criteria considered for promotions will be job related and non-discriminatory. All promotional testing for sworn police employees will be administered by entities contracted by the County and will be reviewed and validated by the Merit System.

The Human Resources will be responsible for advertising, in advance, the openings of promotional positions prior to any promotional examinations. Advertising for promotional positions will be in the form of a written announcement and will include a description of the positions or job classifications for which vacancies exist; a schedule, once determined, of dates, times, and locations of all elements of the promotional process; and a description of eligibility requirements. Requirements may include, but are not limited to; weights, if any, assigned to each eligibility requirement, system of ranking eligible employees on lists, time in grade and/or rank, duration of lists, and system for selecting candidates from lists. For Police promotional testing, the Human Resources will additionally publish a bibliography of reading materials at least 30 days prior to the announced test dates when test material will be derived from those publications or other sources.

All phases of the promotional process, including all testing material, for sworn and civilian employees will be reviewed by the Human Resources and updated if necessary.

In accordance with the DeKalb County Human Resources and Merit System regulations and the Departmental Grievance Procedures, any candidate for any promotional position who wishes to question or seek a review of an adverse decision concerning their eligibility for promotion may do so.

For additional information concerning the promotional and selection process, employees may refer to the "Examination" and "Register" sections of the "Administrative Procedures to the Personnel Chapter of the DeKalb County Code". Outside of any Court Order, Settlement Agreement, Consent Decree, etc., the County Human Resources will be solely responsible for establishing all guidelines pursuant to the entire promotional process. The Human Resources shall also be responsible for coordinating all phases of the testing process.

All candidates for any promotional position, sworn and civilian, must follow Human Resources established guidelines by completing a designated application for the desired position. The Human Resources will screen all applications to insure that each candidate meets the minimum requirements. The Human Resources prior to any testing will post these minimum requirements. This is to evaluate the promotional potential of candidates. Applications for promotions are only accepted for positions currently advertised open, as slots presently open or those newly allocated.

Because of the structure of the Police Department, the promotional process will be divided into several different areas as follows:

#### **A. POLICE**

The responsibility for administering the promotional process for police officers within the Police Department will be the primary responsibility of the Merit System. The Human Resources will designate a Senior Personnel Officer to be in charge of the administration of the promotional process. These duties will include confirming a potential candidate's eligibility, the scheduling, administering and scoring of tests and the training of raters and assessors. The Senior Personnel Officer will also work with the Administrative Aide to the Chief of Police in order to keep the Chief apprised concerning the administration the testing process. All phases of any promotional testing will be nondiscriminatory, have minimum adverse impact, and be job related.

In 1987, the Department of Police Department entered into a Settlement Agreement, which provides for the procedures to be followed regarding the promotional process for specified ranks until its expiration. A copy of the Settlement Agreement will be available for review by any law enforcement officer at each Police Department facility. Upon expiration of that Settlement Agreement, the DeKalb County Human Resources and Merit System will then administer all phases of promotional testing. The promotional procedures will conform to any existing Court Orders, Settlement Agreements, etc. The Human Resources may use outside contracted testing services for any and all phases of testing. This also applies to Assessment Centers, if used. The Human Resources will advertise all openings for promotions, as well as the elements to be used in each process, to include but not be limited to:

- a. Evaluating those candidates who apply to establish eligibility to enter the promotional process;
- b. Evaluating the promotional potential of candidates applying;
- c. Coordinating the use of assessment centers, if utilized;
- d. Coordinating all phases of testing, to include when used, oral interviews, written test and practical exercises, etc.
- e. When allowed and notice is given beforehand, procedures for review and appeal of test questions and other promotional elements by candidates;
- f. When necessary, establish procedures for reevaluation, retesting, or reapplication of candidates;
- g. Establishing the system for ranking eligible employees on promotional eligibility lists;
- h. Determining promotional eligibility for vacancies when lateral entry (if any) is permitted.

The following is a list of the rank structure for police officers and the requirements relating to the promotional process:

##### **1. Police Officer**

This is the rank in which a sworn police officer will normally start once employment as a police officer is attained with the Department. (entry level position) In certain situations, upon approval by the Chief of Police, State P.O.S.T. certified police officers may be hired at an advanced pay step level in the position of Police Officer or Police Officer Senior. The requirements to be hired as Police Officer will be located in the "Selection" portion of this manual. An individual hired as a Police Officer will serve a 12-month probationary period before being considered for promotion to Police Officer Senior.

##### **2. Police Officer Senior**

Once a Police Officer has successfully completed the 12-month probationary period, the officer will become eligible to be promoted to the position of Police Officer Senior unless a recommendation has been made to deny promotion through the officer's 12-month evaluation or through some disciplinary action. (This is done through the Command Review process) Presently, there is no test for promotion to Police Officer Senior. A Police Officer Senior will serve a six-month probationary period.

##### **3. Master Police Officer (MPO)**

Once a Police Officer Senior has served as a Police Officer Senior for a period of at least two years (24 months), and received an overall rating of "3.0" or better on the two preceding annual evaluations, the officer will be eligible to apply for the position to Master Police Officer (MPO). The officer will complete the appropriate departmental application for promotion to MPO and forward this form through the chain of command to the Chief of Police. Officers must keep in mind while this promotion is not a position presently that a Police Officer

Senior must undergo testing for; it is not an automatic entitlement. It is awarded on the basis of performance and dependability. Any supervisor within the chain of command may deny the officer the right to be promoted to MPO; however, the Chief of Police will make the final decision. Factors to be considered include, but are not limited to disciplinary and driving records. Typical disqualifying factors may be:  
Disciplinary actions which resulted in 2 or more suspension days in the last 12 months, or;  
4 disciplinary actions of any type within the past 12 months, or;  
3 disciplinary actions of any type within the past 6 months.

Denial or delay is based on the seriousness of the offense(s), which brought about the disciplinary suspension. For instance, a 2-day suspension for a preventable accident, with no other disciplinary suspension in a 12-month period, will result in a delay of 3 to 6 months, depending on that officer's professional driving history.

In another scenario, an officer who has been suspended for 2 or more days as a result of a charge of Conduct Unbecoming, Truthfulness and Cooperation, etc. may be required to wait 6 to 12 months or longer, at the discretion of the Chief of Police. In the most severe cases involving a history of disciplinary suspensions and other incidents, the Chief of Police may require that applicant go an entire additional 12 months longer without any suspension time before approving promotion to MPO. These will be handled on a case-by-cases basis, due to the individual circumstances surrounding each incident.

In the case of an officer who has had a suspension experience but otherwise has performed exceptionally well in their duties, the delay for promotion will be minimal in consideration of that performance.

An officer will obtain MPO status at the beginning of the next pay period after the Chief of Police and the Human Resources have approved the application for MPO and this approval has been received by the Personnel Services Section. Probationary period for MPO is six months.

4. Police Sergeant

To be eligible to take the promotional exam for Police Sergeant, an officer must have attained the rank of MPO, and held that rank for a predetermined period of time as set forth beforehand by the Merit System. The position of Police Sergeant is the first position that requires promotional testing. The testing procedures along with the selection procedures and eligibility criteria for Police Sergeant will be set forth by the Chief of Police and the Human Resources prior to the administration of any testing. The probationary period for Police Sergeant is six months.

5. Police Lieutenant

To be eligible to take the promotional exam for Police Lieutenant, the candidate must have attained the rank of Police Sergeant and served in that capacity for a period of time set forth prior to any testing procedures by the Chief of Police and the Merit System.

The position of Police Lieutenant requires the candidate to complete a series of testing procedures, and these procedures along with the selection process will be advertised by the Chief of Police and the Human Resources prior to the administration of any testing procedures. The probationary period for Police Lieutenant is six months.

6. Police Captain

To be eligible to take the promotional exam for Police Captain, the candidate must have attained the rank of Police Lieutenant and served in that capacity for a period of time set forth prior to any testing procedures set forth by the Chief of Police and the Merit System.

The position of Police Captain requires the candidate to complete a series of testing procedures, and the Police Department and the Human Resources Department prior to any testing procedures will advertise these procedures along with the selection process. The probationary period for Police Captain is six months.

7. Ranks above Captain

All employees of the Police Department, excluding police chief, who hold the positions or classifications above the rank of captain, serve at the pleasure of the Chief of Police. If the Chief of Police removes an employee above the rank of captain for a reason other than for cause, the employee shall revert to the position of captain, or to the position previously held if less than captain, with equivalent change in salary and benefits. The probationary period for ranks above Captain is six months.

8. Director for Police Services

The final selection for the position of Director for Police Services (or the Chief of Police) will be decided by the Chief Executive Officer of DeKalb County. The Human Resources may advertise the position of Director for

Police Services nationally and all candidates will demonstrate a proficiency in knowledge, skills and abilities in the following areas:

Comprehensive knowledge of the principles, practices and methods of local police administration, organization and operation, including crime prevention; considerable knowledge of the operating procedures of police departments and limitations upon departmental authority; considerable knowledge of municipal, county, state and federal criminal and related laws, ordinances and codes.

Comprehensive skill in the application of modern law enforcement principles and practices; considerable skill in the analysis of the community's law enforcement needs and developing and implementing plans to satisfy the community's needs.

Marked ability to plan, organize, assign, coordinate, supervise and inspect the work of varied police divisions; considerable ability to establish and maintain effective working relationships with other public officials, department members and general public; considerable ability to analyze police problems and to develop policies, plans and procedures; considerable ability to command the respect of subordinate personnel; considerable ability to express oneself clearly and concisely, orally and in writing; considerable ability to exercise unusually good judgment in evaluating situations and in making decisions.

Each candidate must possess a Baccalaureate Degree (or completion of a college level major) in Police Science and ten years of police experience, four of which must have been at the level of Captain or higher in a recognized law enforcement agency employing at least 300 sworn personnel, or, an equivalent combination of education and experience.

The Chief Executive Officer of DeKalb County will additionally review the candidate's previous evaluations, resumes, educational and career oriented achievements, civic involvement, special skills, recognition's and awards in the Criminal Justice field, public administration experience, staffing, budget and financial abilities, and depth and variety of organizational experience.

In addition to a review of the above-mentioned criteria, the Chief Executive Officer of the County may orally interview candidates. Upon completion of this process, a candidate will be selected for the position of Director for Police Services. The probationary period for Director for Police Services is six months.

The Chief Executive Officer of the County may elect to use an "Assessment Center" exercise, administered and monitored by the Merit System, to assist in the promotional process for Deputy Director for Police Services.

#### **B. CIVILIAN EMPLOYEES**

All civilian employees within the Department of Police Department may be eligible for promotion within their area of expertise. Promotions are classified as either non-competitive or competitive.

##### **Non-Competitive Promotions:**

Non-competitive promotions will be limited to those classifications designated as interchangeable by the Human Resources in the classification plan. Candidates for non-competitive promotions will meet the minimum requirements of the class, established by the Human Resources and Merit System.

##### **Competitive Promotions:**

Competitive promotions will be divided into three major areas.

##### **1. Intra Departmental Promotions**

Intra Departmental Promotions will be competitive; however, candidates will be restricted to those from a specific county department. Candidates will also be required to have permanent status and meet the requirements for the position.

##### **2. Open Promotions**

Open Promotions will be competitive; however, candidates will be restricted to those currently employees currently employed by DeKalb County departments which fall under the authority of Human Resources and Merit System. Candidates will also be required to have permanent status and meet the minimum requirements for the position.

##### **3. Open Competitive**

Open Competitive promotions will be competitive and candidates may or may not be employees of the County. All candidates will be required to meet the minimum requirements for the position.

##### **4. Promotional Examinations**

Depending on the classification and/or the position, candidates for promotion may be subject to an examination process, which may range from a battery of tests to an oral interview. The responsibility for administering the promotional process for all civilian employees will be the primary responsibility of the Human Resources and Merit System. Human Resources will designate a Senior Human Resources Officer to be in charge of the administration of the promotional process. These duties will include confirming a potential candidate's

eligibility, the scheduling, administering and scoring of tests and the training of raters and assessors. The Senior Human Resources Officer will also work with the Administrative Aide to the Chief of Police in order to keep apprised concerning the administration of all testing.

Additional information concerning promotional examinations and promotional registers will be found in the "Administrative Procedures to the Personnel Chapter of the DeKalb County Code".

5. Promotional Probation

All civilian employees within the Department who have been promoted will serve a six-month probationary period, unless otherwise noted.

6. Assessment Centers

An "Assessment Center" exercise, if utilized in the promotional process for sworn or civilian departmental employees, may be the ideal testing method. An "Assessment Center", if utilized:

- a. measures dimensions, attributes, characteristics, qualities, skills, abilities, or knowledge specified in a written job task analysis;
- b. uses multiple assessors who are thoroughly trained prior to participating in a center;
- c. uses techniques designed to provide information used in evaluating the dimensions, attributes, or qualities previously determined;
- d. uses multiple assessment techniques, one of which may be a simulation;
- e. may use simulation exercises that have been pre-tested prior to use to ensure that the techniques provide reliable, objective, and relevant information and that the exercises are job related;
- f. bases judgments resulting in an outcome on pooled information from assessors and techniques;
- g. bases overall evaluation of behavior made by assessors at a separate time from observation of behavior during the exercises;
- h. announces the dimensions to be evaluated in a written directive;
- i. uses a form or forms to record and document the observations of assessors at each stage of the process; and
- j. provides participants, upon request, with written rationale and information concerning the dimensions, ratings, and recommendations of the center.

If a decision is made to utilize an "Assessment Center" exercise, it will be the Merit System's responsibility to develop the exercise and train the assessors.

**B. CHANGES IN THE PROMOTIONAL PROCESS**

All phases in the promotional process may be subject to change based on some future judicial decision or based on the County's or the Department's needs. Any and all changes will only occur after approval of the Human Resources Director.

**C. REVIEW OF PROMOTIONAL TESTING AND ASSESSMENTS**

All promotional testing and assessment exercises will be conducted and coordinated by the Human Resources Merit System. The Human Resources of testing and assessment results will notify candidates for any promotional position within Police Department.

Any candidate for a promotional position who has any questions, concerns, disagreements, suggestions or problems with any phase of the promotional process or the final results, will direct their concerns to the Merit System.

Answers to questions and exercises of all phases of promotional examinations and assessments will be maintained by the Human Resources under strict security and will not be available to promotional candidates. The Human Resources will meet with any candidate for the purpose of reviewing the candidate's overall performance in the different testing and assessment areas, but will not discuss specifics of individual questions.

**3-2.27 DISCRIMINATION POLICY**

No employee of this department will discriminate unfairly, or engage in harassment of any person based on that person's age, race, national origin, sex, sexual orientation, religion disability, political affiliation or opinion. This section applies to employee conduct while on duty, and while off duty, if the employee is acting while clearly identified or identifiable as a member of this department.

Unfair discrimination is defined as any act taken based on irrational, preconceived judgments or convictions based not on fact, but formulated because of a person's age, race, national origin, sexual orientation, or religion.

Harassment is defined as a systematic persecution of a person through annoyance, threat, demands, insults, heckling, or personal remarks made because of such person's age, race, national origin, sex, sexual orientation, or religion.

All employees are reminded that discrimination between concepts such as right and wrong, legal or illegal, and good or

bad job performance are examples of proper discrimination - we must discriminate, or have the ability to make fine distinctions, as part of our every day job functions.

Discrimination becomes unfair, and thereby comes under the purview of this section, when it is based not on measurable or quantifiable facts, such as job performance or work habits, but rather on preconceived opinions or prejudices.

### 3-2.28 UNWANTED CONDUCT POLICY

The DeKalb County Police Department adopts the following policy against sexual, ethnic, racial or religious harassment, otherwise defined as unwanted conduct. This policy is to maintain a quality working environment for all employees (sworn and civilian) and potential employees (applicants and recruits) of this department so that they may work free from intimidation, humiliation, insult or be subjected to offensive physical or verbal abuse or actions of a sexual, ethnic, racial or religious nature. All employees should be able to work free from any conduct directed at them because of their sexual, ethnic, racial or religious standing which would disrupt the orderly operation of the DeKalb County Police Department or its mission. This policy will also provide procedures for reporting, investigating, and resolving complaints of harassment and discrimination.

It is the policy of this department that all employees have the right to a workplace free of all forms of harassment. This agency will not tolerate, condone or allow harassment by employees, whether sworn, civilian, volunteer, or anyone else who conducts business with and for this agency. This department considers harassment and discrimination of others a form of serious employee misconduct. Therefore, this agency shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment and discrimination.

Sexual, ethnic, racial, or religious harassment is an offense first against this department and second, an offense against any specific employee or group of employees. Offenses refer to physical or verbal actions that have the purpose or effect of creating a hostile, offensive, or intimidating working environment or have an ethnic, racial, religious or sexual basis, or both. Harassment of a sexual nature may be grounds for criminal action, as well as departmental or civil action against an offender.

Prohibited activities may include:

- a. Explicitly or implicitly ridiculing, mocking, deriding, or belittling any person.
- b. Derogatory or offensive remarks to any person, either directly or indirectly, based on race, sex, color, religion, age, disability, sexual orientation, or national origin. Such conduct is a prohibited form of discrimination under local and federal employment law and/or is also considered misconduct subject to disciplinary action by this agency.
- c. Sexual harassment is defined as unwelcome advances, requests for sexual favors, or other conduct (verbal or physical) when:
  1. Submission to such conduct is made either explicitly or implicitly term or condition of employment or assignment;
  2. Submission or rejection of such conduct by an employee is used as a basis for making employment decisions affecting the employee;
  3. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

Examples would include, but are not limited to: physical contact of a sexual nature; sexual, racial, ethnic or religious related jokes, comments, insults, cartoons, innuendoes, personal conduct or mannerisms that could be construed as offensive.

Terms used to describe offensive behavior might include verbal comments; visual conduct; requests for sexual favors or sexual advances; unnecessary patting or touching; pinching; constant brushing against the body, the rubbing of sexual parts (self or others). Deliberate lack of cooperation with an employee because of their sexual, ethnic, racial or religious standing will be considered offensive behavior.

It is the Department's position to take appropriate action to prevent such unwanted conduct from occurring and to deal with all such reported incidents in a fair, impartial and speedy manner. All complaints or incidents will be investigated on a case-by-case basis. In those incidents where a violation has been shown to have occurred, immediate action will be taken to remedy the situation, eliminate the undesired performance and prevent its recurrence.

Any employee who violates this policy will be subject to corrective action ranging from counseling up to and including termination. It is each employee's responsibility to help eliminate all forms of harassment and

unwanted conduct. It will be every supervisor's responsibility to prevent or investigate such behavior if occurring in their work jurisdiction.

Supervisory responsibilities will include:

Monitoring the workplace on a daily basis for signs that unwanted conduct may be occurring;

Counseling employees on types of prohibited behavior, and procedures for reporting and resolving complaints of harassment;

Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene;

Taking immediate action to prevent retaliation towards the complaining party and to eliminate the hostile work environment where a complaint has been made, pending investigation;

If a situation requires separation of the parties, care should be taken to avoid actions that appear to punish the complainant.

Transfer or reassignment of any of the parties involved should be voluntary when possible, and if non-voluntary, should be temporary pending the outcome of the investigation.

Failure to carry out these responsibilities will be considered in any performance appraisal or evaluation, and will be considered in promotional or transfer decisions, as well as grounds for disciplinary action.

Each supervisor has the responsibility to assist any employee who comes to him or her with a harassment complaint by initiating the investigation, starting the documentation procedure, or turning the incident over to Internal Affairs.

Each employee of this agency is responsible for assisting in the prevention of harassment by:

Refraining from participation in, encouragement of, acts that could be perceived as harassment.

Reporting acts of harassment to supervisors.

Encouraging any employee who confides they have been harassed to report the incidents to a supervisor.

Failure of any employee to carry out the above responsibilities will be considered in any performance appraisal or evaluation, evaluation for promotion or transfer, and may be grounds for disciplinary action.

d. Complaint Procedures

Any employee encountering harassment is encouraged to inform the person immediately that their actions are unwanted and offensive.

Any employee who believes they are being harassed shall report it to a supervisor of their choosing, Internal Affairs, or Chief of Police so that steps may be taken to protect the employee from further incidents and to start the investigation.

The supervisor or other person that the complaint is reported to shall meet with the employee and document the incident(s) in question, the person(s) committing the act(s), and any witnesses present.

The employee taking the complaint shall submit a confidential memo documenting the complaint to the appropriate investigating authority.

The investigative authority shall be responsible for investigating any complaint alleging harassment or discrimination.

The investigating authority shall immediately notify the Chief if the complaint contains evidence of a crime, such as battery, rape, or attempted rape.

The investigator shall include a determination as to whether the person is harassing other employees, and whether other agency members participated or encouraged the harassment.

The investigative authority shall inform all parties of the outcome of the investigation.

Files of harassment and discrimination complaints shall be maintained in a secure location, and the Director provided with an annual summary of these complaints.

There shall be no retaliation against any employee who files a complaint, or for assisting someone by testifying or participating in any investigation.

The complainant's confidentiality shall be maintained when possible.

Complainants or employees accused of harassment may file grievances or appeals in accordance with this department's policy on such when they are in disagreement with findings.

This policy does not preclude any employee from filing a complaint outside this department.

e. Retaliation

Retaliation against any employee who files, assists, testifies or participates in an investigation of a complaint is illegal and is prohibited by this agency and federal statutes.

Retaliation is a form of misconduct, and is a violation of departmental policy. Violations will be investigated and if sustained, violators will be subject to disciplinary action.

Monitoring to ensure that violations do not occur is the responsibility of the supervisor(s), Internal Affairs and the Director of Police Department.

When incidents of harassment occur, they are to be reported immediately to Internal Affairs or to any supervisor of the employee's choosing. Every employee of this department will cooperate, within established policies designed to maintain their own legal rights, in any investigation where the employee might have become involved either as a witness or as the accused in a complaint of unwanted conduct.

The behavior of each employee will be such that it does not become suspect of any unwanted conduct and they will refrain from any physical, verbal or uncooperative conduct that might be construed to be offensive by a reasonable and prudent third party.

### **3-2.29 EQUAL OPPORTUNITY EMPLOYMENT**

The County is an equal opportunity employer. This effort will be an ongoing process. For affirmative action purposes, the Chief of Police, in conjunction with the affirmative action officer, may institute voluntary programs that will facilitate this purpose and implement programs approved by the Board of Commissioners.

There shall be no discrimination against applicants or employees on the basis of race, color, religion, sex, national origin, political affiliation or opinion, age, handicap or other non merit factors with regard to appointment, promotion, demotion, dismissal, discipline, training or any other aspect of personnel administration. This shall not prevent the application of a particular requirement factor that is a bona fide occupational qualification.

### **3-2.30 EMPLOYEE ASSISTANCE PROGRAM (EAP)**

#### **A. VOLUNTARY REQUESTS**

The Employee Assistance Program is a County service available to all current employees. It provides counseling or medical services for any employee experiencing problems with domestic affairs, substance abuse, emotional problems, etc.

Employees seeking assistance through the EAP should contact the EAP directly if they so desire.

The County for up to 13 visits by the employee provides funding for this service; the employee's health insurance carrier may provide additional funding.

All records regarding the EAP are strictly confidential and will not be released to any Department personnel by the treating physician or counselor, except in immediate, life-threatening situations.

#### **B. DEPARTMENT DIRECTED**

Employees who experience any of the above mentioned problems to the extent that their job performance is affected may be referred to the EAP program by Internal Affairs after consultation with a County approved physician. In such situations it will be mandatory that the employee attend all scheduled EAP sessions or counseling and abide by any restrictions or instructions given to them by Internal Affairs or any of the employee's supervisors, up to and including the Chief of Police.

Records relating to Department-mandated counseling will be released on a need-to-know basis to any of the employee's supervisors who may need to monitor the employee's progress or compliance with treatment instructions. Any release of information will have the prior approval of the Chief of Police.

No medical records generated, as a part of an employee's participation in the EAP program will become a part of their permanent employee files. These records will be stored separately in a secure location within Internal Affairs.

### **3-2.31 CLASSIFICATION AND JOB TASK ANALYSIS**

The DeKalb County Human Resources and Merit System will be responsible for performing job task analysis and developing written classification plans of each county class specification.

#### **A. CLASSIFICATIONS**

A written job task analysis will be completed for each classification within Police Department and maintained on file with the Human Resources and Merit System. A job task analysis of each classification will be conducted on a form provided by the Human Resources entitled Comprehensive Position Questionnaire.

##### **1. This questionnaire will:**

- a. serve as a basis for the determination of a position classification plan and compensation;
- b. provide a basis for establishing minimum qualification requirements for recruitment, examination, selection, appointment and promotion;
- c. assist in establishment of training curricula; and
- d. provide guidance to employees and their supervisors concerning the duties and responsibilities of individual positions.

2. The Comprehensive Classification Questionnaire will additionally include, at a minimum:
  - a. duties, responsibilities and tasks of each position;
  - b. frequency with which each task is performed; and
  - c. minimum level of proficiency necessary in the job-related skills, knowledge, abilities and behaviors.

**B. JOB TASK ANALYSIS OF SPECIFIC JOBS WITHIN CLASSIFICATIONS**

A job task analysis of each specific job within a class will be completed by the department and made available for all employees. These job task analysis's will allow employees to review the specifics of each job within a class in order to aid in career decisions and will allow supervisors to help evaluate subordinates in their specific jobs.

**C. JOB DESCRIPTIONS**

Job descriptions used as a basis for Human Resources CPQs will be developed and maintained by the DeKalb County Police Department. These job descriptions will be reviewed and updated annually.

**D. CLASSIFICATION**

1. The County Human Resources will be responsible for working with the DeKalb County Police Department in developing a written classification plan that will include, at a minimum:
  - a. grouping of every job into classes, based upon similarities in duties, responsibilities and qualification requirements;
  - b. existence of class specifications for every job within a class;
  - c. provisions for relating compensation to classes; and
  - d. provisions for reclassification.
2. Once the Human Resources and Merit System has developed a job classification, they will be responsible for the maintenance and conducting an annual review of each job classification.

**3-2.32 REAPPOINTMENT OF EMPLOYEES**

A regular employee, who has resigned or separated from employment in good standing, may be a candidate for reappointment for a period of two (2) years from the date of separation. This reappointment may be to the same classification of position the employee held at the time of separation or to any classification assigned a Pay Grade equivalent to or less than their former classification. A person shall not be reappointed to a position until they have been found by the Director of the Human Resources to meet the minimum standards for hire required for that position. Any person reappointed is required to serve a working test period as provided in the DeKalb County Personnel Code. The reappointment may make full allowance for any salary adjustments previously earned, but in no case shall the salary be above the step in the Pay grade applicable to the classification that the employee was receiving when last employed in the classification. Prior service will be added to current service following reappointment to establish total length of service. Reappointment of the same person, other than the first reappointment, shall be made only upon review by the Director of the Human Resources and Merit System and the DeKalb County Chief Executive Officer.

For more clarification, please refer to the Administrative Procedures to the Personnel Chapter of the DeKalb County Code.

**3-2.33 HIPAA PRIVACY OF EMPLOYEE HEALTH INFORMATION**

The Health Insurance Portability & Accountability Act (HIPAA) is a federal law that protects the privacy rights of an individual's Protected Health Information (PHI). The PHI relates to the past, present, or future physical or mental health or condition of an individual. Employees have the right to request confidential communications regarding their PHI.

With this in mind, birth announcements, hospitalization notifications, surgery updates, or other information which might be interpreted as PHI may not be disseminated by email, memorandum, or through any other form of communication without written permission from the affected individual. This written permission may be in the form of memorandum or email communication. If the affected employee is unable to provide written approval, but desires dissemination of certain PHI, verbal permission may be given through communication with the employee's supervisor with the rank of at least Lieutenant.

## COMMUNICATIONS / EMERGENCY MANAGEMENT DIVISION

### 3-3.1 PURPOSE AND SCOPE

The communications function for the department will be the responsibility of the Communications / Emergency Management Division. The Communications / Emergency Management Division will be responsible for the department's emergency 911 operations and general radio system, all telecommunications, false alarms, communications related computer network, teletype and automated data communications and the training required for the communications function. Additionally, the Division is responsible for the Emergency Departmental Procedures as outlined in Section 3-4 of this manual.

### 3-3.2 ORGANIZATIONAL STRUCTURE

The Communications Division shall be headed by a Deputy Director of Police Services, Communications / Emergency Management who will report directly to the Chief of Police. The Communications / Emergency Management Division will consist of five sections: the Emergency Dispatch Section, Telecommunications and Radio System Section, Training and False Alarms Section, the Computer Aided Dispatch (CAD) Section, and the Emergency Management Division.

### 3-3.3 EMERGENCY DISPATCH SECTION

The Emergency Dispatch Section will be responsible for the daily operation of the department's radio communications. This responsibility will include, but not be limited to, receiving and dispatching emergency calls via E-911, other non-emergency telephone numbers and the county radio system; coordinating communications with and by the county's police, fire, EMS, Animal Control, Public Works and Sheriff's function; dispatching C.I.D., I.A., Crime Scene and administrative personnel; monitoring the alarm board with the county school system and monitoring designated alarmed facilities; and receiving and dispatching teletypes concerning NCIC/GCIC information.

The Emergency Dispatch Section will be headed by a Communications Watch Commander on each shift who will report directly to the Deputy Director of Police Services, Communications / Emergency Management.

The Emergency Dispatch Section will ensure that the communications function is operational 24-hours-a-day, seven-days-a-week. The operations will be divided into three watches: day, evening and morning. Each watch will be headed by a Watch Commander who will be responsible for the operations of the watch. Each watch will be staffed with three Shift Supervisors, who will be responsible for duty assignment and oversight of floor operations. Each shift will consist of Senior Communications Operators and Communications Operators who will be responsible for the day-to-day operations.

All radio operations will be conducted in accordance with all departmental policies and procedures and in accordance with all policies, procedures and requirements of the Federal Communications Commission (FCC).

All incoming E-911 calls and other non-emergency calls will be received by Communications Operators designated as complaint writers. During periods of time when multiple calls are received and all positions are currently busy, callers will receive recorded information instructing them to hold until the next available operator can assist. A daily and monthly Shift Summary Report will be prepared to indicate peak periods of E-911 calls. This summary report will be used to assist in the placement of personnel to better handle calls during peak periods.

All incoming E-911 and non-emergency calls and all out going calls from the Emergency Dispatch Section will be recorded and these recordings will be maintained for a period of one year. Recorded tapes may be maintained for a period longer than one year only after a request has been made from an authorized individual and approval has been given by the Deputy Director. Recorded tapes may only be reviewed and copied upon the approval of the Deputy Director or designee. All recordings of tapes will be done in the Emergency Dispatch Center.

The Emergency Dispatch Section will have access to other local, state and criminal justice information systems.

Each employee assigned to the Emergency Dispatch Section will be assigned a Communications Operations Manual which will include, but not be limited to, established procedures and policies for performing radio, telephone, teletype and automated data communications functions.

## COMMUNICATIONS DIVISION

The Emergency Dispatch Section will receive a daily duty roster from each police component. These duty rosters will include the name of the personnel on-duty and their assignments; names of personnel off-duty and the individual in charge of the police component. These duty rosters will also designate an on-call person if the component is not operational during certain hours.

The Communications Supervisor's position will maintain a current directory of all Public Safety employees which will include their home address and telephone number.

The Emergency Dispatch Section will maintain at all times established written procedures for procuring necessary services external to the department. These policies and procedures will include, but not be limited to, locations and telephone numbers to all surrounding local, state and federal law enforcement and other criminal justice agencies; state and federal emergency management agencies; outside fire and medical emergency agencies; and all other ancillary and support agencies that may be public safety related.

### **3-3.4 TELECOMMUNICATIONS AND RADIO SYSTEM SECTION**

The Telecommunications and Radio System Section will be responsible for all installation, maintenance, upkeep and inventory of all electronic equipment that is related to the radio system. This section will also be responsible for the planning, programming, installing, transferring and operation of the departments E-911 telephone system. The Telecommunications and Radio System Section will be headed by a Telecommunications Supervisor who will report to the Deputy Director. Additionally, this position is designated as the Communications / Warning officer for Emergency Management.

### **3-3.5 COMPUTER AIDED DISPATCH SECTION**

The Computer Aided Dispatch (CAD) Section will be responsible for the installation, operation and maintenance of all CAD equipment and terminals located throughout Public Safety. This section will also be responsible for interaction with the State of Georgia regarding any computer access or networking maintained by the State. The section will additionally be responsible for software and hardware maintenance of the CAD system and maintenance of the GEO files and other data base files. The CAD Section will be headed by a Telecommunications Specialist, who is designated as the Communications GCIC Coordinator, and who will report to the Deputy Director.

### **3-3.6 TRAINING AND FALSE ALARMS SECTION**

The Training and False Alarms Section will be responsible for the orientation and training of new employees assigned to the Communications Division and the in-service training of all current Communications employees. This section will also be responsible for maintaining records of all training received by Communications employees.

The Training and False Alarms Section will be responsible for maintaining a data base of all reported false alarms and will deal with the public concerning false alarms. The section will also be responsible for the departmental administrative lines (404-294-2000). The Training and False Alarms Section will be headed by a Training Specialist who will report to the Deputy Director.

### **3-3.7 EMERGENCY MANAGEMENT SECTION**

The Emergency Management Section is the responsibility of the Deputy Director of Police Services, Communications / Emergency Management.

This Section is responsible for all of the emergency planning, exercises, and operations that have to do with the health and safety of the Citizens of DeKalb County. It is also responsible for liaison with the Federal Emergency Management Agency and the Georgia Emergency Management Agency.

A more detailed description is outlined in the Emergency Departmental Procedures section 3-4.

### **3-3.8 COMMUNICATIONS SECURITY**

The Communications / Emergency Management Division area is considered a restricted area and access will be limited to Communications personnel; deputy chiefs and above in the Fire and Rescue Services Department; majors and above in the Police Department and Sheriff's Department; and the Public Information Officer; and any other individual authorized by the Chief of Police or the Deputy Director of Police Services, Communications / Emergency Management, or designee. Access by these individuals will be controlled and it is expected that their needs will be handled in most circumstances through the Deputy Director.

Entrance to the secured areas of the Communications / Emergency Management Division will be controlled by electronic coding devices. All Communications personnel and authorized personnel who have knowledge of the entry code will not give this information to unauthorized personnel. Unauthorized personnel who gain access to the entry codes and enter secured areas will be subject to corrective action.

The Emergency Dispatch Center will be restricted only to those Communications personnel assigned and any authorized individuals designated by the person in charge. Additional Communications security policy can be located in 3—3.8 of the Employee Manual.

The Communications break room will be considered a restricted area; however, the following provisions will be followed:

- A. Each Communications employee will be allowed to have one guest at any time in the break room.
- B. All guests will be required to sign in at the front desk upon their arrival and sign out as they depart.
- C. All guests will be accompanied by a Communications employee at all times.
- D. Communications personnel will obtain permission from their supervisor prior to the arrival of their guest.
- E. Under no circumstances will any guest be allowed into the Communications Dispatch Center without prior approval of the Deputy Director of Police Services, Communications / Emergency Management.

Anyone desiring a tour of the Communications / Emergency Management Division must have prior approval from the Deputy Director or the person in charge of the Emergency Dispatch Section. All tours will be accompanied by a Communications employee.

### **3-3.9 RADIO/CAD USAGE**

All County Safety communications equipment, including radios, portable and command portable radios, and CAD terminals will only be used for departmental business. Employees are reminded that there is no expectation of privacy concerning the use of communications equipment; therefore, any and all verbal or written conversations may be monitored. Misuse of any departmental communications equipment for other than official business will subject the user to corrective action.

In using the radio or CAD terminals, employees should, if at all possible, utilize the departmental Signals and Codes.

### **3-3.10 TELEPHONE CONTACT WITH COMMUNICATIONS**

Anyone desiring telephone contact with any Communications personnel during business hours will use the 404-294-2000 telephone lines.

Anyone desiring to report a public safety non-emergency incident or any employee needing information from the Emergency Dispatch Section will use 404-294-2523 or 404-294-2519.

Employees will refrain from contacting the Communications Supervisor unless authorized to do so.

## EMERGENCY DEPARTMENTAL PROCEDURES

### 3-4 PURPOSE AND SCOPE

The purpose of this section is to establish the operational procedures for departmental personnel when responding to emergency situations.

#### 3-4.1 DEKALB COUNTY EMERGENCY MANAGEMENT UNIT

##### A. DEFINITION

"Emergency Management" is the preparation for and the carrying out of all emergency and disaster functions, other than those functions for which military forces or other state and federal agencies are primarily responsible, to prevent, minimize, and repair injury and damage resulting from emergencies or disasters of man-made or natural origin.

##### B. EMERGENCY MANAGEMENT FUNCTION

The emergency management function within DeKalb County will rest with the DeKalb County Police Department, Communications/Emergency Management Division. The Emergency Management Division will be headed by the Deputy Director of Police Services, Communications/ Emergency Management, who will report directly to the Chief of Police. This title may be also referred to as the Emergency Management Director.

Pursuant to the Code of DeKalb County, the Deputy Director will be responsible for the following duties:

1. To represent the governing officials of the County and cities and/or towns therein on matters pertaining to emergency management.
2. To assist County officials in organizing County departments for emergency operations.
3. To develop in conjunction with County departments and agencies, the DeKalb County Emergency and Disaster Operations Plan.
4. To maintain an Emergency Management Office to carry out the day-to-day administration of the County emergency and disaster preparedness programs including the rendering of required reports to the Georgia Emergency Management Agency.
5. To render reports and other relevant documents as required by governing officials in keeping with good business practices.
6. To maintain, with the authority of governing officials, a facility to be used as the DeKalb County Emergency Operation Center.
7. To coordinate, under the supervision of County governing officials, the activities of the County Emergency Operating Center staff during periods of a declared emergency.

##### C. PRIMARY MISSION

The primary mission of the Emergency Management Division will be to coordinate comprehensive Emergency Management programs to deal with natural, man-made and nuclear disasters, which may have effect upon DeKalb County. The unit's purpose will be to develop emergency management plans and activities which will provide a coordinated and effective emergency response by all elements of the DeKalb County government to meet the needs of our citizens in time of emergency/disaster.

##### D. RESPONSIBILITIES

Responsibilities of the Emergency Management Division will include, but not be limited to:

1. Develop timely and comprehensive plans and standard operating procedures, which deal with our ability to respond to local emergency/disaster situations.
2. Maintain a radiological protection capability for activation as the result of nuclear disaster.
3. Provide materials and equipment acquired through Federal/State surplus property channels to all County departments.
4. Develop and maintain programs for the emergency sheltering or evacuation of DeKalb County citizens as the result of nuclear disaster.
5. Coordinate with State and other local Emergency Management/Civil Defense agencies as required in the furtherance of our Emergency Management effort.
6. Provide leadership, guidance, and interpretation of Emergency Management policies and directives.
7. Recruit, train, assign and review work of regular or volunteer staff in daily and emergency operations, which includes communications, radiological activities and rescue work.
8. Relay severe weather information to local jurisdictions and others as appropriate.
9. Support search and rescue operations during natural calamities such as fires and floods.

## EMERGENCY DEPARTMENTAL PROCEDURES

10. Develop and implement, as approved by the Chief of Police, plans and resources for making damage assessments, insuring adequate operation and communication centers, and provide emergency welfare services such as food and medicine.
11. Consult with the Chief of Police on emergency management program objectives, gather data, and prepare and submit project applications, progress reports, and other documents required for federal participation.
12. Promote emergency management activities through contacts with the general public, news media, and the presentation of exhibits and speeches.
13. Assist in preparing the annual budget for emergency management activities.
14. Order appropriate supplies and equipment, and oversee the maintenance and inventory of emergency management property.
15. Establish operational liaison with all other DeKalb County department heads, other governmental and volunteer agencies and private enterprise, and plan with them for utilization of their resources, including manpower, during emergencies.
16. Assist and coordinate with other county components regarding contact and exposure with any hazardous materials.

### E. DECLARATION OF A "STATE OF EMERGENCY"

In the event of man-made or natural disaster, actual enemy attack upon the United States or any other emergency which may affect the lives and property of the citizens of DeKalb County, the Chief Executive Officer of the County, jointly with the mayors of the municipalities within DeKalb County or in their absence, a legally appointed successor, upon recommendation of the Chief of Police or the Deputy Director of Police Services, Communications / Emergency Management, may declare that a "state of emergency" exists and thereafter will have and may exercise during such state of emergency the following emergency powers (Pursuant to Section 11-4 of the DeKalb County Code):

1. To enforce all rules, laws, and regulations relating to emergency management and to assume direct operational control over all emergency management resources.
2. To seize, take for temporary use, or condemn any property for the protection of the public.
3. To sell, lend, give, or distribute all or any such property or supplies among the inhabitants of the County; to maintain a strict accounting of property or supplies distributed and for funds received for such property or supplies.
4. To establish, when necessary, local restrictions including but not limited to curfew and the sale of liquor, gasoline and weapons.
5. To perform and exercise other such functions and duties, and take such emergency actions as may be necessary to promote and secure the safety, protection and well being of the inhabitants of the County.

### F. ASSISTANCE FROM THE SOCIAL SERVICES COMMUNITY

There are instances when members of the Police Department, Fire and Rescue Services, or other county components will require the use of resources from within the social services community. The Emergency Management Division will provide, upon request, a listing of the social services resources available for use in DeKalb County. Direct contact by needy individuals and the service(s) concerned is authorized. Services from organizations such as the Red Cross and Salvation Army will require coordination by the DeKalb County Police Department, Communications /Emergency Management Division.

### G. GEMA and FEMA

The Deputy Director will represent the Police Department and DeKalb County's interest concerning any involvement regarding emergency management on a state or federal level. The Deputy Director will also maintain a direct working relationship with the Federal Emergency Management Agency (FEMA) and the Georgia Emergency Management Agency (GEMA).

In the case of emergency and disaster situations, the state (GEMA) and federal (FEMA) emergency management organizations should be contacted in order to request state/federal law enforcement assistance. This contact should only be made by the Deputy Director, Chief of Police, or their designee.

### H. DEKALB COUNTY EMERGENCY MANAGEMENT OPERATIONAL PLANS BOOK

A majority of Public Safety responses can be carried out and completed within a short period of time; however, certain situations involving public safety matters may require an extended period of time in order to be carried out and completed. For purposes of convenience, efficiency and effectiveness, plans have been prepared to address these matters. It will be the responsibility of the Emergency Management Director to prepare and maintain certain plans concerning public safety matters. These plans will also be periodically reviewed and updated at least on an annual basis. Below is a listing of plans currently prepared by the Emergency Management Division. These plans will be found in the DeKalb County Emergency Management Operational Plans book.

Copies of the DeKalb County Emergency Management Operational Plans book will be issued to each section/division/unit commander and to each precinct, fire station and any other appropriate county facility. It will be the responsibility of every employee who is to receive this plan book to become familiar with its content and to have the book available whenever the need arises to refer to any of the mentioned plans. Each precinct, fire station, and other entities will designate an individual who will be responsible for maintaining the plan book. These individuals will be responsible for updating the plan book whenever updates are issued from the Emergency Management Unit.

**TAB**

**SUBJECT**

- 1 Aircraft Accidents in DeKalb County, A Guide to Handling
- 2 Alert and Warning Plan
- 3 Crash, Fire, Rescue Information (Aircraft)
- 4 Dam Safety Plan
- 5 Debris and Wreckage Removal
- 6 Emergency Mass Feeding
- 7 Emergency Mobilization Plan
- 8 Guidance for Helicopter Assistance in Disaster Situations
- 9 Guidelines for Operation of the Emergency Shelter Program
- 10 Guidelines for the Acquisition of Medical and Food Supplies for use in the DeKalb Emergency Operating Center
- 11 Hazardous Materials Response
- 12 Ice Storm/Flooding Plan
- 13 Mini Crisis Relocation Plan for DeKalb County
- 14 Mutual Aid for Correctional Facilities
- 15 Nuclear Emergency Operations Plan
- 16 Oil Terminal Firefighting Guidelines
- 17 Plan for Handling Widespread Civil Disorder within DeKalb County, Georgia
- 18 Rumor Control Guidelines
- 19 Search Procedures (Missing Persons)
- 20 SOP for Activation of the Primary EOC, The DeKalb Public Safety Building

**3-4.2 LOCAL EMERGENCIES AND THE GEORGIA MUTUAL AID ACT**

**A. DEPARTMENTAL COMMITMENT TO HANDLE EMERGENCY SITUATIONS**

The DeKalb County Police Department is expected to enforce the laws of DeKalb County in order to protect the life and property of its citizens. There may be situations that develop within this jurisdiction that require the commitment of all available county personnel employed by the Department. Even then, there may be a need for additional emergency manpower. In order to satisfy jurisdictional public safety requirements, it will be the policy of this Department to utilize/commit all available internal emergency personnel manpower prior to an official request for additional outside emergency personnel resources. This commitment will be made only by appropriate, designated command personnel.

**B. THE GEORGIA MUTUAL AID ACT**

The Georgia Legislature has created the "Georgia Mutual Aid Act" (O.C.G.A. § 36-69), which authorizes governmental public safety officials (police, fire and EMS) to assist and provide mutual aid during local emergencies and at other times under certain circumstances defined in the Act when requested. Essentially, the effect of the Act is to authorize public safety inter-agency actions under local emergencies without the requirement of a contract between the agencies' respective governments. This Act is not mandatory; therefore, governmental jurisdictions may or may not request and/or provide one another with assistance pursuant to the provisions of the Act.

**C. "LOCAL EMERGENCY" DEFINED**

Requesting assistance from another jurisdiction or providing assistance to another jurisdiction for police/fire/EMS assistance will be prohibited unless a "local emergency" occurs. A local emergency is defined as the existence of conditions of extreme peril to the safety of persons and property within the territorial limits of a political subdivision of the state caused by natural disasters, riots, civil disturbances, or other situations presenting major law enforcement and other public safety problems, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision of the state and which require the combined forces of other political subdivisions of the state to combat (O.C.G.A. § 36-69-2).

**D. LAW ENFORCEMENT EMERGENCY**

## EMERGENCY DEPARTMENTAL PROCEDURES

All requests for assistance from other jurisdictions or the providing of assistance to other jurisdictions, in the event of a local emergency, will only be authorized by the Chief of Police, the Deputy Director of Police Services, Communications / Emergency Management or an Assistant Chief of Police.

DeKalb County law enforcement officers have county wide law enforcement powers; however, it is the policy of this Department to only actively enforce the law in the unincorporated area of DeKalb County. If law enforcement assistance is requested from the municipalities within DeKalb County (except City of Atlanta), the ranking law enforcement supervisor in the precinct in which the incident is occurring may decide on whether to provide such assistance. Decisions for assistance to the municipalities within DeKalb (excluding City of Atlanta) will not be made pursuant to the Georgia Mutual Aid Act.

In the event that assistance is needed from any federal law enforcement agency, requests for such assistance will only be made by the Chief of Police, the Deputy Director of Police Services, Communications / Emergency Management, or an Assistant Chief of Police.

### E. FIRE EMERGENCY

All requests for assistance from other jurisdictions or the providing of assistance to other jurisdictions, in the event of a local emergency, will only be authorized by the Director of Fire and Rescue Services, the Deputy Director of Police Services, Communications / Emergency Management, or an Assistant Fire Chief.

Assistance pursuant to the "Georgia Mutual Aid Act" is not to be confused with assistance/primary responsibility pursuant to an "Automatic Aid Agreement". Automatic Aid Agreements are agreements entered into between DeKalb County and surrounding jurisdictions to provide fire services outside DeKalb County. The following Automatic Aid Agreements currently exist:

1. Gwinnett County
2. Fulton County
3. Henry County
4. Rockdale County
5. Clayton County
6. City of Atlanta
7. Cobb County

### F. EMS EMERGENCY

All requests for assistance from other jurisdictions or the providing of assistance to other jurisdictions, in the event of a local emergency, will only be authorized by the Director of Fire and Rescue Services, the Deputy Director of Police Services, Communications / Emergency Management, or an EMS Commander.

### G. PUBLIC SAFETY EMERGENCY THAT REQUIRES NATIONAL GUARD ASSISTANCE

For any public safety emergency (Police/Fire/EMS) that may require state assistance from the National Guard, refer to Annex 17 of the DeKalb County Emergency and Disaster Operations Plan located in the Emergency Management Operational Plans Book. This is handled by the Deputy Director of Police Services, Communications / Emergency Management.

### H. PUBLIC SAFETY SUPPORT FUNCTIONS IN AN EMERGENCY

Whenever the major components of Public Safety (Police/Fire/EMS) provide assistance to another jurisdiction or whenever another jurisdiction provides assistance to DeKalb County, it will be the responsibility of the support functions within the Department (Communications, Evidence Collection, Animal Control, Records, Personnel, etc.) to provide full support.

In the event of a local emergency, communications between DeKalb and other agencies will be handled through the Communications Division. The Communications Division has the ability to communicate directly with surrounding jurisdictions and also has access to the Sheriff's band statewide law enforcement radio system. If other agencies do not utilize the same radio codes, the Communications staff will relay information in a clear, understandable manner.

### I. COMMAND AT A LOCAL EMERGENCY

As defined previously under 3-4.2 "C", a local emergency can be defined as a disaster (either natural or man made), civil disturbance, or any other event, which requires allocation of personnel, equipment, or other resources that are out of the ordinary of normal day-to-day operations within the DeKalb County Police Department.

Whenever public safety employees from multiple jurisdictions converge in one jurisdiction to handle a local emergency, problems will exist around authority and command.

Whenever DeKalb County requests and receives assistance from another jurisdiction, the ranking DeKalb County Supervisor will assume operational command of the local emergency as to strategy, tactics, and overall direction of the operations with respect to the public safety officers and employees rendering assistance. The ranking public safety officer

from the jurisdiction providing assistance will assume control of administrative matters relating to their own personnel and equipment.

Any requests for assistance (pursuant to the Act) will include the following:

1. The name and position of the official making the request.
2. The nature and location of the emergency or public occurrence.
3. The number of personnel requested and whether specialized personnel are essential to the assistance.
4. The type of equipment needed for assistance.
5. The name and rank and location of the officer to which the assisting personnel will report.

The authorized official of the assisting jurisdiction will evaluate all requests for assistance and will promptly advise the requesting jurisdiction of the number of personnel, specialized units, and equipment that will be provided.

Whenever assistance is requested from another jurisdiction, the ranking public safety official with the requesting jurisdiction will assume operational command of the local emergency, and the ranking DeKalb County Police/Fire Rescue will assume control of administrative matters relating to our own personnel and equipment.

Whenever assistance is requested from another jurisdiction, and such assistance is dispatched, the Public Safety commanding officer will insure that adequate manpower and equipment remain within DeKalb County so as to effectively service the County.

\*When reference is made of a public safety incident/commanding public safety official, law enforcement agency will deal with police related incidents; fire agencies will deal with fire and emergency rescue related incidents; and EMS will deal with human injury and patient care related incidents. The commanding officer of the primary entity (Police/Fire Rescue), responding to the local emergency, will be the commanding public safety official at the scene.

#### J. RELOCATION OF DEKALB POLICE HEADQUARTERS BUILDING OPERATIONS

This section is to provide guidance to the Sections and Divisions within the Police Headquarters Building concerning the relocation of operations to facilities outside the PSB if the existing building is rendered unusable by a natural or man-made disaster.

Should this event occur, the hope is that any of the below listed temporary facilities could be operational within 12 hours after a disaster event. Division personnel will perform all feasible activities during the relocation period. The relocation site should not be within the disaster site, and can be used typically from 1 to 30 days. (Longer if the need arises)

1. Damage assessment operations will begin immediately after a disaster has affected the structural integrity of the building. It is the responsibility of the Director of Fire and Rescue Services, based on technical recommendations, to declare the need for a partial or total relocation of building activities.
2. Once determined, employees will be notified by all possible means, as to the time and place where they should report in order to resume critical operations with their Section/Division.
3. The Section/Division recovery team should organize for relocating essential equipment and resources to the new relocation site.
4. The Communications Division will coordinate with Information Systems, Telephone Services, to insure that sufficient telephone service is established.  
Physical Plant Management will ensure that proper power is provided to all sites.
5. Each Section/Division office shall establish phone contact with the Chief's office once communications have been set up.
6. Continuous improvement of the relocation site may be required, since the duration of the stay may extend beyond 30 days.
7. Additional office space may eventually be required. To meet these needs, the County approved vendor for mobile office space may be contacted. Unbudgeted expenditures of over \$500 will require County approval prior to the funds being spent. (for clarification, see the Administrative Services section in this manual)
8. The Chief of Police or the Director of Fire and Rescue Services will terminate relocation activities and Rescue Services based on Section/Division/technical recommendations.
9. Planned relocation sites may include, but are not limited to the following: (assignment will be based on the need and availability at the time):

## EMERGENCY DEPARTMENTAL PROCEDURES

a. Police Headquarters	North Precinct
b. Police Center Precinct	Mini-Precincts/Substations
c. Traffic Specialists	East Precinct
d. Evidence Collection	Supply
e. Indoor Range	Training & Outdoor Range
f. CID	Each Precinct
g. Tactical Unit	South Precinct
h. Fire Services Headquarters	Stations 23, 24 or others designated
i. Arson Squad	South Precinct or designated Fire Stations
j. Fire Education	Fire Academy
k. Fire Marshal's Office	Fire Station 3 or any other designated stations
l. Records	DeKalb Administration Building, Decatur
m. Criminal History	DeKalb Administration Building, Decatur
n. Fiscal Unit	Division of Accounts, Decatur
o. EMS Headquarters	EMS Task Force/Training Building
p. Personnel	Merit System
q. Special Victim's Unit	Each Precinct
r. Computer Support	Fire Station 24 or any other designated stations
s. Chief's Office	North or any other precinct
t. Community Relations	East Precinct
u. Emergency Management	911 back up center, 701 Camp Road
v. Aerial Support	DeKalb Peachtree Airport
w. Communications	911 back up center, 701 Camp Road

### K. COOPERATION WITH OTHER JURISDICTIONS

Cooperation between commanding officers of different jurisdictions responding to local emergencies is essential.

Therefore, all commanding officers of this department are strictly charged with establishing and maintaining a high spirit of cooperation with other jurisdictions during a local emergency.

### L. DEPLOYMENT OF PERSONNEL

Upon the initial identification or notification of any unusual occurrence qualifying as a natural or man-made disaster, civil disturbance, or any other event that requires special additional personnel, equipment or assistance, the following procedures shall be followed:

1. The situation will be immediately brought to the attention of the Chief of Police, Director of Fire and Rescue Services, Communications, Division Commanders, Precinct Commanders, and Watch Commanders via the Communications Center.
2. The Communications Center will then notify the Deputy Director of Police Services, Communications / Emergency Management, who will then notify any outside agencies if their assistance is requested.
3. The Chief of Police, Director of Fire and Rescue Services, The Deputy Director of Police Services Communications/ Emergency Management, or their designees will then make the decision as to whether the assistance of off-duty personnel is needed. At this point, notification of those personnel will commence. Personnel will be instructed as to the time to report and location to report to. All personnel will report in a stage of readiness, with all issued or authorized equipment available. This can be in the form of the Precincts or Divisions calling out their own personnel, or Communications doing the notification.

In the event that any other specialized unit is called, such as SWAT, Mobile Field Force, etc., all units will act in accordance with all stated policies, procedures, and prescribed training.

A Field Command Post will then be established by the commanding officer on the scene. They will assume on-scene direction and control of police activity until such time as they are relieved by another entity, such as SWAT, Bomb personnel, military personnel, etc.

An information center may be set up for members of the media, at a secure location other than the Field Command Post. To provide for rumor control, the media will be provided with factual information when it is safe and appropriate to do so. In the event of casualties, no information is to be disseminated unless it conforms with the policy set forth in Chapter 4-1.46 in this manual relating to Public Information.

The primary responsibility in events of this nature is to protect life and property, to include traffic and crowd control, and security of the disaster or affected area. In an attempt to de-escalate a hostile situation, officers should consider the following:

Identify the source(s) of the problem and attempt to isolate it whenever possible. Restrict and control pedestrian and vehicular traffic in and around the scene. Disburse unruly crowds from gathering.

Unless otherwise necessary, assume a non-aggressive posture, and attempt to avoid verbal or physical confrontations. Other responsibilities can include but are not limited to:

Crowd and traffic control, including control of ingress and egress to selected locations.

Identify and secure government buildings and other key critical facilities.

Provide for positioning and subsequent employment of special teams.

Enforce curfew and other restrictions imposed.

Provide for and coordinate mass arrest, booking, and detainment of individuals acting in an unlawful manner.

As needed, provide protection and assistance to Fire, EMS and other personnel.

In the event of a civil disturbance such as a riot, protest, or any opposition to enforcement of the law by force, violence, or threat of such, the DeKalb County Police Department will graduate its level of force commensurate to the intensity of the civil disturbance. All policies and procedures will be strictly adhered to, as dictated by the Use of Force policy set forth in Chapter 4-6 of this manual.

When arrests are authorized and made, personnel shall immediately remove offenders to an area outside of the disturbance location and out of view of those still actively engaged in the disturbance to lessen the likelihood of escalating the disturbance. Juvenile arrests will be handled pursuant to Chapter 4-15 of this manual.

Once a crisis situation has been controlled and de-escalated to the level where there is no further danger, the following procedures shall be followed:

Direct any remaining pedestrian and vehicular traffic out of the area.

Notify any public utilities of any damage, which may have resulted in interruption of services.

Assist other entities as needed to restore order.

Remain at assigned posts until relieved or ordered to leave by Command personnel.

Report for any required debriefing.

Prepare any reports as required by Command personnel.

#### M. DEPLOYMENT OF ASSISTING PERSONNEL FROM OUTSIDE JURISDICTIONS

1. Whenever possible, assisting personnel will be deployed as a unit, with supervision from members of their command. To maintain common communications, supervisory personnel from all jurisdictions involved in providing mutual aid to the requesting agency will ensure dissemination of all pertinent information to those under their command.
2. Assisting personnel will be deployed as supporting units whenever possible.
3. The assisting personnel will respond to all lawful directives issued by the ranking officer of the requesting jurisdiction. Such directives, which are contrary to law, or the orders, regulations and rules of the assisting jurisdiction will not be recognized.
4. The withdrawal of personnel or equipment will be with the agreement of the requesting and assisting jurisdiction, if possible. Either the requesting or assisting jurisdiction will cause the withdrawal of personnel and equipment if agreement is not reached. Notification will be given upon withdrawal.

#### N. USE OF DEADLY FORCE

Deadly force by personnel of assisting jurisdictions will be used only when necessary to prevent death or serious bodily harm to any person.

Specialized units, which are trained for hostage, or barricaded situations are uniquely qualified to evaluate the conditions, which can only be resolved by the use of deadly force. Therefore, the ranking officer of the requesting jurisdiction will not commit such specialized units to an event unless it is apparent that deadly force may be required. When such units are committed, the supervision of the specialized unit will be completely controlled by the commander of the unit.

Continuous communication will be maintained between the commander of the specialized unit and the ranking officer of the jurisdiction. The purpose of this communication is to finalize the exercise of deadly force.

#### O. MASS ARRESTS AT CIVIL DISORDERS

## EMERGENCY DEPARTMENTAL PROCEDURES

In the event of a civil disorder whereby mass arrests occur, the commanding DeKalb County law enforcement officer will assume control over the:

- mass processing and identification of arrestees
- transporting of prisoners, and
- coordination of temporary detention facilities.

This shall be done in conjunction with Command personnel with the DeKalb County Sheriff at the DeKalb County Jail. (See also 3-4.2 "L" under this section)

### P. POWERS AND DUTIES OF DEKALB'S EMERGENCY SAFETY EMPLOYEES RENDERING AID

Whenever DeKalb County Emergency Safety employees are rendering aid outside DeKalb County, pursuant to the "Georgia Mutual Aid Act", each employee will have the same powers, duties, rights, privileges, and immunities as if they were performing their duties within DeKalb County (O.C.G.A. § 36-69-4).

### Q. RESPONSIBILITY FOR EXPENSES AND COMPENSATION OF EMPLOYEES

Any jurisdiction which furnishes equipment pursuant to the "Georgia Mutual Aid Act" will bear the loss or damage to such equipment and will pay any expense incurred in the operation and maintenance thereof. The jurisdiction furnishing aid will also compensate its employees during the time of rendering such aid and will defray the actual travel and maintenance expenses of such employees while they are rendering such aid (O.C.G.A. § 36-69-5).

### R. JURISDICTIONS WHICH HAVE MUTUAL AID AGREEMENTS WITH DEKALB COUNTY

The following jurisdictions have agreed to provide assistance/request assistance pursuant to the "Georgia Mutual Aid Act":

1. City of Atlanta
2. Fulton County
3. Gwinnett County
4. Cobb County
5. Clayton County
6. Henry County
7. Rockdale County

Following any incident involving Mutual Aid from or to another agency, command personnel will review the incident and assess the need for any revisions.

## 3-4.3 BOMB THREATS

The following policy set forth is known as the Bomb Response Protocol for the Police Department:

### I. Purpose

It is the purpose of this policy to provide employees with a protocol for dealing with bomb threats, bombings and other explosive related incidents, to include response, deployment, search, communications, evacuation, and coordination with other agencies

### II. Policy

While many bomb threats are later determined to be hoaxes, they all present particularly serious response requirements for Public Safety agencies. It is the policy of this department that all responses to bomb threats or emergencies be conducted systematically, efficiently and in a manner that gives primary consideration to the protection of human life.

### III. Responsibilities

It shall be the responsibility of all personnel to read, understand and comply with all sections of this policy.

### IV. Definitions

#### A. Bomb Alert Notification Group (BANG):

A group of personnel from Police, Fire and Rescue Services, and varied County Officers/Services designated to be notified immediately in case of any bomb suspect device or post blast emergency. The Chief of Police by virtue of their job assignment or special skills, knowledges, or abilities will designate this group. This group may include, but will not be limited to the following positions:

1. Section/Division Chiefs and their designees/or Assistant Chiefs of all entities
2. Police Bomb Squad Commander
3. Police SWAT Team Commander
4. Fire Rescue Services Special Operations Commander
5. On duty Deputy Fire Chief
6. On duty Battalion Chief of the effected area
7. Police Special Operations Commander

8. Police Intelligence Unit Commander
9. Police Detective Commander
10. On duty Fire Hazardous Materials Team Leader
11. On duty Fire Technical Rescue Team Leader
12. Medical Examiner's Office
13. Communications / Emergency Management Chief

**B. Bomb Threat:**

A bomb threat condition exists when an explosive device has been reported or is suspected to be at a given location but has not been located.

**C. Control Zone**

**1. Hot Zone**

The area surrounding a Suspect Device or post blast area, which extends far enough to prevent adverse effects to personnel inside the zone. This area should extend no less than three hundred (300) feet for Suspect Devices or one thousand (1,000) feet for post blast area. Once established, all personnel except Bomb Squad personnel and Fire Rescue Services personnel shall be restricted from this area unless the Incident Commander approves entry. The outermost perimeter of this zone is sometimes referred to as the Incident Inner Perimeter.

**2. Warm Zone**

An area outside and surrounding the Hot Zone used for decontamination if hazardous material is involved in the incident.

**3. Cold Zone**

An area outside and surrounding the Warm Zone. If there is no warm zone, the cold zone will be an area outside and surrounding the Hot Zone. This area contains the Command Post, Triage Center, Witness Relocation Area, and other functional areas. This area is restricted from civilians unless approved by the Incident Commander. The outermost perimeter of this zone is sometimes referred to as the Incident Outer Perimeter.

**D. "CP":**

Command Post, "CP", is a designated location from where the Incident Commander and designated representatives from all responding agencies/jurisdictions shall oversee the incident.

**E. Fire Rescue Services Special Operations:**

A group of personnel specially trained in blast related injuries, procedures of bomb technicians and rescue of bomb victims. This team shall be assigned exclusively for the support of bomb technicians on the scene

**F. Explosive Device (bomb)**

Any explosive, incendiary, or over pressure device or poison gas, which has been configured as a bomb.

Explosive Material (not a bomb/explosive device)

Materials of any kind that are thought to be a public safety hazard. This does NOT include explosive devices or materials configured as a bomb.

This does include, but is not limited to, the following:

1. All commercial or military detonators (blasting caps etc.)
2. All commercial or military explosive materials (dynamite, c-4, hand grenades, military ordinance, etc.)
3. All fire works
4. All flash powder
5. All explosive materials listed in the O.C.G.A. 16-7-81
6. All potentially explosive chemical compositions (ie - picric acid, ether, etc.)

**G. Incident Commander**

The person in over all charge of an incident.

**H. Load and Go:**

A procedure used that calls for injured parties to be evacuated from the scene before a medical determination of injuries and their seriousness is determined. In a "load and go" situation injured parties are transported directly to a hospital or to a predetermined triage center, set up outside of the danger area (Hot Zone), without use of such time consuming acts as stabilizing back injuries, starting IV's etc.

**I. OIC:**

Officer In Charge

**J. Portable Radio**

Hand held device used for communications by Police, Fire and Rescue Services and other responding personnel.

**K. Post Blast:**

## EMERGENCY DEPARTMENTAL PROCEDURES

An explosive device has been detonated. This does not include explosions such as electrical transformers and hot water heaters.

**L. Staging Area:**

The staging area is that area designated by the incident commander for all responding personnel and equipment to report, unless otherwise assigned.

**M. Suspect Device:**

Any letter, package, container or device thought to contain an explosive or to be configured as a bomb

**N. Unified Command Structure**

A grouping of command personnel representing key agencies/jurisdictions/departments/services operating together at a Command Post.

### **V. Incident Classification**

For the purpose of uniformity bomb related incidents shall be classified in the following manner.

- A. 88-T Bomb Threats
- B. 88-S Suspect Device (Emergency)
- C. 88-P Post Blast (Emergency)
- D. 88-D Explosive Material Disposal (This may be an emergency, depending on the circumstances, and includes any explosive related call not classified as A, B, or C above)

### **VI. Command**

All departments/services/agencies/jurisdictions responding to a bomb related incident shall operate within an Integrated Emergency Management System, as suggested by state and federal guidelines; therefore, each shall furnish a supervisor to the Command Post. Bomb related incidents should be considered crimes and shall, as such, be under the command of the highest-ranking Police Official. This official, the Incident Commander, shall have the authority and responsibility for the operation of the incident. This will include, but not be limited to, organizing the Unified Command Structure, developing a plan, requesting additional resources, assigning resources, and setting up Control Zones. Any change in incident commander shall be reported to Radio immediately. A Unified Command Structure shall be established early and maintained throughout the incident. A command staff, and operations, planning, logistics, and finance sections may be implemented as necessary to support the incident commander.

Police, Fire and Rescue Services, or a sub-unit (Bomb squad, Haz - Mat etc.) of any department/service may have the most urgent mission at any given time during the progression of a bombing incident and therefore require the assistance of the other entities to accomplish that mission. The incident commander shall coordinate and control the needs and resources of all departments/services/units/offices to meet the most urgent needs first. All decisions shall be made using the following criteria listed from highest priority to lowest priority:

- A. Life safety being the first priority.
- B. Incident stabilization
- C. Evidence Collection
- D. Property Conservation

**EXAMPLE:**

An example of this would be in a bombing situation where several people were injured and needed to be evacuated. In this situation, Fire Rescue, the primary service to provide medical assistance, would have the most urgent mission. In this hypothetical situation the incident commander would give first priority of all available departmental resources to supporting the Fire Rescue mission.

At any bomb related incident, the Bomb Squad shall be in command of the Hot Zone from the time that all parties are evacuated (if an evacuation is not needed, from the bomb squad's arrival), until they notify the incident commander that they have released the bomb scene. No one shall be allowed inside the Hot Zone during this time except bomb squad personnel, Fire Rescue Services personnel (no more than two personnel), and others specifically requested by the bomb squad.

### **VII. Safety Considerations/Mandates**

Personnel responding to any bomb related incident should keep in mind the following safety considerations:

- a. Safety of human life is first priority, and safety of property and inconvenience to citizens of less priority.
- b. Removal of injured persons at a post blast scene is of highest priority and should be done in a "load and go" manner.
- c. You should treat all suspect bombs as if they are real bombs.
- d. If you can see a bomb, the fragments from that bomb can see you. If at all possible, you should not be in sight of a bomb or suspect bomb at any time.

- e. Radio frequency ("RF") energy can cause an explosive device to detonate. Portable radios, computer display terminals, and cell phones give off RF energy in varying amounts. When responding to a bomb incident, personnel shall turn off their computer display terminals and cell phones. Personnel shall not use their portable radios if they are within 100 feet of any Suspect Device and shall not use them inside the hot zone because of the possibility of a secondary device being detonated.
- f. Personnel should remember that in a Suspect Device or post blast situation, they must assume that there is a secondary device.
- g. A command post must be set up as soon as possible and staffed by the OIC to coordinate activities with other units/agencies/jurisdictions.
- h. If possible, do not allow anyone, including yourself, to be exposed to an explosive device. If exposure is necessary, keep exposure to a minimum.
- i. When searching, do NOT touch, kick, or move anything.
- j. An evacuation of the area shall be performed and a perimeter should be set up at least three hundred (300) feet for a Suspect Device or one thousand (1,000) feet for a post blast incident.
- k. Once a CP has been established, responding personnel shall report to the staging area, unless otherwise advised by CP.
- l. Any person subjected to a blast that experiences ringing or discomfort of the ears should seek medical treatment immediately. These seemingly minor symptoms are indicative of a much more serious, and possibly, deadly injury that may not show itself until several hours later, when it is too late to save the victim.

### **VIII. Communications Division Procedures**

#### **A. Responsibilities**

It shall be the responsibility of all personnel to read, understand and comply with all sections of this policy. It shall also be the responsibility of all personnel to take seriously all bomb-related calls including Bomb Threat calls.

#### **B. Operators**

##### **1. Bomb Threat**

- a. Upon receiving a threat from a possible bomber shall:
  - 1) Keep the reporting party on the line;
  - 2) Identify the location of the device with as much precision as possible and determine when it will be or it has been detonated;
  - 3) Determine what type of explosive device is involved;
- b. Attempt to determine,
  - 1) What the device looks like;
  - 2) The type of bomb threat involved;
  - 3) What will make it detonate, (ie. radio signal, time delay fuse, etc.)
  - 4) Why it was placed;
  - 5) Be alert to exact wording of the threat;
  - 6) If possible, estimate the sex, race and age of the caller
  - 7) If possible, note the nature/character of the caller's voice
- c. Note any background noises/sounds
- d. Notify Communications supervisor
- e. Receiving information from a victim about a bomb threat shall:
  - 1) Determine the location, time of detonation, appearance and any other available information concerning the nature of the threat or the identity of the perpetrators;
  - 2) If no explosive device has been identified, ask that the caller alert employees and others to unusual parcels or items on the premises;
  - 3) Instruct caller to advise all employees to turn off portable radios and cell phones in area where bomb is threatened.
  - 4) Notify the communications supervisor
  - 5) Dispatch
    - a) Police: One police unit
    - b) Fire: Notify on-duty Deputy Chief and Battalion Chief responsible for the incident area
    - c) Fire Rescue Services: Only notify Fire Rescue and supervisor if a Fire Rescue call is given to the same location as the bomb call

##### **2. Suspicious Device**

## EMERGENCY DEPARTMENTAL PROCEDURES

- a. Instruct caller to advise all employees to turn off portable radios and cell phones in area where bomb is threatened
- b. Dispatch
  - 1) Police: One police unit
  - 2) Fire
    - a) Appropriate fire units as would be dispatched to the location for a fire call (ie, 1-Engine for an automobile fire; 2- Engines, 1 - Air device, Battalion Chief for a single family dwelling fire, etc.)
    - b) Technical Rescue Team
    - c) Haz-Mat Team
  - 3) Fire Rescue Services
    - a) One Fire Rescue unit to the incident staging area
    - b) One supervisor
    - c) Notify Communications supervisor
3. Post Blast (explosive device has detonated)
  - a. Dispatch
    - 1) Police: One police unit
    - 2) Fire:
      - a) Appropriate fire units as would be dispatched to the location for a fire call (ie, 1-Engine for automobile; 2- Engines, 1 - Air device, 1 Battalion Chief for a single family dwelling, etc.)
      - b) Technical Rescue Team
      - c) Haz-Mat Team
    - 3) Fire Rescue Services
      - a) One Fire Rescue supervisor to the CP
      - b) Four Fire Rescue units shall be dispatched to the triage area outside the hot zone unless ordered elsewhere by the incident commander

NOTE: No additional unit shall be dispatched to incident area unless ordered by the Incident Commander

- c) Notify Communications Supervisor
- 4) Explosive Material Disposal (any explosive related call not classified as Threat, Suspect Device, or Post Blast)
  - a) Dispatch one police unit
  - b) Notify Communications Supervisor
  - c) Communications supervisor shall:
    - 1) Threats: Notify on-duty Deputy Chief and Battalion Chief responsible for the incident area
    - 2) Suspect Devices
      - a) First and Immediately group page "BANG"
      - b) Group page SWAT with the message "88-2"
      - c) Notify any other persons or agencies as designated by the responding Public Safety personnel.
      - d) Notify BANG if the Public Safety response will be moved to a designated radio channel.
      - e) Upon receiving updated information about or cancellation of the situation, advise all parties who were originally notified of the emergency, of the update or cancellation.
- 3) Post Blast
  - a) The communications supervisor shall do the following on any post blast call, except incidents, such as a soda pop bottle bomb in a mail box, where only minor damage and no injuries have occurred;
  - b) First, and immediately group page "BANG"
  - c) Group page SWAT with the message "88-3"
  - d) Notify any other persons or agencies as designated by the responding Public Safety personnel.
  - e) Advise FBI
  - f) Advise ATF
  - g) Advise Public Information Officer

- h) Notify BANG if the Public Safety response will be moved to a designated radio channel.
- i) Upon receiving updated information about or cancellation of the situation, advise all parties who were originally notified of the emergency, of the update or cancellation.
- j) The supervisor shall notify the arson unit:
  - 1) On any minor post blast incident, such as a soda pop bottle bomb in a mail box, where only minor damage and no injuries have occurred;
  - 2) On any incident of a fire bomb or Molotov cocktail
- 4. Explosive Material Disposal (any explosive related call not classified as a Threat, Suspect Device, or Post Blast)
  - a) Notify the bomb squad if they are requested by uniform officer.
  - b) Assist uniform officers in contacting bomb squad personnel, if they desire to discuss the incident with a technician.
  - c) If the bomb squad responds, notify Fire Rescue Special Operations so they can also respond.

## IX. Police Procedures

### A. Mission

The police mission is to locate and neutralize all explosive devices and illegal or unwanted explosive materials, collect evidence and prosecute violators of the law in a manner that provides maximum safety to Emergency Service responders, as well as all other persons, with as little disruption as possible.

### B. Responsibility

It shall be the responsibility of all personnel to read, understand and comply with all sections of this policy.

### C. Responding Patrol Units/Superior Officers

#### 1. Bomb Threats

- a. All responding units shall turn off their computer display terminals and cellular phones, if applicable, a minimum distance of 300 feet and their portable radios at least 100 feet before they reach the target location.
- b. If applicable, contact the individual who received the threat to obtain additional information, to include
  - 1) Whether previous threats have been received;
  - 2) Possible motives and/or suspects;
  - 3) Vulnerabilities of equipment and personnel;
- c. If an explosive device is alleged to be within a building but has not been located, the OIC will contact building owner/management or other responsible persons to determine if a search of the facility is desired.
- d. The decision to search, evacuate or to reenter a structure/location during a bomb threat will be the responsibility of the individual in charge of the property.
  - 1) The OIC at the scene shall provide information as available to the businesses in order to assist them in making decisions on searching, evacuation or reentry.
  - 2) If management or the responsible agent does not wish that a search be conducted, no further action by this agency is warranted with the exception of a standard incident report.
  - 3) Only in cases where a real or suspected explosive device has been detected shall an evacuation be conducted regardless of the desires of building management.
- e. Searches of target buildings shall normally be conducted only with the direct assistance of employees or others knowledgeable of the contents and layout of the building.
  - 1) Normally bomb disposal personnel will not respond to a bomb threat. However, if extreme circumstances exist, the OIC may contact the bomb squad and request information or their assistance in conducting the search.
  - 2) A search plan shall be developed identifying the extent of the search, depending upon the type of establishment, the motivation of the perpetrator and accessibility of the building.
  - 3) A floor plan shall be obtained whenever possible, and a systematic search organized by the OIC.
  - 4) In no case shall agency personnel declare that no bomb is present or in any way make the representation that the building is safe to occupy, no matter how thorough the search. Personnel should inform the business management only that no bomb was found.
- f. When conducting a search, officers should be particularly alert to the following items as indicators that there may be explosives at the location. Officers should be cautioned that absence of the following does not assure that no bomb is present:
  - 1) Explosives-related pamphlets, periodicals and books;
  - 2) Excessive amounts of galvanized or PVC pipe, nipples, or end caps, especially if they have drill holes in the nipple or cap

## EMERGENCY DEPARTMENTAL PROCEDURES

- 3) Low-explosive powders or other incendiary mixtures;
  - 4) Fuses of any type to include homemade burning fuses, such as string soaked in a burning powder;
  - 5) Electrical switches; and
  - 6) Electrical matches, blasting caps or similar initiators.
2. Suspect Device
- a. The first superior officer on the scene shall become the Incident Commander and remain so until relieved by another person assuming his/her duties. Any change in incident commander shall be reported to Radio immediately. The initial incident Commander shall immediately establish a CP and/or staging area and advise radio of the location(s).
  - b. Officers and superior officers dispatched to a suspicious package/Suspect Device or who become aware of one by any means shall:
    - 1) Keep to a minimum the exposure of officers and civilians to any Suspect Device.
      - a) Only one unit shall be dispatched to the device location.
      - b) No more than one supervisor shall respond to the actual device location, and this should be done only when absolutely necessary.
      - c) Officers should stay as far away from a Suspect Device as possible and should not approach the device unless absolutely necessary. If an approach to the area is necessary, such as getting someone away from the device, the approach should last for as short a time as possible.
    - 2) Insure their radio and computer display terminals are not turned on closer to the device than 300 feet.
    - 3) If applicable, notify radio of the finding of the device.
    - 4) Give radio a risk assessment as soon as possible and update the assessment as circumstances or pertinent information change. This may have to be done by telephone land line. The following should all be given if pertinent.
      - a) Number of deaths
      - b) Number of injuries
      - c) Number of people who must be evacuated
      - d) Number of buildings to be evacuated
      - e) Circumstances of any hard to evacuate building (large buildings, hospitals, etc.)
      - f) Other hazard responders should be aware of.
      - g) Traffic patterns that may have changed and the best approach path.
      - h) Any additional information available that will assist responding units in their response.
    - 5) Evacuate an area a minimum of 300 feet from the device.
    - 6) Establish a Command Post
    - 7) **Not** touch, kick, or move anything.
3. Post Blast
- a. The first superior officer on the scene shall become the Incident Commander and remain so until relieved by another person assuming his/her duties. Any change in incident commander shall be reported to Radio immediately. The initial incident Commander shall immediately establish a CP and/or staging area and advise radio of the location(s).
  - b. Officers and superior officers dispatched to a post blast incident (a bomb has detonated) or who become aware of one by any means shall:
    - 1) Proceed with caution with safety being their first priority.
    - 2) Insure that their radio and computer display terminal are not turned on within 1000 feet of the blast scene or 300 feet of any additional Suspect Devices.
    - 3) If applicable, notify radio of the post blast incident.
    - 4) Give radio a risk assessment as soon as possible and update the assessment as circumstances or pertinent information change. (This may have to be done by telephone land line). Risk assessment should normally include the following, if they are pertinent:
      - a) Number of deaths
      - b) Number of injuries
      - c) Number of people who must be evacuated
      - d) Number of buildings to be evacuated
      - e) Circumstances of any hard to evacuate building (large buildings, hospitals, etc.)
      - f) Other hazards responders should be aware of.
      - g) Traffic patterns which may have changed and the best approach path.

- h) Any additional information available about changed circumstances that will assist responding units in their response.
- 5) Evacuate all injured parties to a location outside the perimeter. This is to be done in a load and go manner. When Fire Rescue personnel are on the scene, they are primary medical responders and will take a lead roll in transportation, treatment, and triage, with police supporting their work by every available means.
- 6) Evacuate an area a minimum of 1000 feet from the blast scene.
- 7) Establish a location outside the perimeter for witnesses to report.
- 8) Establish a command post in an appropriate Cold Zone location.
- 9) Do NOT touch, kick, or move anything.
- 10) Always assume there is another device.
- 11) There will likely be more jobs than personnel to fill them; therefore, it is imperative for the OIC to report to the CP as soon as possible for coordination with other departments / services / agencies / jurisdictions in accomplishing all emergency service tasks.
- 4. Explosive Material Disposal
  - a. Officers and superior officers dispatched to an Explosives Material Disposal call or who become aware of one by any means shall:
    - 1) Proceed with caution with safety being first priority.
    - 2) Insure that their radio and computer display terminals are not turned on within 100 of the scene.
    - 3) If applicable, notify radio of the Explosives Material Disposal incident.
    - 4) Do NOT touch, kick, or move anything.
    - 5) According to the circumstances, either request the bomb squad to respond or brief them and let them advise the procedure to be followed.

#### D. SWAT Team Procedures

- 1. Bomb Threats  
The SWAT Team does not normally respond to unsubstantiated Bomb Threats.
- 2. Suspect Device  
The SWAT Team may be called by Bomb Squad personnel to search for secondary devices or additional support as needed.
- 3. Post Blast Incidents  
The SWAT Team will be dispatched to Post blast incidents as requested by the Bomb Squad, and shall be responsible for:
  - a. Establishing a CP, if one does not exist.
  - b. Staffing the CP with a SWAT Team member.
  - c. Searching the area of the CP, triage center, witness relocation area and media relations area for secondary devices.
  - d. Maintaining security for the areas listed in 3 above.
  - e. Setting up and carrying out a procedure for communications between the CP and Bomb Squad personnel.
- 4. Explosive Materials Located  
The SWAT team will not respond to these calls unless requested by the bomb squad.

#### E. Bomb Squad Procedures

The Bomb Squad will be composed of sworn peace officers from the department. These personnel will undergo an application procedure, which will include but not be limited to: an FBI and departmental background investigation, FBI required doctors physical, technical and physical tests, and an interview. Members will be required to sign a five (5) year commitment letter prior to assignment. Bomb Technicians are personnel who have successfully completed the Hazardous Devices School at Redstone Arsenal located in Huntsville, Alabama, meet current in- service training standards set by the National Bomb Data Center and training requirements set out in O.C.G.A. 35-8-25 for bomb disposal technicians. No fewer than two Bomb Squad personnel, one being a bomb technician, shall respond to all bomb emergencies.

- 1. Bomb Threats  
The Bomb Squad normally does not respond to unsubstantiated Bomb Threats.
- 2. Suspect Device  
The Bomb Squad will respond to and be responsible for the Render Safe Procedure (RSP), removal, or disposal of all Suspect Devices.
- 3. Post Blast

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- a. The Bomb Squad shall respond to all Post Blast Incidents (bombing already occurred), except minor incidents, such as a soda pop bottle bomb in a mailbox, where little damage and no injuries are incurred. When activated, they shall be responsible for the following:
  - 1) Checking the site for unconsumed explosives or secondary devices;
  - 2) Supervising evidence recovery in accordance with agency guidelines;
  - 3) Coordination with intelligence operations of this agency, and those of state and federal sources;
  - 4) Assisting in the evaluation of evacuation procedures, area and perimeter security, the availability of emergency services and coordination with the incident commander.
  - 5) Requesting the assistance of other agencies to determine the nature and construction of explosives and the identification of perpetrators;
  - 6) Giving technical advice and testimony, when necessary, to assist with the follow up investigations or prosecution.
4. Explosive Material Disposal  
The Bomb Squad shall respond when requested to any Explosive Material Located Incident. When activated, they shall be responsible for the following:
  - a. The evaluation, rendering safe, removal, or disposal of all explosive materials.
  - b. Checking the site for unconsumed explosives or secondary devices;
  - c. Supervising evidence recovery in accordance with agency guidelines;
  - d. Coordination with intelligence operations of this agency, and those of state and federal sources;
  - e. Assisting in the evaluation of evacuation procedures, area and perimeter security, the availability of emergency services and coordination with the incident commander.
  - f. Requesting the assistance of other agencies to determine the nature and construction of explosives and the identification of perpetrators;
  - g. Giving technical advice and testimony when necessary to assist with the follow up investigations and any prosecution.
5. SOP for the Bomb Squad
  - a. The bomb squad shall maintain the following equipment at a minimum:
    - 1) A bomb disposal trailer;
    - 2) A full protective body armor suit;
    - 3) At least one bomb x-ray unit
    - 4) All additional specialized equipment suggested by the National Bomb Data Center.
  - b. Bomb Squad members operating in the Hot Zone shall use appropriate safety equipment.
  - c. Primary consideration is for the safety of human life.
  - d. Secondary consideration is for the safety of property.
  - e. When at all possible, devices and suspect items will be handled, moved, deactivated, or otherwise rendered safe via remote equipment and methods.
  - f. Hand entry techniques are to receive the lowest priority and resorted to only in the case of extreme emergency.
  - g. All recovered explosives will be directly and expeditiously routed to and placed in the appropriate explosives magazines or properly disposed of. Small amounts of fireworks or blasting caps are exceptions and may be handled at the discretion of the bomb technicians in charge.
  - h. Post-blast investigations will be conducted in coordination with Bomb Squad personnel and the appropriate detectives.
  - i. Tactical explosive breaching will only be conducted by personnel currently assigned to the Bomb Squad, with the lead technician having a minimum of two years experience as a certified bomb technician and having received specialized training in breaching techniques.
    - 1) A minimum of two (2) Bomb Squad personnel will conduct the operation, with at least one being a bomb technician.
    - 2) Training will be conducted on a monthly basis.
    - 3) All members are required to attend a minimum of one (1) formal explosive breaching school and will receive specialized in-service instruction.
    - 4) The Bomb Squad will maintain a minimum supply of equipment as set by the Commander, for explosive breaching.
    - 5) The Bomb Squad Commander and/or his/her designee will authorize/conduct all operations and training.

**F. Bomb Squad Explosives Detection Canine Unit**

1. The Bomb Squad Explosives Detection Canine Unit is assigned within the Special Services Division. Supervision will be the responsibility of the Bomb Squad supervisors. The primary mission of the canine and handler is to support the Bomb Squad in its detection, evaluation and render safe responsibilities of explosives/explosive devices. This support will be in the form of scent detection in incidents involving a known or suspected explosive device.
2. Canine handlers will train periodically to maintain their dogs at the certification level. Training will be documented by the handler, reviewed by the Bomb Squad supervisor and filed for any further reference. Before being placed into service, explosive detection canines will have completed approved courses, such as those required for certification from the Federal Aviation Administration or the Bureau of Alcohol, Tobacco and Firearms.
3. The handlers who are authorized to handle an explosive detection canine will be responsible for the care and maintenance of those canines assigned to them, as well as any equipment associated with this assignment.
4. Utilization of the explosive detection canine will be documented and kept by the canine handlers.
5. Explosive detection canine handlers will maintain health/immunization records on their dogs.
6. The Bomb Squad supervisors will review all incidents, records and reports routinely.
  - a) Any medical care, change or abnormality in the way the canine performs his duties or any problem that arises with the canine will be reported to the Bomb Squad supervisor as soon as practical.
  - b) The departmental veterinarian will be the only provider of medical services except in the event of an emergency.
  - c) Only department-approved diets shall be fed to the canine. The diets are to be approved by the department veterinarian.
7. Request for services of an explosives detection canine team must be by the supervisor on scene and this will be approved by the Bomb Squad supervisor.
8. Candidates for the position of explosives detection canine handler will be selected by the Bomb Squad. Minimum requirements are as follows, but are not limited to:
  - a) Minimum two years experience as a DeKalb County Police Officer;
  - b) 3 or better on the last two annual evaluations;
  - c) Disciplinary actions/suspension will be taken into consideration
  - d) Use of sick time, tardy and AWOL will be taken into consideration;
  - e) Must be willing to commit to the program for a minimum of five years;
  - f) Once selected the candidate must complete the prescribed canine training course and meet all requirements of the canine trainer.

**X. Fire Rescue Procedures**

**A. MISSION**

Fire Rescue Services will provide medical support to Local/State/Federal Bomb Squads. Fire Rescue will take the lead role as the primary medical responders to provide triage, treatment and transportation of the injured at such incidents.

**B. Responding Fire Rescue Units**

1. Bomb Threats
  - a. No routine response
  - b. If dispatched to a location of a bomb threat, be certain to turn off the Mobile Display Terminal and any cellular phones no less than 300 feet before reaching the location.
  - c. Turn off all portable radios no less than 100 feet from the location.
  - d. Contact the Police Command Post or OIC for instructions concerning entering the location regarding patients, etc.
  - e. Be familiar with Police and Fire procedures for Bomb threats.
2. Suspect Devices
  - a. Fire Rescue Units dispatched to a suspect device shall contact their supervisor to assure they are clear on the call.
  - b. The Fire Rescue Transport Unit shall respond to the same staging area as the Fire Services and be certain the Command Post and Dispatch are advised of their arrival. The responding supervisor shall do the same.
  - c. If first on the scene, DO NOT approach and stage no less than 300 feet from the suspect device. If there is a patient at the location, limit exposure to emergency service personnel and request further instructions.
  - d. Be familiar with Police and fire procedures for suspect devices.
3. Post Blast

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- a. Contact radio, while enroute, to determine the location to which the Command Post request for you to respond.
  - b. Proceed with caution.
  - c. Insure radios and MDT's are turned off no less than 1000 feet from the blast site.
  - d. Patients are to be evacuated in a modified "Load and Go" to an area of safety. All members of emergency service will assist in the evacuation, until all patients have been removed. Remember to limit exposure time to both emergency service personnel and civilian personnel. A treatment/triage area will be established with the treatment and transportation directed by Medical Staff.
  - e. The establishment and operation of the triage area will be the responsibility of the first Fire Rescue personnel on the scene, until relieved by a superior Fire Rescue officer.
  - f. The Fire Rescue OIC will report to the Command Post to coordinate with other entities and jurisdictions.
  - g. All safety precautions for Police and Fire/Rescue shall also be followed by Fire Rescue personnel. Be familiar with Police and Fire/Rescue procedures for post blast.
- C. Fire Rescue Special Operations
1. Bomb threat
    - a. No routine response
  2. Suspect Device
    - a. No less than two (2) Paramedics and a Fire Rescue Supervisor, with a special equipped Tactical Unit, will respond to a location. They shall report to the location and be directed by the Bomb Squad Commander.
  3. Post Blast
    - a. All personnel and equipment will respond to the location to support Local/State/Federal Bomb Squads.
    - b. The unit will be commanded by the Bomb Squad Commander.

### 3-4.4 INFECTION CONTROL

Emergency service personnel often encounter situations where job duties are performed in uncontrolled environments. This could present a risk for exposure to infectious diseases. In any situation where there is a potential for occupational exposure, appropriate personal protective equipment is designed to prohibit blood or other potentially infectious materials from passing through to reach the employee's work clothes, skin, eyes, mouth, and/or mucous membranes under normal conditions.

#### A. POLICY

This policy is to provide general guidelines to reduce the risk of exposure of emergency service personnel to infectious diseases.

#### B. DEFINITIONS

1. Airborne Pathogens: Pathogenic microorganisms that are present in droplets and particles that can be carried in the air. These pathogens include, but are not limited to Tuberculosis (TB), Influenza (flu) and meningitis.
2. Blood: Blood, blood components, and products made from blood.
3. Bloodborne Pathogens: Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).
4. Body Substance Isolation: A concept of infection precautions designed to reduce the risk of infection in both patients and personnel. As such, all body sites and body fluids are considered infectious. This includes body fluids such as urine, vomitus and feces not routinely capable of transmitting bloodborne pathogens but capable of transmitting other infectious diseases.
5. Cleaning: The physical removal of organic material or soil from objects is usually done by using water and detergents.
6. Contact: The physical touching of a person (direct) or an object (indirect) with a potentially contaminated bodily substance.
7. Contaminated: The presence of blood or other potentially infectious material on an item or surface.
8. Contaminated Laundry: Laundry, which has been soiled with blood or other potentially infectious materials, or may contain sharps.
9. Contaminated Sharps: Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels and broken glass.
10. Decontamination: The use of physical or chemical means to remove, inactivate, or destroy pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

11. Disinfection: An immediate measure between physical cleaning and sterilization, which greatly reduces microbial life. This is usually done with pasteurization or chemical cold sterilant.
12. Engineering Controls: Controls (e.g. sharps disposal containers, self-sheathing needles, etc.) that decrease the risk of bloodborne pathogen hazard from the workplace.
13. Exposure Incident: A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.
14. Handwashing Facilities: a facility providing an adequate supply of running potable water, soap and single use towels or hot air drying machines.
15. HBV: Hepatitis B Virus.
16. HCV: Hepatitis C Virus.
17. HIV: Human Immunodeficiency Virus.
18. Occupational Exposure: Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious material that may result from the performance of an employee's duties.
19. Parenteral: Piercing mucous membranes or the skin barrier through such events as needle sticks, bites, cuts, and abrasions.
20. Personal Protective Equipment: Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g. uniforms, pants, shirts, or blouses) not intended to function as protection against a hazard is NOT considered to be personal protective equipment.
21. Source Individual: Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to an employee. Examples include, but are not limited to, hospital and clinic patients; clients in institutions for the developmentally disabled; trauma victims; clients of drug and alcohol treatment facilities; residents of hospice and nursing homes, human remains; and individuals who donate or sell blood or blood components.
22. Sterilize: The use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.
23. Universal Precautions: An approach to Infection Control. According to the concept of Universal Precautions, all human blood and certain human body fluids (amniotic, pericardial, peritoneal, pleural, synovial and cerebrospinal fluid, semen and vaginal secretions) are treated as if known to be infectious for HIV, HBV or other bloodborne pathogens.
24. Work Practice Controls: Controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique).

### C. GENERAL PRECAUTIONS

At a minimum, personal protective equipment (PPE) provided to personnel includes gloves, alcohol gel (Hand sanitizer), approved facemask, and CPR pocket masks. Work uniforms are not designed as personal protective equipment. PPE should be readily available while working in a capacity that has a potential for an exposure. PPE is provided in appropriate sizes and at no cost to all employees. Each vehicle will be equipped by the Motor Officer with PPE. A minimum of two pairs of gloves in assorted marked sizes will be available in each vehicle. It is the employee's responsibility for ensuring that it is at hand. All personnel are encouraged to also carry gloves, stored in a pocket or on their duty belt.

Employees with open wounds (cuts, abrasions, and scratches) must cover or bandage these areas with a moisture resistant bandage or dressing. This is to protect the employee as well as the public.

All personal protective equipment must be removed prior to leaving the work area. Upon leaving the work area, personal protective equipment must be disposed of properly.

Disposable gloves should be worn:

- When handling items or surfaces soiled with blood or bodily fluids.
- When touching blood and all body fluids, mucous membranes or non intact skin
- For protection when the employee has cuts, scratches, or other breaks in his or her skin, or when the employee judges that hand contamination with blood or body fluids occurs.

Gloves should be removed and discarded in appropriate containers. Hands should be washed immediately after removing gloves. If mechanical hand washing facilities are not available, chemical decontamination should be performed and followed up with mechanical hand washing as soon as possible.

Do not reuse disposable gloves.

If confronted with a patient with a medical emergency, use the appropriate personal protective equipment and treat to the level of training.

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### D. EQUIPMENT

The designated rescue mask (for mouth-to-mouth resuscitation) should always be used when artificial ventilation is needed for a patient in respiratory arrest. The rescue mask is designed to protect the responder if a patient is found to have a contagious disease after resuscitation efforts are initiated. Virtually all diseases that pose significant danger to public safety personnel can only be transmitted from some body fluid to the rescuer's blood stream. Therefore, any personnel with any wound on the hands, no matter how slight, should pay particular attention to the need to wear disposable gloves when attending to any ill or injured person who must be touched, especially to control bleeding.

In general, universal precautions will be observed. All personnel are to wear appropriate protection to isolate themselves from all body fluids on all patients. It is immaterial whether the patient is known to be infected or not.

If individual equipment becomes contaminated, the following decontamination procedures should be followed unless it is collected as evidence:

- Uniform/clothing:  
If lightly soiled remove as soon as feasible and spot clean with cold water and soap. Later, perform normal laundering. If moderately to heavily soiled remove as soon as possible. Bag it in a plastic trash bag (preferably a red biohazard bag). Decontaminate affected skin that was in contact with that area of clothing. Turn the uniform into supply for replacement.
- Nylon gear should be treated the same as uniform/clothing items.
- Firearms, ASP batons, and handcuffs should be washed off with cold water and then wiped down with a disinfectant. Handcuffs should be lubricated after the disinfectant has dried. The firearm will require detailing by a certified armorer from the training staff. Radio and other electronic devices should be cleaned and disinfected in accordance with the manufacturers' guidelines.

### E. INFECTION CONTROL OFFICER

The position of Infection Control Officer will consist of a supervisor trained in the current industry standards of Infection Control.

### F. REPORTING EXPOSURE

Whenever an employee exposure is suspected, a Supervisor's Incident Investigation Report is to be completed in the usual manner and forwarded through the chain-of-command. The Infection Control Officer must be notified as soon as possible. The Infection Control Officer is available through the Communications Division and will be notified by radio or phone.

Exposure shall be reported:

- If personnel are spit upon and there is contact with mucous membranes (eyes, nose, or mouth) or non-intact skin.
- If personnel have contact with blood or other body fluids and the contact with mucous membranes (eyes, nose, or mouth) or non-intact skin.
- If personnel have close contact with anyone diagnosed or reasonably suspected to have a potentially life-threatening disease carried by airborne pathogens, such as Tuberculosis (TB) or meningitis.
- If personnel have any question of exposures.

A copy of the Supervisor Incident Investigation Report will be forwarded to the Infection Control Officer. The Infection Control Officer will review the report and deem appropriate treatment. Employees may be summoned for an interview to determine the nature of the suspected exposure. The Infection Control Officer will determine follow-up treatment.

Treatment for injuries associated with an exposure will be obtained in the usual manner, according to Worker's Compensation guidelines.

## 3-4.5 SPECIAL WEAPONS AND TACTICS TEAM (SWAT)

### A. PURPOSE

1. This unit is designed to handle situations which present a great potential for death or serious injury or require the utilization of personnel specifically trained in specialized techniques acting as a formally organized, properly equipped team to safely and effectively deal with said situations.
2. Duties of the SWAT team will include but are not limited to:
  - a. providing support and protection for Department personnel or citizens under attack of sniper fire, assault fire or when such gunfire is anticipated;
  - b. providing high ground and perimeter security for visiting dignitaries;
  - c. providing rescue services for police officers or citizens who have been captured, isolated or endangered as a result of a tactical situation;

- d. establishing outer perimeter lines and, if necessary, to provide controlled firepower in non-riot situations involving snipers, barricaded suspects and/or hostages;
- e. to conduct studies and compile information for deploying manpower in tactical situations;
- f. to assist in serving search and arrest warrants, when such services may be beyond the ability of other department units;
- g. to provide station and command post defense when needed;
- h. to test new equipment which may be utilized by the SWAT team;
- i. to provide negotiation in the event of hostage, barricaded subject or attempt suicide situations.

#### B. STRUCTURE

1. In any Hostage or Barricaded Person situation, the SWAT Team shall report to the Incident Commander (the ranking officer on that scene). They shall evacuate, as needed, contain the situation and attempt to negotiate a peaceful end to the situation. The command priorities for the preservation of life will hold the following order:
  - a. hostages;
  - b. innocent civilians;
  - c. public safety personnel
  - d. hostage taker.

The use of deadly force in hostage situations will become an option only after there is clear and sufficient reason to believe that the person against whom the force is used is threatening the life of hostages, innocent civilians, public safety officers or to prevent the commission of a forcible felony.

The SWAT Commander shall keep the Incident Commander apprised of the progress of the Team's efforts and shall explain methods and procedures used, as well as their rationale, as the situation permits. For administrative purposes, the SWAT team commander will report to the Criminal Investigative Division Commander.

2. The SWAT team will be composed of sub-units and individuals responsible for coordination and command, assault and containment, counter sniping, negotiating and bomb disposal.
3. The SWAT commander will establish procedures to ensure that designated personnel are available at all times to assume command of SWAT operations in his absence. Any officer designated by the SWAT Commander as Acting SWAT Commander will have all the responsibilities and duties set forth in this policy as would the SWAT Commander.
4. SWAT personnel will be drawn from personnel assigned to regular, full time duty within the department. The team will be activated on an as-needed basis either for training or actual deployment. Team personnel will be subject to normal departmental rules, regulations, and chain-of-command. When the team is activated/deployed, the SWAT internal command structure will take precedence. SWAT personnel will be subject to activation whether on duty or off duty, 24 hours a day, 7 days a week.
5. SWAT members may, from time to time, be activated on a full-time basis and assigned to special projects or enforcement efforts. When activated on a full-time basis, the resulting unit will be known as the "Strike Force" and will report as directed by the Chief of Police.

#### C. ACTIVATION PROCEDURE

1. General (Time-Critical or Non-Time Critical)
  - a. The SWAT team may be activated by the Chief of Police, Uniform Division or C.I.D. Commander, Precinct Commander of the precinct in which an incident takes place, or the SWAT Commander.
  - b. Any time SWAT is requested for service outside the unincorporated portions of DeKalb County, it will be the responsibility of the SWAT or Uniform Division Commander to secure permission from the Chief of Police, whether it be a time-critical situation or not, prior to deployment of SWAT personnel.
  - c. Team members who are on duty at the time of a call-up (activation) should advise their supervisors of the situation. It should be determined if the team member's presence is absolutely necessary at their present duty assignment. If it is, the member should notify the SWAT Commander that they will not be able to respond and give a brief explanation. If the SWAT Commander determines that the presence of the person in question is absolutely necessary to the operation, he should so advise the member's supervisor.
  - d. The SWAT Commander may call for the activation of the team at any time for response and procedure evaluation or for an assembly in anticipation of possible activation.
  - e. In the absence of a real activation, the Commander will have a drill activation quarterly.
  - f. The SWAT team will train at least one day per month.
2. Time-Critical Situations (Barricade Subject, Hostages, etc.)
  - a. It will be the responsibility of the Precinct Commander of the precinct in which an incident takes place, or in his absence, the highest ranking subordinate, to activate the SWAT team.

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- b. In order to assist Uniform and C.I.D. superior officers in evaluating actual or potential situations, thereby helping to keep down unnecessary team call-ups, SWAT will have an on-call member available at all times as an advisor. This advisor may be called to the scene of any situation in lieu of activating the SWAT team. However, the O.I.C. of a situation should realize that if SWAT were needed, only calling an advisor would delay the team response time. This situation or not contacting SWAT at all, if they are needed, will likely increase the dangers of the situation at hand as well as individual vicarious liability.  
The advisor may be requested for any potentially serious situation but must be requested or SWAT must be activated in the following situations:
    - 1) hostage situations
    - 2) barricaded individuals
    - 3) snipers
    - 4) large civil disorders
  - c. Command of the scene of any situation will be determined by normal rank structure until the Precinct Commander or his O.I.C. or a higher-ranking police official turns the situation over to SWAT. No SWAT member, including Commander, O.I.C., or advisor, will participate in the capacity of a SWAT member in the actual situation (except the advisor acting in the capacity of an advisor) until the situation has been turned over to SWAT. At that time, the SWAT Commander will assume command responsibilities for the operation. However, in regards to establishing perimeters, evacuating citizens, re-directing traffic and similar functions, the SWAT Commander will work with the Uniform Commander of the scene to insure proper procedures are followed. It is imperative that if certain members of SWAT, i.e., snipers, hostage negotiators, etc., are needed, the entire SWAT will be activated for both tactical and liability consideration. This influx of specialized manpower can be utilized to relieve Uniform personnel.
3. Non-Time-Critical Situations (Raids, Warrant Service, etc.)
    - a. The requesting authority should pre-arrange with the SWAT Commander, giving as much notice as possible, for any assistance requests.
    - b. The SWAT Commander will be in command of any situation in which the SWAT team is involved.
    - c. The SWAT Commander will determine which sub-units and personnel will be used in a situation.
  4. Deactivation Procedure
    - a. In the event that any team member uses deadly force, the SWAT Team Commander will designate at least one (1) member to remain on the scene to assist CID in their preliminary on-scene investigation. Also, to remain on the scene will be the officer directly involved in the shooting incident. All other members shall immediately proceed, as directed by the Commander, to CID for follow-up investigation. When the member(s) who assisted CID at the scene have been released, they shall also immediately report to CID.
    - b. After conclusion of the CID preliminary investigation but prior to any member being dismissed, the SWAT Commander shall hold a debriefing of all members.
- D. NOTIFICATION PROCEDURE**
1. In time-critical situations, the activating authority will advise the Communications Supervisor to activate SWAT. The Communications supervisor will then contact the SWAT Commander or O.I.C., apprise them of the situation, and ascertain what the members are to be instructed. Instructions should include, but not be limited to the following:
    - a. the location where members are to report;
    - b. the radio channel which they are to use.
    - c. a brief explanation of the situation at hand (riot, hostage situation, etc.). There also may be special instructions for certain members.After the SWAT Commander has been contacted and given instructions for other members, Communications will then contact the following persons and advise them of both the facts surrounding the incident and the instructions, which are to be given to the team members:
    - Chief of Police
    - Uniform Division Commander
    - all SWAT team members (unless otherwise advised by the SWAT Commander)
  2. In non-time-critical situations, the activating authority will contact the SWAT Commander and explain the need. They will work together on details of what the SWAT team will do. It will then be the responsibility of the SWAT Commander to contact the Communications supervisor and advise instructions for other members. Communications will contact the following persons and advise them of both the facts surrounding the incident and the instructions which are to be given to the team members:
    - Chief of Police

- Uniform Division Commander
- necessary SWAT team members (unless otherwise advised by the SWAT Commander.)

In either time-critical or non-time-critical situations, all communications from the Communications Center should be handled on recorded lines so that a record will be established in case a later need exists.

E. SELECTION OF PERSONNEL ASSIGNED TO THE SWAT TEAM

1. Qualifications:

- a. two (2) years' service as a sworn DeKalb police officer;
- b. no more than two (2) suspension days within the past twenty-four (24) months;
- c. no more than four (4) suspension days within the past thirty-six months for vehicle accidents.
- d. qualify with their service weapon on the current qualification course with an 80% or greater score
- e. pass a physical fitness test;
- f. pass a drug screen test;
- g. pass a psychological evaluation;
- h. must have received an overall three (3) or better on their last two (2) departmental evaluations;
- i. health habits/conditions such as overweight, excess use of alcohol, smoking, etc., will be considered in selecting members;
- j. rank will be considered in selection;
- k. present regular duty assignment will be considered in selection.

2. Those officers who are interested in assignment to a unit of the SWAT team will file a request through their chain of command to the Uniform Division Commander when advertised. Individual applications for team membership will be reviewed by the SWAT selection board and the Police Command Staff.

F. EQUIPMENT

1. All assault and containment members will, at a minimum, be equipped with the following equipment:

- a. one portable radio (walkie-talkie) with earpiece
- b. one flashlight
- c. one gas mask
- d. one level III body armor vest
- e. one ballistic helmet
- f. one set of black fatigues
- g. one pair black boots
- h. one black belt with low ride holster
- i. one department issued hand gun
- j. one pump shotgun
- k. 45 rounds ammunition
- l. six (6) flexi-cuffs
- m. one pair nomex gloves
- n. one nomex balaclava

2. All snipers/counter snipers will, at a minimum, be equipped with the following equipment:

- a. one portable radio (walkie-talkie with earpiece)
- b. one flashlight
- c. one gas mask
- d. one level III body armor vest
- e. one ballistic helmet
- f. one set of black fatigues
- g. one pair of black boots
- h. one black belt with low ride holster
- i. one department issued hand gun
- j. 45 rounds of pistol ammunition
- k. one .308 caliber rifle with optical sight
- l. one .223 caliber rifle

3. All personnel will be subject to a monthly audit to be sure all equipment is accounted for and in good working condition.

4. Hostage negotiators will have, at a minimum, access to the following equipment:

- a. portable radio (walkie-talkie) with earpiece
- b. flashlight
- c. one level III armor vest

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- d. one department issued hand gun
  - e. 45 rounds of ammunition
  - f. one cellular phone
  - g. one hostage throw phone
  - h. one bull horn
5. A command vehicle will be established and utilized on SWAT assignments when the need arises. The vehicle will be equipped with the following minimum equipment:
- a. spare weapons and ammunition, in the event a team member arrives at the scene of a situation without his gear
  - b. rope, including additional rappelling rope and other rappelling equipment and ladders
  - c. pry bars, prying and tearing equipment, and bolt cutters
  - d. bull horns and other communicating devices
  - e. flashlights and other illuminating devices (flares), including batteries
  - f. maps and map related aids
  - g. body armor and shields
  - h. reports and scratch paper
  - i. water reservoir
  - j. cameras and recording devices
  - k. tear gas, smoke, and launcher
  - l. mirrors
  - m. door jams
  - n. binoculars and spotting scope
  - o. compass
  - p. first aid kit
  - q. fire extinguisher
  - r. gas masks
  - s. handcuffs and flexi-cuffs
- G. RESPONSIBILITIES AT CRITICAL SITUATIONS
1. First Uniform police officer on the scene will:
- a. Confine the perpetrators to the immediate area and maintain firearms discipline.
  - b. Request the dispatcher to notify the Uniform patrol supervisor.
  - c. Cordon the area and evacuate injured persons, if the situation permits.
  - d. Detain all persons, both civilians and members of the department having pertinent information regarding the suspect or his location for debriefing.
2. First Uniform patrol supervisor on scene will:
- a. Designate a Command Post area if necessary.
  - b. Direct all responding members of the Department, and any other department, to report to the Command Post for assignment and briefing; and insure that all members are aware that the safety of hostages, personnel and citizens is of primary concern and of the necessity for maintaining firearms discipline.
  - c. Direct members of the Department not to fire weapons, unless their lives or others' are in imminent danger.
  - d. Establish an inner and outer perimeter, and maintain the inner perimeter until relieved by the SWAT Commander; he will also advise the dispatcher of any streets or areas which may be unsafe for responding units to enter.
  - e. Determine necessity to evacuate the location or area. If deemed necessary, commence evacuation of bystanders; then evacuate persons from their homes, apartments, business places, schools, and churches.
  - f. Gather intelligence information regarding:
    - 1) location of suspect (floor, room, roof;)
    - 2) types of weapons suspect may have access to;
    - 3) Identification of suspect, including complete physical description, mental state, and physical condition;
    - 4) suspects motive;
    - 5) crime committed by suspect (assault, robbery, minor disturbance);
    - 6) physical description of any hostage and their physical and mental condition and the communication of this information to all responding personnel;
    - 7) determine in which room telephones are located;
    - 8) deploy additional personnel when they respond to cover exits, possible escape routes and for pedestrian and vehicle control.

3. The SWAT Commander will, upon taking command of a situation:
  - a. Insure that all previous steps designated as responsibilities of initial personnel and those of the first Uniform patrol supervisor on the scene have been fulfilled.
  - b. Obtain a situation report from the Uniform patrol supervisor in charge.
  - c. Evaluate the situation and determine the degree of danger to any hostage, Department member or citizen and whether perimeter deployment is adequate.
  - d. Consider establishing a mobile reserve at the assembly area to relieve personnel previously assigned to other tasks.
  - e. Have the hostage negotiator(s) notified when their presence is desired.
  - f. Summon such other personnel as may be required by the tactical situation to include but not limited to the helicopter pilot, surveillance personnel, detectives, etc.
  - g. Have the authority to determine the force required to complete a tactical situation successfully. Force may include, but is not limited to, the use of chemical agents, direct assault or the use of selective firepower.
  - h. Insure that all non-members within the outer perimeter are replaced as soon as possible in an orderly manner.
  - i. Insure that an ambulance is dispatched to the scene.
4. SWAT Commander, or the ranking officer taking command, if taken hostage, cannot order subsequent strategic actions to be taken by Department personnel. In such a situation, command of the SWAT team will pass to the next designated member of the SWAT team who has not been taken hostage.
5. Responsibilities of Hostage Negotiator:
  - a. The hostage negotiator's primary responsibility is to effect the release of hostages unharmed through a negotiating process.  
 In carrying out the primary responsibility, the hostage negotiator will keep the SWAT Commander fully informed as to the progress or lack of progress of the negotiating process. The hostage negotiator will provide to the SWAT Commander an evaluation of the mental state of the hostage taker(s) as to the possibility of harm to the hostage(s). The hostage negotiator will immediately inform the SWAT Commander if harm has come to a hostage or if a hostage has been killed so that action may be taken to save the lives of any remaining hostages since once a hostage taker kills one he is more likely to kill again.
  - b. Attempt to establish a line of communication with the suspect.
    - 1) This may be done through relatives, friends, or neighbors; however, such persons will not be permitted to enter an area secured by the captor, sniper, or barricaded persons.
    - 2) Attempt to limit the suspect's means of communication with other persons to avoid jeopardizing the operation or providing a forum for the offender.
    - 3) If a telephone number is needed, contact the telephone company.
    - 4) If unable to communicate via telephone, resort to a bullhorn, a public address system, or hostage telephone.  
 Make certain the perpetrator knows with whom he is communicating and negotiating.  
 Keep the perpetrator talking as long as possible, since the longer the conversation, the greater the opportunity for a successful negotiation.
  - c. Suggested Negotiating Procedures:
    - 1) Attempt to describe to the perpetrator the futility of his actions.
    - 2) Make every effort to persuade the suspect to surrender voluntarily, before force is used.
    - 3) Only agree to trade the release of a hostage in return for the suspect's safety.
    - 4) Avoid accepting explicit deadlines a suspect may seek to establish.
    - 5) Consider obtaining anything within reason demanded by the suspect, except firearms and ammunition.
    - 6) If food is demanded, develop a plan for distribution, which is mutually acceptable to the department and the perpetrator.
      - a) Generally, drugs should not be introduced into the perpetrator's food or beverages.
      - b) Generally, the suspect should not be provided with alcoholic beverages or drugs.
    - 7) Ask to see any hostages, to assess their well-being, but avoid creating the impression of overconcern.
    - 8) If hostages are law enforcement personnel, anticipate possible independent action.
    - 9) Persist in attempts to negotiate the suspect's demands while trying to convince him that yielding the hostage is a guarantee of his safety.
    - 10) Never consent to release a person in Department custody in exchange for the release of a hostage.
6. Additional duties of all personnel responding to a critical scene:

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- a. Personnel responding to assist a tactical situation will report to the Command Post or to designated staging area. Assisting personnel will not deploy on their own.
  - b. When duly assigned to a specific duty, assisting personnel are expected to maintain absolute control of their post, to insure the safety of innocent persons and to prevent escape of the perpetrator(s).
  - c. Assisting personnel will not act individually unless ordered to do so, or if failing to act would jeopardize the safety or lives of other personnel or citizens.
7. Mobilization of hostage situations:
- a. It will be the policy of the SWAT team to confine the perpetrators to the immediate area and to negotiate a settlement to the situation at hand.
  - b. Normally, no movement of perpetrators or hostages will be allowed. Prior to allowing any movement from one place to another of perpetrators and/or hostages, permission must be obtained from the Chief of Police or the Uniform Division Commander.
  - c. When movement of perpetrators and/or hostages has been authorized, the SWAT Commander will notify the Communications Division of the following:
    - 1) There is to be a movement of captor(s) and/or hostage(s).
    - 2) The proposed route and destination, if known.
      - a) The Communications Division will notify officers along the primary and parallel routes not to interfere with the progress of the convoy.
      - b) Communications will notify other agencies of pertinent information.
      - c) Communications will also notify command covering the destination within or outside of the County.

### H. JURISDICTIONAL RESPONSIBILITIES

1. As defined below, the SWAT Commander or the ranking officer taking command of a hostage situation, barricaded person, sniper, or other unusual occurrence will retain such command until some other law enforcement agency clearly indicates that jurisdictional responsibility is theirs.
2. In the case of concurrent jurisdiction with local, state, or federal agencies where initial control of the operation is by DeKalb County, the Department will retain control until the senior or ranking official of the concurrent agency at the scene declares responsibility.

If a situation develops inside DeKalb County and eventually moves outside DeKalb County into another jurisdiction, it will become necessary, at the appropriate time, to transfer command and operations over to the agency with jurisdiction. It is understood that this transfer will not occur immediately, but once it does occur, it should be done so in a smooth and orderly manner. Command personnel should remain with the other jurisdiction's command staff in order to advise and assist if needed.

If the situation is one that is considered a "Local Emergency" as defined by the "Georgia Mutual Aid Act" and the other jurisdiction has a mutual aid agreement with DeKalb County, then reference should be made to the section within this chapter on mutual aid.

### 3-4.6 EMERGENCY MENTAL CASES

#### A. POLICY

Police Officers of this Department respond to a wide variety of complaints, many of which require the resolution of some conflict or dispute where good judgment and experience are the only guides to what action should or may be taken. One of the most difficult assignments is the call that involves a mentally ill person who is causing a disturbance, behaving in an abnormal manner or committing some infraction of the law. It is not the intent of this directive to explain in detail how such assignments should be handled or to serve as a substitute for judgment and common sense, but to insure that such actions as may be taken are within the law and contribute to the attainment of our goals of protecting life, individual liberty and property, preserving the peace, preventing crime and disorder, enforcing the laws and providing public service to the community.

#### B. RESPONDING TO EMERGENCY MENTAL CASES

Whenever a public safety officer (Police/Fire/EMS) is dispatched to a call involving an alleged mentally ill or deranged person, a supervisor should also respond. Whenever fire or EMS personnel arrive at a scene where a mentally ill or deranged person is located, police will be summoned immediately.

If the complaint does not involve a penal offense or a disturbance, the complainant should be advised that there is no basis for police action. If the complainant is seeking commitment or wanting another committed, the officer should advise that commitment is a civil process, not a criminal action; that a mentally ill person may be voluntarily committed; and that involuntary commitment is made by a physician pursuant to State law or by petitioning a judge.

Upon arrival at the scene of an offense or disturbance, the responding officers will take the appropriate action to restore order and seek the identification of all present.

If the conduct observed is a penal offense (criminal act or ordinance violation), the officer may arrest the suspect under the appropriate violation. After the suspect is transported to the jail the officer should advise the Magistrate of any conduct or behavior, which would indicate that the suspect was mentally ill.

If the conduct observed is a violation of a penal offense, and no arrest is made and the officer has probable cause to believe the suspect is either mentally ill or a drug or alcohol dependent requiring involuntary treatment, the officer may place the suspect into custody and transport him to an approved mental health facility.

#### C. INVOLUNTARY MENTAL HEALTH TREATMENT

O.C.G.A. § 37-3-42 states: *"A peace officer may take any person to a physician within the county or an adjoining county for emergency examination by the physician...or directly to an emergency receiving facility if (1) the person is committing a penal offense, and (2) the peace officer has probable cause for believing that the person is a mentally ill person requiring involuntary treatment. The peace officer need not formally tender charges against the individual prior to taking the individual to a physician or an emergency receiving facility under this code section. The peace officer will execute a written report detailing the circumstances under which the person was taken into custody; and the report will be made part of the patient's clinical record."* O.C.G.A. § 37-3-1 defines mentally ill *"as a person having a disorder of thought or mood which significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life."*

#### D. 1013 or 2013 FORMS

The 1013 or 2013 State forms are forms provided by mental health facilities for peace officers to complete after placing someone in custody pursuant to the Georgia Mental Health Act. These forms are silent as to the issue of penal offenses committed by the suspect, therefore it is important to keep in mind that when filling out these forms the officer must state what penal offenses were committed.

#### E. DEPARTMENTAL REPORTING

After lodging an individual in a mental health facility, the officer must complete an incident report and title it "Georgia Mental Health Act." Under the offender block on the face sheet the officer will list the charge as "Georgia Mental Health Act 37-3-42." The penal offense committed by the defendant should be mentioned in the narrative.

#### F. MENTAL HEALTH FACILITIES IN DEKALB COUNTY

The following is the emergency mental health facility to be used for involuntary treatment:

DeKalb Crisis Center  
450 Winn Way  
Decatur, Georgia 30032  
404-892-4646

#### G. CUSTODY

The involuntary hospitalization procedures of the Georgia Mental Health Act authorizes an officer to take a person into custody without a warrant and deliver him to an emergency mental health facility. This custody is considered an "arrest", therefore officers are expected to follow proper arrest procedures such as searching and handcuffing while in the officer's custody.

#### H. TRANSPORTING MENTAL HEALTH PATIENTS

Once an individual has been placed into custody pursuant to the Georgia Mental Health Act, the officer will transport the individual to the appropriate mental health facility. Employees of this Department will not transport mental patients from one mental health facility to another if the patient has been admitted or examined by personnel of the mental health facility where the patient was first taken.

#### I. DEKALB COUNTY MOBILE CRISIS UNIT

The DeKalb County Mobile Crisis Unit (MCU) is a cooperative effort between the DeKalb County Police Department, the DeKalb County Sheriff and DeKalb County Mental Health. The purpose of the unit is to assist officers when responding to crisis situations. The unit presently operates on the evening watch and will routinely respond to the following types of calls:

Suicide  
Drug/Alcohol Addiction  
Mental Health  
Mental Retardation

When the MCU is available it will respond to these types of calls and offer assistance to the officer on the scene or relieve the officer and allow him/her to return to service. The MCU will handle all reporting once the call is turned over to them. During hours the MCU is not working, officers may refer the aforementioned types of calls to the appropriate Recovery Unit or emergency receiving facility.

## EMERGENCY DEPARTMENTAL PROCEDURES

### 3-4.7 ACTIVE THREATS

#### A. POLICY

The Policy of the Department is to intervene in Active Threat situations to neutralize the threat, prevent access to additional victims, and to rescue injured persons and potential victims. While it is important to provide first aid to the wounded, the primary duty is to stop the actions of the Active Threat, thereby preventing further injury or loss of life.

#### B. DEFINITION

**Active Threat:** An incident where one or more suspects is participating in a random or planned violent spree; actively demonstrating their intent to continuously cause serious bodily injury or death to others. Although these events often involve the use of firearms by perpetrators, they may also involve the use of other types of weapons or implements which could cause serious injury or death.

#### C. RESPONSE TO THREATS WHEN LIVES ARE IN IMMINENT DANGER

Officers responding to an Active Threat situation will assess the situation and, if possible, stop the suspect's violent actions, consistent with training and experience. Actions taken by officers to stop the violence may include arrest, containment, or the use of force when justified. Additional actions may include efforts to locate, recover, shelter in place, and/or facilitate the evacuation process of victims to safe areas or to medical personnel for treatment.

#### D. NOTIFICATION OF ADDITIONAL RESOURCES

Identifying the need for additional resources is the responsibility of the on-scene commander. Additional resources may include additional Department personnel, personnel from other law enforcement agencies, emergency medical personnel, fire personnel, public works, utility companies, or any other assistance as may be deemed necessary by the on-scene commander.

#### E. PUBLIC SHELTERING AND CONTAINMENT OF THE INCIDENT

Decisions regarding public sheltering and containment of the incident are the responsibility of the on-scene commander and are incident specific. Actions taken by the on-scene commander may include evacuation, sheltering in place and establishing a perimeter. The on-scene commander should consider the risk of evacuation or sheltering in place to affected citizens. A primary consideration of the on-scene commander should be incident containment and termination of the Active Threat consistent with training and experience.

#### F. POST INCIDENT

Once the threat has been neutralized or the situation resolved, the location shall be treated as any other crime scene and shall be secured until all evidence is collected for further investigation.

#### G. PUBLIC NOTIFICATIONS FOR AWARENESS AND SAFETY

1. The Department PIO will coordinate with the County Communications Department in providing general information to the public on Active Threats through the County's website and/or social media and at the direction of the on-scene commander.
2. When an Active Threat is identified the PIO will be responsible for coordinating media releases about the incident (location of the incident, closed roads, reunification points, etc.) and at the direction of the on-scene commander.

#### H. DOCUMENTED ANNUAL REVIEW OF POLICY AND TRAINING NEEDS

A documented annual review of this policy, along with training needs, will be completed by the Training Unit.

## **EMPLOYEE SAFETY**

### **3-5.1 SAFETY AND LOSS PREVENTION POLICY GUIDELINES**

#### **A) GENERAL**

It is the policy of this department to administer an effective Safety and Loss Prevention Program which will reduce to a minimum the personnel, equipment and financial losses that result from risk producing activities, and which effect the efficiency of operations within this Department. In support of this program, all are expected to comply with the Safety and Loss Prevention policies established by the DeKalb Board of Commissioners and implemented by this Department. Effective implementation of the Safety and Loss Prevention Program can be successfully achieved by the following:

1. Identification of high-risk activities which will require extensive supervision in order to minimize losses.
2. Involvement in the Safety and Loss Prevention Program by members of the management team at all levels of supervision within this Department.

#### **B) SCOPE**

Safety and minimization of loss are a responsibility of every member of this Department. Supervisory personnel at all levels are expected to observe internal operations and correct those safety shortcomings and deficiencies that surface within their areas of responsibility. Individuals who observe a safety deficiency are encouraged to bring the issue to the attention of their immediate supervisor for appropriate action.

#### **C) OBJECTIVES**

To properly implement the Safety and Loss Prevention Program requires that the various sections/divisions within the department to conform to the safety standards established. The general nature of the safety objectives outlined in detail by the Safety and Loss Prevention Manual are:

1. **Leadership and Organization**  
The Department will appoint a Safety and Loss Prevention Coordinator and an Emergency Preparedness Coordinator to ensure effective communication of Loss Prevention policy and standards to all employees so that active participation occurs in our efforts to prevent injuries, reduce equipment damage and conform to program standards.
2. **Management Training**  
Management and supervisory personnel will receive formal training in the Safety and Loss Prevention Program in accordance with guidelines contained in the Safety and Loss Prevention Manual.
3. **Planned Inspections**  
Safety and Housekeeping Inspections within each Section/Division will be conducted at least three times a year being due at the end of April, August and December. Supervisory personnel will use the checklists developed to meet the special needs of the section/division. Written results of the inspection and corrective action will be retained in file for two years from the date of inspection.
4. **Accident Investigation**  
The immediate supervisor of each injured employee or damaged property will be directly involved in the accident investigation. Vehicular accidents will be reviewed by the Department Accident Review Board.
5. **Rules and Protective Equipment**  
Departmental General Safety Rules will be distributed and posted for all employees' review and compliance. Safety rules will be enforced by supervisors and periodic inspection will be accomplished by the Division Loss Prevention Coordinators and/or their assistants.
6. **Employee Training**  
All personnel will receive safety orientation material from the Personnel Services Section when hired; during recruit training, and by their immediate supervisor upon completion of recruit training. Training needs will be developed for each Division Loss Prevention Coordinator by the Training Division.
7. **Records and Reports**  
Safety and Loss Prevention Program records will be maintained in accordance with requirements of the Safety and Loss Prevention Manual.
8. **Employee Communications**  
Safety information will be an integral aspect of every staff meeting or training to ensure that a high safety awareness level is maintained within the Department for all employees.
9. **Hiring and Placement**  
Physical requirements for job openings will be determined by the Department and all new-hires will be expected to pass a medical and physical examination as provided by the DeKalb Merit System and Personnel Administration.

## EMPLOYEE SAFETY

### 10. Vehicular Safety Emphasis Program

- a. The department will provide policy guidelines for operation of the General Safety Committee and the Accident Review Board.
- b. Departmental employees who operate motor vehicles will receive extensive safe driver training and information.
- c. All new drivers will be expected to successfully complete the DeKalb Defensive Driving Course as soon as practical after being hired.
- d. Supervisory personnel are expected to include safety information and awareness as a routine segment of training sessions and meetings.
- e. Significant standards for this program are detailed in Element 13, page E-13-1 through E-13-3 of the Safety and Loss Prevention Manual.

#### D) ACCIDENT INVESTIGATION

1. Investigation of accidents will be accomplished by the appropriate immediate supervisor of the individual(s) involved.
2. Accident Investigation Reports will be completed in accordance with instructions contained in the Safety and Loss Prevention Manual, pages P-4-1 through P-4-12

#### E) LOSS PREVENTION COORDINATOR

The Departments Loss Prevention Coordinator is appointed by Personnel Order and will manage the Safety and Loss Prevention Program; and, act as the program liaison with the Risk Management Office. The Department will in addition to the Safety and Loss Prevention Coordinator, appoint by Personnel Order an Assistant Loss Prevention Coordinator within each section/division/unit of the Department. The Safety and Loss Prevention Coordinator will insure that:

1. A written report is submitted to the DeKalb Chief Executive Officer for all major losses within the Department involving death, permanent disability, property damage incidents exceeding \$10,000, or injury to numerous persons of the Department. (Page R-1, Safety & Loss Prevention Manual)
2. Required semi-annual departmental reports are submitted. (Page R-1)
3. Quarterly self-audit safety and housekeeping inspections are conducted by the Assistant Loss Prevention Coordinator for each division. (Page R-5)
4. Loss Prevention training as necessary is scheduled for appropriate Department personnel.
5. The annual action plan and realistic objectives for the Department are developed and implemented. (Page R-5)
6. Major/fatality accident investigation reports are reviewed by the General Safety Committee or Accident Review Board for appropriate corrective action. (Page R-5)
7. Appropriate records are maintained in order to document compliance with the Safety and Loss Prevention Program. (Page R-5)
8. Specific activities dealing with the emphasis, communication and meetings on Safety and Loss Prevention are accomplished. (Page R-5)
9. Those specific activities required by pages R-6 through R-8 of the Safety and Loss Prevention Manual are accomplished/implemented.

#### F) CHAIN-OF-COMMAND

The authority and responsibility for the Safety and Loss Prevention Program is delegated to the appointed Safety and Loss Prevention Coordinator who will keep the Chief of Police informed of Safety and Loss Prevention activities/events/and status. Assistant Coordinators will report their findings and actions to the Safety and Loss Prevention Coordinator. Division Chiefs should be informed of the status of activities within their division. Safety and Loss Prevention are of interest to all levels of management.

### 3-5.2 SAFE DRIVER AWARD

#### A) PURPOSE

To promote safe driving among personnel of the department and to reward those drivers who have not become involved in a preventable accident during a specified period of time.

#### B) ELIGIBILITY

All members of the department, to include members of the Police and Animal Control Unit, except those departmental personnel positions that are specifically excluded because they do not regularly drive vehicles operated by the Department.

#### C) PERFORMANCE CRITERIA

Fill a position, which required the incumbent to regularly drive a motor vehicle assigned to the Department.

1. Be recommended for the award by their immediate supervisor.

2. Operate a motor vehicle as a part of normal assigned duties for a period of two years without a chargeable preventable accident. The accountable period will commence on the anniversary of the individual's last preventable accident.

D) EFFECTIVE DATE

The Safe Driver Award program commenced on 1 February 1986 with the first presentation award authorized retroactive to the date of the last determined chargeable accident.

E) AWARD DESCRIPTION

A white ceramic ribbon with two green bars and a gold shield appropriately numbered with even numbered years up through 24.

The ribbon will be worn above the recipient's right pocket flap and above the nametag to the wearer's right of all other decorations awarded by this Department. Awards should be centered above the nametag.

For drivers who have driven county owned vehicles for 25-29 years with no preventable accident, the DeKalb County "25 Year Safe Driving Pin" will be awarded on a one-time basis.

For drivers who have driven county owned vehicles for 30 or more years with no preventable accident, the DeKalb County "Safe Driver Plaque" will be awarded on a one-time basis.

Any driver who is involved in a preventable accident must wait at least two years from the date of the accident before they becomes eligible for the next safe driving award.

F) PRESENTATION

Awards will be presented at shift change formation or other suitable event by no less than the Watch Captain/Officer-in-Charge on duty.

G) PROGRAM MANAGEMENT

The Safety and Loss Prevention Coordinator for the Department will exercise overall responsibility for the verification of safe driving records and the general administration associated with the management of this Safe Driver Award Program. Drivers/employees who believe they are eligible for a Safe Driver Award will complete the required form and submit it to their immediate supervisor.

### 3-5.3 EMERGENCY ACTIONS PLAN FOR HEADQUARTERS BUILDING

A) GENERAL

1. This emergency actions plan was developed to meet a variety of emergencies requiring action by DeKalb County employees and visitors to the Building.
2. Evacuation of the building may be desirable in cases involving fire, toxic fumes and bomb threat.
3. Tornado sightings, earthquakes, radioactive fallout and other disaster situations may require utilization of the building to provide the safest available shelter from these hazards.
4. The yearly tornado season is normally between February and June. A tornado is an unpredictable storm usually accompanied by thunder and lightning, hail and high velocity winds capable of intense destruction.

B) SPECIFIC INSTRUCTIONS

1. Building Evacuation

- a. Alarm Code: (Sound Fire Alarm) (Notify Fire Services: dial 9-911)

- 1) Continuous bell ring - means evacuate the building.

- 2) All clear - announced by voice.

- b. Evacuation Procedure:

- 1) Close doors/windows (Do not lock unless necessary for security.)

- 2) Use stairways - not elevators

- 3) Exit away from the fire by the nearest door, avoiding the end stairwells if possible. Assembly areas for DeKalb employees (roll call by office/section).

Unit

Chief of Police Admin. Staff

Uniform Division\*

Criminal Investigations Div.

Management services

Fire Services

Recorder's Court

Communications Division

Records Section

Magistrate Court

Assembly Point

Juvenile Ct. Parking Lot-West

Visitor Paved Parking Lot

Juvenile Ct. Parking Lot-West

Juvenile Ct. Parking Lot-North

West Lawn Picnic Area

Juvenile Ct. Parking Lot-East

911 Back up building – 701 Camp Road

Juvenile Ct. Parking Lot-West

Juvenile Ct. Parking Lot-West

## EMPLOYEE SAFETY

- c. Command Post consisting of the Chiefs of Fire/EMS/Police and Communications will be established at the flag pole in front of Juvenile Court Building.
  - d. Special Conditions:
    - 1) Selected operations are expected to continue when possible.
      - a) Radio/telephone operations in the Department Communications Center or establish mobile communications.
    - 2) Handicapped visitors will be assisted by personnel from the activity being visited.
    - 3) Traffic control will be accomplished by the Uniform Division and Special Operations Section.
    - 4) Following named sections are responsible for insuring that named area is cleared:
      - Ground Floor - West Wing – Special Services Division
      - 1st Floor - West Wing – Center Uniform and Fire Services Supervisor
      - 2nd Floor . West and East Wings – CID
      - 3<sup>rd</sup> floor - Communications
      - Roof - Helicopter Fly-Off
      - Ground Floor - East Wing - Pistol Range/Training
      - 1st Floor - East Wing - Record Sec. Supervisor; Property and Evidence Custodians
2. Tornadoes and Other
- a. Alarm Code: (Voice Announcement)
    - 1) Voice announcement using paging system will direct all personnel to the ground level of the building or under furniture, if appropriate. Fire Services will use voice commands to alert personnel.
    - 2) All clear - voice announcement.
  - b. Safety Procedures:
    - 1) Tornado Watch - means weather conditions are right for a tornado to occur; increase weather awareness.
    - 2) Tornado Warning - means a tornado has been sighted in or approaching DeKalb County and could affect this building.
    - 3) Observers - The following departments will post observers and sound the alarm if a tornado is sighted:

<u>Activity</u>	<u>Observer Point</u>
Fire Services	Rear of Building, West side [Toward Magistrate Court]
Police Services	Front of Building (South), East side (Toward Stone Mountain)
    - 4) Tornado sighting will be announced over the paging system. (Communications Center; Uniform Division; Chief's Office) and verbally to the Fire Services personnel on duty at headquarters.
    - 5) Relocation - When a tornado is sighted, County employees and visitors should relocate to the hallways and interior rooms on the ground floor.
    - 6) Hazards - Remain clear of windows and glass doors.
    - 7) Earthquake - Take cover at your work location; under sturdy furniture or in a metal doorway. Stay clear of shaking buildings, if you are already outside. Watch for falling debris.

## DEKALB POLICE FACILITIES AND PROPERTY

### 3-6.1 PURPOSE

To provide reasonable control of access and security of the DeKalb Police Headquarters Building and other DeKalb County facilities, and to establish procedures for responsibility of County issued property, including vehicles.

### 3-6.2 POLICE HEADQUARTERS BUILDING BUILDING SECURITY

In order to provide reasonable control of access and security to the Headquarters building, all Departmental employees will be responsible for insuring that non-employees or other unauthorized individuals are prevented from entering restricted areas of the building.

Because of the nature of the responsibilities designated to different Department functions, security in certain areas may be greater than other areas.

- a. First, Second and Third Floor Lobbies; Hallways to Records Section; Elevators; Uniform and CID Reception Areas.

These areas will be accessible to the public in general except as provided elsewhere in this policy.

- b. Center Precinct, Administrative Services and Hallways.  
These areas are considered restricted areas and will be limited to Police personnel and other authorized individuals. Access to these areas will be controlled by manually or electronically controlled locks.
- c. Internal Affairs and Hallways.  
These areas are considered restricted areas and will be limited to Departmental personnel and other authorized individuals. Access to these areas will be controlled by manually controlled locks and an alarm system.
- d. Criminal Investigation Division.  
This area is considered a restricted area and will be limited to Police personnel and other authorized individuals. Access to this area will be controlled by manually or electronically controlled locks.
- e. Administrative Services Section  
This area is considered a restricted area and will be limited to Administrative Services employees and other authorized individuals. Access to this area will be controlled by manually controlled locks.
- f. Central Records Section  
This area is restricted to Police personnel and other authorized individuals, who will have access to the records counter only. The Chief of Police, Chief of Staff, Assistant Chief of Support Services Bureau, Information Services Division Deputy Chief, Criminal Investigations Division Commander and Internal Affairs Commander will have unlimited access to the area beyond the records counter. Other police personnel and other authorized individuals seeking access to the area beyond the records counter must obtain permission and be escorted by the Records Division Commander.
- g. Criminal History /NCIC  
This area is considered a highly restricted area and will be limited to Criminal History personnel and other authorized individuals that have been approved for entry by Criminal History supervisors. Access to this area will be controlled by manually controlled locks. During normal business hours the reception area will be accessible to anyone.
- h. Fiscal Management Section  
This area will be considered a restricted area and will be limited to Fiscal Management personnel and other authorized individuals. Access to this area will be controlled by manually and electronically controlled locks.
- i. Office of the Chief of Police and Fourth Floor  
This area will be considered a restricted area and will be limited to staff of the Chief's Office and other authorized individuals. Access to this area will be controlled by manually and electronically controlled locks. Elevator access to this floor will be controlled electronically.
- j. Communications Division and Fifth Floor  
This area is considered a restricted area and access will be limited to those personnel authorized by Communications Division policy (3-3.8). Access to this area will be controlled by manually and electronically controlled locks. Elevator access to this floor will be controlled electronically.  
Communications Division staff and supervisors will be provided with electronic access to the Computer Server Room, data rooms, Training Lab and other general service areas. Technicians needing to gain access to an equipment room must obtain entry by contacting a supervisor. Access to the Emergency Operations Center will be controlled by manual locks. Access will be restricted to Communications Commanders and Homeland

## FACILITIES AND PROPERTY

Security personnel.

The security and environmental arrangement of the computer room located within the Communications Division will be the sole responsibility of the Communications Division Commander. No equipment will be removed, installed, rearranged, or altered in any way without the Commander's expressed approval.

No one will be allowed in the computer server room without first receiving the approval of the Communications Commander or designee. A list of regular repair personnel will be assembled and those persons, upon approval, will be issued access cards. The list will be available to Communications supervisory personnel.

k. Roof

This area will be restricted to authorized personnel. Access to this area will be manually or electronically controlled.

l. Police Headquarters Elevators

Any individual may have unlimited access to the public areas of the first, second and third floors of the Police Headquarters Building on the building elevators. The stairwell doors located within the Headquarters Building will be locked 24 hours a day to restricted areas and will only be used as emergency exits and entrances.

### PARKING AT THE POLICE HEADQUARTERS BUILDING

The Chief of Police has been given authority to regulate parking at the Headquarters Building for all governmental agencies who use the building and its facilities. Therefore, this policy will apply, in addition to all DeKalb County employees, the employees of the Fire Rescue Department and any other agencies of DeKalb County that have official business at the Headquarters Building. Wherever the word "employee(s)" is mentioned, it will apply to the aforementioned DeKalb County agencies.

Due to increasing vehicle traffic and the need to provide parking areas for departmental employees and the general public, the following guidelines are established for parking at the Headquarters Building:

- a. Reserved parking will be designated by either signs or markings painted on the asphalt at the particular parking spaces.
- b. Reserved parking spaces are intended for one particular individual or group and unless exceptions are made by the Chief of Police or the individual/group, everyone else will refrain from parking there.
- c. All employees will be issued a county parking permit.
- d. Each employee will be responsible for placing their assigned parking permit on the front dash of their vehicle, in a fully exposed and unobstructed manner when parking in a DeKalb County Building parking lot.
- e. Parking permits will be pre-numbered and assigned to each individual employee. The employee will be responsible for the permit and will not abuse the privilege of having a parking permit by letting others use it or through the mishandling or loss of same.
- f. Parking permits will be issued through the Office of the Assistant Chief of Police of Field Operations Bureau in the same manner as other county equipment and supplies.
- g. The Uniform Division will have the responsibility to patrol the parking areas of the Headquarters Building to insure that all parking regulations are adhered to and take appropriate action when violations occur.
- h. Permission has been granted through the Commission Office and Recorder's Court to write parking violation citations to any vehicle illegally parked in the Employee parking areas. "Illegal parking" for these purposes is: parking in reserved spaces by persons other than the one to whom the space is assigned; parking on yellow curbs; double parking; parking in handicapped spaces without appropriate handicapped parking permit; or anywhere other than in a lined, designated parking space.
- i. Vehicles found illegally parked without an employee permit will be assumed to be non-employees and, therefore, the officer may either cite the vehicle or, if the situation dictates, have the vehicle impound.
- j. If the vehicle illegally parked is determined to be an employee's vehicle, the officer will notify the Office of the Chief of Police, where a current register of employee parking permits will be maintained, and that office will be responsible for notifying the employee to remove the vehicle immediately to an acceptable parking location.
- k. The Office of the Chief of Police will maintain a log of employees who abuse their parking privileges and appropriate corrective action will be taken.
- l. If an employee finds that someone else is parked in their assigned parking space, the employee should immediately notify personnel in the Office of the Chief of Police to have the vehicle removed.
- m. After normal business hours, on holidays and weekends, an alternative to notify the Office of Chief of Police will be the Communications Supervisor, who will also maintain a list of issued parking permits and it will be their responsibility to work with the Uniform Division in getting the situation corrected.
- n. The West parking lot will be marked and will be strictly for employee parking only.

- o. The east parking lot and those spaces not reserved will be used for employee and public parking.
- p. The parking area to the rear of the Headquarters Building is reserved for official Police vehicles and personally owned vehicles; personal vehicles must exhibit the parking permit on the dash of the vehicle the same as other employees. This area also has designated parking spaces for deliveries.
- q. Employees who are assigned a county vehicle, unless the vehicle is unique and not easily identifiable by police officers as a county vehicle, will be required to exhibit their parking permit on their vehicle.
- r. Employees will not park a vehicle in the parking area for long periods of time. For example, an employee assigned a permanent county vehicle should not leave their personal vehicle parked at the Headquarters Building. If some type of emergency makes it necessary for a vehicle to be left for an extended period of time, the vehicle will be parked across the street and the Office of the Chief of Police will be so notified.
- s. Upon an employee's transfer or departure from employment, their parking permit will be turned in to the Supply Room, along with any other county issued property.

### **3-6.3 OTHER DEKALB COUNTY FACILITIES**

#### **BUILDING SECURITY**

In order to provide reasonable control of access and security to other County facilities, all Departmental employees will be responsible for insuring that non-employees or other unauthorized individuals are prevented from entering restricted areas in the building.

Because of the nature of the responsibilities designated to different Police functions, security in certain areas may be greater than other areas.

- a. **Police Precincts: North, South, Tucker, and East Police; Precinct Substations; and offices located at the Robert T. Burgess, Sr. Building**  
The entire precinct, precinct substation and offices will be considered a restricted area and will be limited to Police personnel and other authorized individuals. Access to the precincts will be controlled by manually or electronically controlled locks. During normal business hours and the presence of a screening officer, the reception area will be accessible to the public. If at any time these facilities are vacated, the commanding officer on duty will be responsible for insuring that the facility is secured.
- b. **Animal Services Division**  
This area is considered a restricted area and will be limited to Animal Services personnel and other authorized individuals. Access to this area will be controlled by manually controlled locks. The front office of Animal Services will be open to the public during normal business hours. If at any time the facility is vacated it will be the responsibility of the commanding officer on duty to insure the facility is secured.
- c. **Narcotics Section**  
This area is considered a restricted area and will be limited only to Section personnel and other authorized individuals. Access to this area will be controlled by manually controlled locks and an alarm system. If at any time the facility is vacated it will be the responsibility of the commanding officer on duty to insure the facility is secured.
- d. **Permits Section**  
This area is considered a restricted area and will be limited only to Section personnel and other authorized individuals. Access to this area will be controlled by manually controlled locks. The lobby area to the Permits Section will be open to the public during normal business hours. If at any time the facility is vacated, it will be the responsibility of the commanding officer on duty to insure that the facility is secured.
- e. **Training Section**  
This area is considered a restricted area and will be limited to Section personnel and other authorized individuals engaged in training or other authorized business. Access to this area will be controlled by manually or electronically controlled locks. The Police Outdoor Firing Range will also be considered restricted areas and limited to Section personnel, authorized Departmental employees and other authorized individuals. Access to these facilities will also be controlled by manually controlled locks and the Firing Range Building will be alarmed. If at any time the facilities are vacated, it will be the responsibility of the commanding officer on duty to insure that the facilities are secured.
- f. **Supply Section**  
This area is considered a restricted area and will be limited to Supply personnel and authorized Departmental employees. Access to this area will be controlled by manually controlled locks and the building will be alarmed. If at any time the facility is vacated, it will be the responsibility of the Supply Coordinator to insure that the facility is secured.

## **FACILITIES AND PROPERTY**

### **PARKING**

Parking procedures for Departmental employees and others will be designated by the Commanding Officer at the individual facility.

### **DEKALB COUNTY BUILDING AND FACILITY MAINTENANCE**

All Departmental employees will be responsible for maintaining a clean working environment and insuring that the Police Headquarters Building, other DeKalb County Police facilities and the grounds are clean and safe from any type of hazards. Employees will promptly report condition requiring the attention of building maintenance to the proper authorities.

### **3-6.5 EMPLOYEE IDENTIFICATION**

The safety of all DeKalb personnel is of paramount importance. A major area of concern is the ready identification of Departmental employees and the safety of "in-building" personnel in the event of an emergency situation. It will be the policy of this Department to require every employee to wear Department approved identification while inside the Headquarters building or any of the Department's facilities. The following procedure will be adhered to and any employee not in compliance will be stopped and required to identify themselves. They may also be subject to Departmental corrective action.

#### **ALL DEKALB COUNTY POLICE DEPARTMENT EMPLOYEES, SWORN AND CIVILIAN**

All Department employees, sworn (not in uniform) and civilian will be required to wear their issued Departmental identification while inside the Headquarters building or any of the Department's facilities.

Clips will be issued with each Identification Card and will be worn so as to be readily visible. The Identification Card may be worn on a lanyard or attached to the breast pocket of a jacket, coat, suit coat, shirt, blouse, or other outer garment being worn at the times. If there is no breast pocket identification card should be attached to the lapel or to the collar of such jacket, coat, suit coat, shirt, blouse, or other outer garment being worn at the time. If the employee does not have a suitable location in any of the above-mentioned areas to wear the identification, they will clip it to any area in the frontal midsection, such as a belt, belt loop, waist band, etc. In any event, the identification should be in a location that will be clearly identifiable.

#### **DEKALB COUNTY POLICE OFFICERS**

Police who are assigned to uniformed duties and are wearing the uniform or those sworn employees assigned to non-uniform duties and who are wearing the uniform will be identified by their badge and name tag. These employees will not be required to wear the Identification Card.

Police who normally wear civilian clothing will be identified by their badge worn on their belt or by a breast bullion worn in their jacket pocket. These employees will be required to wear the Identification Card.

#### **RETIRED OFFICERS**

Retired Officers as defined by the DeKalb County Police Department are those sworn certified officers who qualify for and are receiving pension benefits from DeKalb County. Officers who retire from the police department may, upon request, be issued an identification card by the Permits Unit designating the cardholder as a retired peace officer. The retired officer identification card will display the retired officer's photograph against a red background. The word "retired" will be displayed prominently on the card. The DeKalb County Government will not assume legal liability for the actions and activities of retired officers. The retired officer card will contain language clearly stating that the issuance of the card does not satisfy the requirements set forth in Chapter 44, of Title 18 of the United States Code, "The Law Enforcement Officers Safety Act of 2004". See Chapter 4, section 4-6.12, for information reference Retired Officers Firearms Certification.

#### **DEKALB GOVERNMENT IDENTIFICATION CARD**

Every employee of DeKalb County will be issued a DeKalb Government Identification Card to be worn as described above. Unless specifically directed otherwise by the Chief Executive Officer or the Chief of Police, employees will wear the Identification Card as mentioned above while inside any county owned building.

The Government Identification Card will be issued by the Merit System. The employee will have a photograph taken and the photograph will be attached to a card that designates the employee as a DeKalb County employee. The identification card will also serve as an access proximity card for entry to secure areas and will allow hourly employees to access KRONOS for timekeeping purposes.

A separate I.D. Card will be issued to Police by the Permits Section. This card will designate the officer's assignment and rank. The card will be dated and signed by the Chief of Police. All Identification Cards will be updated as directed by the Chief of Police. This responsibility of updating an employee Identification Card will rest with the Permits Section. It will only be necessary for the employee to appear at the Permits Section every four years in order to have a new photograph taken. Unless a new photograph is taken, the last photograph will again be used on the updated Identification Card. Any update schedule announced by the Chief for Departmental personnel will be staggered according to evaluation date; the Permits Section will issue each employee a new Identification Card and deliver it to the employee's Division/Unit/Section Commander. It will not be necessary for an employee to contact the Permits Section unless the card is outdated. The Permits Section will be responsible for maintaining a register of all employees that have been issued an employee Identification Card and they will periodically check this list to insure that all employees have had their Identification Cards updated.

Each employee's supervisor will be responsible for insuring that their subordinate's Identification Card is updated and correct. The supervisor will also periodically check each subordinate's driver's license to insure that this is updated, correct and valid, especially if the subordinate operates any County vehicles.

Whenever an employee is reassigned to a different job assignment or promoted or facial characteristics have changed so that the employee and their Identification Card photograph are no longer similar, the employee will report to the Permits Section in order to have a new Identification Card issued. All changes or updates on the DeKalb Government I.D. Card will be handled through the Merit System by appointment.

Whenever an employee's Identification Card is lost, mutilated, damaged, destroyed, or stolen, the employee will immediately report to the Permits Section and the Merit System in order to obtain a new card.

The employee will immediately notify their supervisor and a report will be completed concerning the lost, damaged, or stolen Identification Card and submitted to the Permits Section and the Merit System for filing. A police incident report will also be completed along with a Departmental Lost/Damaged Property Report.

All Identification Cards are the property of the Department and employees will be responsible for this card as they would for any other County property issued to them. Whenever an employee resigns, retires, is transferred to another Department, or is terminated, that employee will be responsible for turning their Identification Cards into the Property Room with all other issued equipment.

Each Departmental employee will only wear the Identification Cards issued to them. Employees will not allow or permit someone else to use or wear their Identification Cards. Departmental employees assigned to any undercover work may be allowed to enter any Police facility without wearing the Identification Cards if wearing the Identification Cards would seriously jeopardize any investigation or duty assignment.

### **3-6.6 DEKALB COUNTY POLICE DEPARTMENT VISITORS**

Visitors to the DeKalb County Police Department or any of the Police facilities will not enter any of the restricted areas unless authorized to do so and only when they are accompanied by Departmental personnel. Non-employees, such as technicians, facility management employees, etc., who must conduct frequent or daily business in the Building or any of its facilities, may be issued an Identification Card with a yellow background. Identification Cards for non-employees will be requested, in writing, from the Chief of Police and will be valid for one year. These cards will not be automatically renewed.

### **3-6.7 COUNTY ISSUED PROPERTY**

All Departmental issued property (excluding vehicles, weapons, portable radios, heavy equipment, furniture or other specialized items), will be issued through the Supply Section. Employees should refer to the policy set out in the Supply Section, Administrative Services Division section (3-1) for further information relating to the issuance of County property.

Departmental employees will be responsible for the care of all County property issued to them. They should insure that the condition, appearance and cleanliness of the property and equipment is maintained at all times.

Departmental employees, unless otherwise indicated, will use County issued property and equipment for Departmental purposes only.

## FACILITIES AND PROPERTY

All employees will be held strictly accountable for the good care of all county issued property and equipment. Employees found negligent in the use of County issued property will be held responsible and subject to Departmental corrective action.

Departmental employees will be subject at any time to be inspected by their superiors or by Internal Affairs, Inspections Unit, regarding the care and use of County issued property and equipment.

Any time an employee damages, loses, destroys, or has had stolen any County issued property or equipment; they will immediately bring this to the attention of their supervisor and complete the appropriate reports.

### 3-6.8 DEPARTMENTAL ISSUED VEHICLES

Officers receiving cars will inspect them to ensure that all equipment is present and functional and document any damage to the car or equipment. The officers will be responsible for the cars once they are assigned. The assigned vehicles are county-issued equipment and will be treated and maintained as such.

#### A) PURPOSE

The issued / take-home vehicle program offers the greatest opportunity of increasing officer visibility in the community and assisting the department in using resources to best promote efficiency in the public safety goals. The increased officer visibility will provide a deterrent to crime and offers a sense of security to residents and visitors in the county.

While the take-home vehicle program is a benefit to the department and the county, all personnel must remember that the assignment of a take-home police vehicle is a privilege granted by the Chief of Police with the concurrence of the DeKalb County Chief Executive Officer and the Board of Commissioners.

Each precinct will maintain an eligibility roster of personnel and their numerical positions to determine assignment of vehicles. The rosters will be updated monthly or as personnel changes occur.

#### B) GENERAL RULES

- a. Employees will not operate any County vehicle after consuming alcohol or drugs that may cause impairment. Any employee violating this policy may be disciplined, up to termination, and be subject to criminal prosecution.
- b. Officers may not utilize their vehicles for personal benefit, but may use the vehicles for all official business. County insurance will only cover vehicles and employees in their official capacity. Officers using a vehicle for private purpose will be personally responsible for any damages resulting from the use. Officers may be subject to disciplinary or legal actions for violations of this policy.
- c. The driver of a County vehicle will always use safety restraints and is responsible for ensuring their use by any passengers.
- d. Employees will not transport unauthorized passengers in County vehicles unless they have supervisor approval. Citizen ride-alongs must have the appropriate paperwork approved prior to the ride-along.
- e. Officers will follow all traffic and parking laws while using their vehicles. Vehicles parked in the road at incident scenes or used to block traffic will utilize proper emergency equipment.
- f. Assigned vehicles are the responsibility of the officer including any cleaning and routine tasks. Daily inspections will be done to check for damage and proper fluid levels. All maintenance and repairs will only be scheduled and completed through DeKalb Fleet Maintenance.
- g. Watch commanders will inspect assigned vehicles on a monthly basis. The inspection will document the cleanliness, overall condition, and any broken or worn parts. The inspection reports will be submitted to the motor maintenance officer for appropriate action.
- h. If a temporarily-assigned vehicle is dirty or damaged, or unsafe or not in good working condition due to a previous operator's negligence, the employee will immediately notify their supervisor. The previous vehicle operator is presumed to be responsible unless that presumption can be rebutted.
- i. County vehicles will not be serviced by private maintenance facilities unless authorized by Fleet Maintenance.

- j. The fleet maintenance officer is responsible for overseeing the assignment and replacement of permanent and temporarily-issued vehicles and coordinating the scheduling of preventive maintenance and other maintenance required of these vehicles.
- k. Issued vehicles are for official business only. County policy authorizes vehicles to be driven within the state, no further than 300 miles from DeKalb County, with department head approval. Any travel outside of the state, or further than 300 miles inside the state, requires approval from the County Executive Assistant. Only one County vehicle will be used when more than one employee is to travel this distance unless separate arrival and departure times are required by other County business.
- l. When a County-owned or leased vehicle becomes inoperable or damaged so that it cannot be driven safely, the operator of the vehicle will contact Communications to dispatch a wrecker in order to tow the vehicle to Motor Maintenance. The Communications section will contact the nearest contract wrecker service and dispatch that wrecker service to the location of the vehicle.
- m. If an officer is suspended from duty, his/her privilege to an assigned vehicle will be suspended for the duration of the suspension. This includes light and restricted duty assignments.
- n. Employees may not leave their assigned vehicle unattended (out of service) for more than six days. If an employee is out of work longer than six days, they will turn the vehicle in to the precinct/unit watch commander for proper storage until the employee returns.
- o. No critical items (firearms, ballistic vests, badges or uniforms) will be stored in an issued vehicle. These items will be removed when the vehicle is parked at the employee's residence and any other time when the vehicle will be left unattended for an extended period.
- p. Personnel will not alter or modify any police vehicle. All vehicle maintenance will be scheduled through Fleet Maintenance.
- q. Personnel will operate county vehicles in a safe and lawful manner at all times. Operators must be in an approved police uniform while operating the vehicle and must monitor the radio channel of the precinct in which the vehicle is being operated. Officers travelling to and from home will respond to officer needs help, felony in-progress calls nearby, and any life-threatening event that they can reasonably respond to in a safe manner.
- r. Issued vehicles may be used on approved part-time jobs, however, the employer is responsible for payment of any vehicle usage fees imposed by rule or regulation. (See part-time job policy).
- s. County form "Request for County Take-Home Vehicle" will be completed and turned in at time of issuance of any vehicle under this program.
- t. Division/Precinct commanders have the authority at any time to withdraw or deny issuance of a department-owned vehicle. Any denial or revocation must be documented in writing, stating reason(s), and forwarded through the employee's chain of command for review. A copy of the revocation or denial will be kept in the employee's Precinct/Unit file.
- u. Officers must assist with any incident that they may encounter during their commute to and from work such as roadway hazards, vehicle accidents, etc.

#### **C) COMPENSATION**

Off-duty officers travelling to and from work are not compensated for their commute, but will be compensated for official actions taken until an on-duty officer arrives.

#### **D) POOL VEHICLES**

Spare vehicles are available for use by personnel. Fleet Maintenance maintains the keys for the spare vehicles. Personnel who require a spare vehicle will notify their supervisor and will obtain keys for a spare vehicle. All employees will sign the vehicle out on the proper forms.

It is the employee's responsibility to inspect the spare vehicle for damage, ensure that it is in good working order, and ensure that all engine fluids are in the safe operating range prior to operation. Vehicles that need repair will be written up on a "Request for Service – Fleet Management" form.

The employee will return the vehicle, with a full tank of gasoline and the keys, to Fleet Maintenance or their precinct once use is no longer needed.

## **FACILITIES AND PROPERTY**

### **E) SURPLUS VEHICLES**

An officer whose vehicle is permanently taken out of service by Fleet Services will receive a replacement unless the cause for the surplus was the officer's negligence. These instances will be reviewed by the command staff for a decision.

### **3-6.9 SPECIAL PURPOSE VEHICLES**

The DeKalb County Police Department performs many functions that often require transportation needs that are not met by the traditional police car. Some of the special functions performed by the Police Department which go beyond regular duties include:

- a. Traffic Enforcement
- b. Prisoner Transportation
- c. Special Operations Response

Therefore, the purpose of this section is to outline the special requirements and procedures used in operating special purpose vehicles.

A "Special Purpose Vehicle" is one that by definition is used because of considerations of weather, terrain, need for inconspicuous appearance, quietness, storage requirements, special needs or details, etc.

### **MOTORCYCLES**

Police motorcycles are used by the Special Operations Section, and allow for the following:

- a. To provide for a means of maneuvering through heavy or difficult traffic in special situations;
- b. To provide a professional public image during special events, such as funerals, parades, escorts, etc.;
- c. To provide vehicles that have proven statistically to be the highest profile law enforcement vehicle, resulting in the most voluntary compliance of traffic laws when present.
- d. To provide the most efficient means of traffic enforcement as they can get in and out of traffic in the most expedient manner.

Duties may include:

- a. Routine traffic patrol and enforcement;
- b. Response to routine and/or emergency calls for service;
- c. Funerals and other approved escorts;
- d. Parades; and
- e. Any other special details as authorized by supervisors of the Special Operations Section, or the Uniform Division Command Staff.

All personnel authorized to operate department motorcycles will be required to possess a valid Georgia Motorcycle Operators License, and have demonstrated a proficiency in operating a motorcycle with an engine of 1000cc or better. Personnel authorized to operate motorcycles will be listed and kept on file by the Special Operations Commander.

Officers who have department motorcycles assigned to them will coordinate all maintenance and repairs of them as well as other equipment assigned to them with the person in that unit designated by the Section Commander. Each department motorcycle will be equipped with a siren and emergency light as dictated by State Law. Any other equipment loaded will be dictated by the needs of the assignment. (See Section 4-16.3 for further).

### **POLICE BICYCLES**

This department will utilize bicycles primarily for Specialized Patrol Programs. Officers trained on Bicycle Patrol will be utilized by the Precinct Commander for special events or enforcement. Bicycle patrol is used in areas where increased mobility is needed in confined areas, special details and events where their use is appropriate, as well as promoting and improving relations between the community and the department.

Duties of those personnel assigned to bicycle patrol will include:

- a. Work closely with merchants, communities, and the general public where needs arise;
- b. When possible, ride in pairs for safety and visibility; and
- c. Riding Police Bicycles when called upon to do so by the Precinct Commander.

Special assignments may include:

- a. Patrolling shopping centers during Christmas season or other times as designated by needs;
- b. Parades or other high profile functions;
- c. Community relations functions where a need for their use is indicated by crime analysis;
- d. Any other functions or activities dictated by the Supervisors.

Only those personnel trained to ride Police Bicycles will be authorized to ride the bicycles unless otherwise authorized by the Unit Supervisors. Officers assigned to ride will be responsible for the maintenance, upkeep, and repairs of those bicycles. Officers authorized to ride bicycles will carry with them any equipment needed to carry out the specific function they are performing at that time.

### **PRISONER TRANSPORT VANS**

The Department currently has two prisoner transport vans. One van is located at headquarters and can be requested by uniform personnel at any precinct through the precinct motor officer.

The second van is assigned to the Criminal Investigation Division. These vans may be used to:

- a. Transport prisoners from the precincts or various locations to the DeKalb County Jail, medical or mental health facilities;
- b. Transport departmental personnel in emergency deployment/transport situations; and
- c. Availability for other special transport situations as dictated by the Unit or Precinct Commanders.

Any personnel driving these vans will be required to meet licensing requirements dictated by State Law, and have the authorization of supervisory personnel where the vehicle is assigned.

Maintenance, repairs, and upkeep of these vans is the responsibility of the Precinct Motor Officers.

For prisoner safety and security, these vehicles will be equipped with mesh screens to separate prisoners from the driver, as well as the doors and windows. Necessary equipment loaded is according to the needs of the incident.

### **SWAT VAN**

The SWAT Team has assigned to them, a special purpose van which has been adapted for use in various tactical or unusual occurrence situations. Use of this vehicle allows for the following:

- a. To provide for limited response to actual incidents or training exercises;
- b. To provide for any other uses as dictated by the Chief of Police, SWAT Commander, or their designees.

The SWAT van is equipped with emergency lights and siren pursuant to State Law, as well as SWAT equipment as authorized by the Unit Commander. Although no special licensing requirements exist for operation of this vehicle, use is limited to SWAT personnel unless otherwise authorized by the Unit Commander of their designee. The SWAT Commander will designate personnel responsible for the maintenance, care, upkeep, and repairs of this vehicle. See Section 3-4 for further. The necessary equipment loaded is according to the needs of the incident.

### **BOMB DISPOSAL UNIT**

This department has a bomb disposal unit, which consists of a truck and trailer with a disposal unit attached. Use of this vehicle allows for the following:

- a. To provide for limited response to training exercises; and
- b. To provide for limited response to bomb calls for this agency, as well as assisting neighboring agencies upon request.

Use of this vehicle is limited to Bomb Squad personnel, unless otherwise authorized by the Unit Commander. The necessary equipment loaded is according to the needs of the incident. (See Section 3-4 for further)

### **TRAINING SECTION BUSES**

The Police Training Section has buses assigned to them. Uses of these vehicles allows for the following:

- a. To provide for transportation for police recruits and other officers engaged in training exercises; and
- b. To provide for transportation for large groups of individuals as authorized by the Training Section Commander.

Those authorized to drive these vehicles must have a Georgia Commercial Drivers License, and be authorized by the Section commander or their designee. There is no special equipment routinely assigned to these vehicles, and they are not equipped with emergency lights and siren. The Section Commander shall designate personnel responsible for maintenance and upkeep of these vehicles.

### **MOBILE INTOXIMETER VAN ("BATMOBILE")**

The DeKalb County Police Department is committed to conducting an alcohol countermeasures program. This department has a Batmobile which is assigned to the Special Services Division. It is used primarily by the S.T.A.R. Team (Strategic Traffic and Accident Reduction) which operates as a DUI Task Force. Use of this vehicle allows for:

- a. To provide for breathalyzer testing in the field; and
- b. To provide for a command post for Impaired Driving detection in the field.

## **FACILITIES AND PROPERTY**

The S.T.A.R. Team may operate this vehicle specifically for their detection and apprehension efforts, as well as in conjunction with the Uniform Division. Use of this vehicle is authorized by the Chief of Police, Commander of Special Operations, or S.T.A.R. Team Commander.

Equipment in this vehicle will include:

- a. Intoximeter
- b. Necessary paperwork for processing suspected impaired drivers.

The Commander of the Special Operations Section will designate personnel responsible for the care, upkeep, maintenance and repairs to this vehicle. No special licensing requirements exist for the operation of this vehicle, however, the Commander of Special Operations or the S.T.A.R. Team Commander will limit those authorized to operate the vehicle to members of the S.T.A.R. Team or when necessary, another officer assisting the unit at that time. Only those trained and certified as intoximeter operators will operate these devices.

### **3-6.10 SECURITY OF CRITICAL FACILITIES DURING EMERGENCIES**

During civil disorders, natural or man-made disasters, or other unusual occurrences, it may become necessary to provide security to certain public and/or government facilities. These facilities may include, but are not limited to:

- a. Police Headquarters
- b. Remote Communications Facilities
- c. Police Precincts and Specialized Units
- d. Fire/Rescue Services Facilities
- e. DeKalb County Courthouse and other Government Buildings
- f. Local Hospitals
- g. Centers for Disease Control

The determination of what facilities and the level and type of security to be provided will be determined on a case-by-case basis by the Chief of Police, Incident Commanders, and their designees.

### **3-6.11 GRANT FUNDED COMPUTER EQUIPMENT**

Computer equipment purchased with grant funding must be properly tracked to ensure compliance with grant standards. All grant funded computer equipment will be managed and controlled by the Advanced Technology Unit. Equipment will be issued to personnel only in compliance with the grant terms.

Any employee who has been issued a laptop computer must contact the ATU when notified of any pending transfer to a new unit. This is required to ensure the accuracy of the computer inventory. All equipment with red barcodes will be scanned at the ATU prior to the transfer; a new computer may be issued to employees depending upon the assignment. Desktop computer equipment is not to be moved from the current assigned location unless otherwise instructed by the ATU. This equipment includes the tower, monitor, mouse, keyboard, speakers, and all associated cords.

## HOMELAND SECURITY

### 3-7.1 ORGANIZATION AND ADMINISTRATION

**Policy:** The Homeland Security Division will be responsible for identifying and apprehending possible terrorist threats both domestic and foreign in DeKalb County.

**Purpose:** The purpose of the Homeland Security Division is to ensure that DeKalb County remains as terrorist free as humanly possible. The Divisions purpose will be to thoroughly and professionally investigate all terrorists' activity assigned to this Division.

**Scope:** Terrorist activity that will be investigated by the Homeland Security Division will include any cases of anthrax, financial fraud or activity that leads to information that person(s) are assisting terrorist. Investigate any possible terrorist activity that occurs at the Center for Disease Control, Peachtree DeKalb Airport and DeKalb County Water Works, and any other terrorist activities that may be assigned to the Division by the Chief of Police.

The Homeland Security Division will be organizationally located within the DeKalb County Police Department. The Division Commander will report to the Chief of Police.

### 3-7.2 PERSONNEL ASSIGNMENTS AND RESPONSIBILITIES

#### A) Division Commander

The Division Commander will be responsible for the overall operation of the Homeland Security Division and will have the final divisional authority in matters of operation, policy and discipline. He/she will exercise these lawful directives to assure effective performance within the division. The Division Commander will have the authority to assign or transfer divisional personnel, as he/she deems necessary for the benefit of the division.

The Division Commander is responsible for development and implementation of general and special police programs within the Homeland Security Division. He/she is responsible for developing division goals, which facilitate the achievement of departmental goals. He/she will be responsible for the planning, development and execution of the division budget, which also includes the management of special funds. He/she will ensure that division personnel comply with the established policies, procedures and guidelines of the division and department. The Division Commander will be responsible for generating a monthly report, i.e., case status, number of agents assigned to any case and the accounting/budgeting practices that took place concerning division funds. The Division Commander will conduct an annual review of procedures and processes relating to the collection, processing, and sharing of suspicious incidents and criminal intelligence relating to criminal and homeland security activities. He/she will report directly to the Chief of Police.

#### B) Assistant Unit Commander

The Assistant Unit Commander will be responsible for the direction and guidance of personnel under their command. He/she will ensure that the guidelines set forth are adhered to. He/she will directly supervise major cases, assign agents to cases, investigate communications between the various investigative units and monitor both off day and on-call assignments.

#### C) Training Coordinator

The Training Coordinator will be responsible for record and file maintenance for the division. His/her duties will include but not limited to coordinating training classes held both in and out of state. The Training Coordinator will be responsible for the delivery of advanced, specialized and In-Service training programs to departmental personnel. He/she will be responsible for the development and maintenance of all in-service lesson plans and instructional material and to ensure that they are keep up to date.

#### D) Administrative Assistant

The Administrative Assistant will be responsible for performing administrative duties including but not limited to the scheduling of appointments, dictation, report generation, directs telephone calls to the proper department, assisting in the maintenance of personnel records, maintaining a variety of organization and supply requisition forms, as well as other duties as assigned by the Division Commander.

#### E) Senior Investigative Aide

Investigative Aide will be responsible for providing assistance to the Assistant Unit Commander and Detectives as directed. Additionally, the Investigation Aide will participate in the Unit Budget/Fiscal process.

### **3-7.3 Hours of Operation – On-Call and Weekend Duty**

The normal hours of operation will be 8:30 a.m., until 5:00 p.m., five days a week. The Division Commander may alter hours of operation according to operational needs.

Each member of the division will maintain a permanent on-call status unless otherwise directed by the Division Commander. If a detective is called out he/she will proceed to the location designated by the entity supervisor without further question.

A current phone listing of Supervisors and Detectives will be distributed to the Communication, Special Investigation, Uniform Division, Criminal Investigation Division and the Record Room for purpose of on call status.

### **3-7.4 Assignment Qualifications for Homeland Security Division**

- 1) All candidates must at least be a Police Officer Senior;
- 2) All candidates must have served a minimum of two (2) years as a DeKalb County Police Officer;
- 3) Must have at least a 3.0 on the last two (2) evaluations;
- 4) Must not be currently under any type of disciplinary investigation;
- 5) Must reside within a thirty-five (35) mile radius from the DeKalb County Line (due to call out responsibilities)

There is no specified period of time regarding the length of service an officer may be assigned to the Division.

### **3-7.5 Special Responsibilities**

Terrorist Investigations are frequently multi-jurisdictional and require manpower and resources beyond the abilities of a single police agency. It is the responsibility of all personnel assigned to the unit, as well as any section to promote cooperation on multi-jurisdictional investigations and actively participate in the investigations, as manpower permits. The exchange of information among components of other divisions, as well as outside agencies is important to the suppression of terrorism activity.

It is the responsibility of the Division Commander, or his/her designee to disseminate all relative data to units within the other entities of DeKalb County. The Homeland Security Division will participate in organized group exchanges with such associations as the Georgia Homeland Security Task Force, Georgia Sheriff's Association, the Georgia Association of Chief of Police, Georgia Information Sharing and Analysis Center (GISAC) and the Georgia Emergency Management Agency. The Homeland Security Division will maintain records reflecting the exchange of information with an outside agency.

### **3-7.6 Chain-of-Command, Policies, Correspondence and Complaints**

#### **A) Protocol**

The chain of command will be respected in all matters when practical. Information and communications will properly filter through the chain-of-command channel. Information should not stop simply because the next link in the chain-of-command is unavailable. When the supervisor in line cannot be contacted in an emergency or situation, an attempt should be made to contact the next supervisor in line. Once all resources have been exhausted, contact the Chief of Police.

During the times when the Chief of Police's office is closed, an attempt will be made to contact him after hours following proper county procedures. If the Chief of Police is unavailable, an attempt will be made to contact the Chief's Aide who will advise the Chief of Police as soon as possible.

#### **B) Policies and Procedures**

All memorandums pertaining to a new divisional policy or procedure will be distributed by the Divisional Commander's office. Any recommendation for a new policy or procedure must be forward through the Chain of Command, in writing to the Division Commander for review. The Chief of Police must finalize final approval of any policy and procedure. No memorandum pertaining to policy or procedure will be sent from one section/unit to another or to any other section/division without the expressed authority of the Division Commander.

#### **C) Correspondence**

Any and all correspondence pertaining to police business leaving the Division must be authorized by a Supervisor.

#### **D) Complaints**

All complaints regarding other divisions, units or sections will be prepared in writing and forwarded through the chain-of-command to the Division Commander.

### **3-7.7 Detective Badges, Identification and Clothing Allowance**

Upon assignment to the Homeland Security Division, detectives will be issued a detective badge, badge holder and investigative identification card. The investigative identification cards will include the photograph and signature of the detective and the Chief of Police. Upon transfer to another division, the detective will be required to return all listed items to the Assistant Unit Commander. It will be the sole responsibility of the Assistant Unit Commander to ensure this procedure is adhered to.

In the event that a detective experiences theft or loss of listed items, he/she must report said theft or loss to their immediate supervisor, and completing a theft or loss property report.

All detectives and supervisors assigned to the Homeland Security Division in an investigative capacity will receive a semi-annual clothing allowance.

### **3-7.8 Use of County Vehicle**

All personnel will adhere to the DeKalb County Police Department policy issued by the Chief of Police. Any trip in which a county vehicle is driven to destinations further than 300 miles from DeKalb County or outside the State of Georgia will require approval from the Chief of Police, through the Executive Assistant.

Further, it is required that any overnight travel or travel in excess of 100 miles must be approved by the Division Commander per the Homeland Security Division policy.

### **3-7.9 Airline Procedures – In Flight**

Before any travel by use of a Commercial Airline is permitted, a Firearm Authorization Form must be completed. The form informs the airline and its necessary employees that the detective is on “Official Police Business” and is authorized to carry a firearm on board an aircraft. The Division Commander will sign the form and approval the carrying of a firearm on board an aircraft.

Authorization to carry a firearm differs among the airlines and therefore all personnel should inquire from the particular airline they will be flying for their procedures and adhered to all policy set forth for the requirement to carry a firearm on board.

### **3-7.10 Property and Evidence Procedures**

Personnel will be required to follow all policy and procedures that are located in the DeKalb County Police Department, Employee Manual, Section 4-16, Special Services Division, Property and Evidence, section 4-16.17 .

### **3-7.11 INTELLIGENCE UNIT - PURPOSE**

#### **PURPOSE**

The purpose of the Intelligence Unit will be to thoroughly and professionally investigate all organized and criminal gang activity assigned for investigation.

#### **SCOPE**

The Intelligence Unit will be responsible for the gathering and dissemination of intelligence information regarding criminal activities and other organized criminal activities as assigned by the Chief of Police or his designee. The Intelligence Unit will be responsible for dignitary and V.I.P. protection.

The Intelligence Unit will be organizationally located within the office of Homeland Security. The Unit Commander will report directly to the Director of Homeland Security.

### **3-7.12 PERSONNEL ASSIGNMENTS AND RESPONSIBILITIES**

#### **A. UNIT COMMANDER**

The Unit Commander will be responsible for the overall operation of the Unit and will have the final authority in matters of operation, policy, and discipline. He/she will exercise such lawful directives as are necessary to assure the effective performance of the Unit.

The Unit Commander assumes primary responsibility for developing Unit goals, which facilitate the achievement of departmental goals. He/she will be responsible for the development, preparation and execution of the Unit budget, including the management of confidential funds. He/she will ensure that Unit personnel comply with established policies, procedures and rules of the Unit and Department.

The Unit Commander also assumes primary responsibility for the planning and coordination of V.I.P. security details and special events as assigned by the Chief of Police or his designee.

The Unit Commander will be responsible for reporting monthly to the Director of Homeland Security on the activities of the Unit during the previous month, to include the type and number of arrests, seizures, major case status and fiscal accounting of Unit funds.

**B. SENIOR INVESTIGATIVE AIDE**

The Unit Investigative Aide is for the general support duties of the Unit. The Investigative Aide will assist in the preparation of reports for licensing of certain businesses, and perform other duties as assigned by the Unit Commander. Additionally, the Investigative Aide will participate in the Unit budget/fiscal process.

**C. INVESTIGATORS**

Due to the duties of this unit and the skills, knowledge and abilities needed to achieve the objective of the Intelligence Unit; no Specialized Position Notice will be required for this Unit.

**3-7.13 JOB RESPONSIBILITIES - INTELLIGENCE**

A. Investigate and gather intelligence information on persons and organizations involved in gang activity, organized crime, white-collar crime, corruption and various other crimes that require confidentiality; disseminate this information to proper authority and/or prepare these cases for court.

1. Work unusual shift hours and assignments.
2. Work with minimum supervision and at times in an undercover capacity.
3. Work "Personal Protection Detail" for V.I.P.'s.
4. Maintain a good working knowledge of cameras, surveillance and other related equipment.
5. Perform other duties as assigned by the Unit Commander or his designee.

**3-7.14 INVESTIGATIVE METHODS, POLICY AND PROCEDURE**

The policy and procedures contained in this section of the Employee Manual pertain to those functions, which are unique to the Intelligence Unit. All policy and procedures contained in Section 4-15 (Criminal Investigation Division) will apply equally to members of the Intelligence Unit, as do other relevant sections of this manual. The entire policy is not restated here for the sake of brevity.

**3-7.15 FILE MANAGEMENT**

The nature of the work of the Intelligence Unit is sensitive and confidential. The Section must exercise extreme care in the manner in which cases and information are processed in order to protect the integrity of the information.

Security of files and accessibility to them often present a problem for the Intelligence Unit. The files contain allegations, unverified, speculative, conjectural, yet sensitive information of a nature, which may not be relevant to specific criminal conduct.

The information must be protected against unauthorized access, alterations or destruction.

Unit personnel will follow the following procedures on files and dissemination of information.

- a. The Intelligence Unit will establish and maintain its own files. When cases are completed, a copy of the case report and arrest sheet will be sent to the Records Section.
- b. The following files and records will be kept by the Special Investigations Unit:
  - 1) Complaint File
  - 2) Informant File
  - 3) Confidential Fund File
  - 4) Agency Correspondence File
  - 5) Intelligence Files
- c. Due to the sensitivity of these records, personnel access to the Intelligence Unit files will be limited to Unit personnel.
- d. The files will be secured in files with locking devices and remain locked when not in use. The files will be located in the area designated by the Unit Commander.
- e. Organized crime information will be disseminated to other law enforcement agencies in an effort to establish good working relationships and a free flow of information between agencies.

**3-7.16 FILE DESCRIPTIONS**

**A. COMPLAINT FILE**

This file contains copies of complaints of vice/organized crime in DeKalb County and is maintained by the Unit Commander.

**B. INFORMANT FILE**

This file contains data on informants of the Section with confidential code numbers and will be maintained by the Unit Commander. These files will be maintained in the Intelligence Unit with limited access, limited to the Unit Commander and Assistant Commander. This applies also to any electronic or hard copies. When physically dealing with informants, meetings will not take place anywhere that is open to the public view where their contact with agency personnel and disclosure of identity could be compromised.

**C. CONFIDENTIAL FUND FILE**

This file contains reports on each months-Confidential Fund Expenditures from the respective units. The Unit Commander or his designee will maintain this file.

**D. AGENCY CORRESPONDENCE FILE**

This file consists of all information conveyed to and received from outside agencies in relation to organized crime and gang activity investigations. The Unit Commander or his/her designee will maintain this file.

**E. INTELLIGENCE FILES**

These files contain intelligence information as compiled according to policies of the DeKalb County Police Department. Intelligence Unit personnel will maintain these files only.

**3-7.17 INTELLIGENCE UNIT**

**A. CRIMINAL INTELLIGENCE**

To provide the DeKalb County Police Department with a sound database which legitimately meets the needs of the Department in carrying out its efforts to protect the public and suppress criminal operations.

**B. CRIMINAL INTELLIGENCE FILE DEFINED**

A criminal intelligence file consists of stored information on the activities and associations of individuals and groups known or suspected to be involved in criminal acts or in the threatening, planning, organizing or financing of criminal acts. More specifically, this stored information relates to:

1. Individuals who:
  - a. Are currently involved in or suspected of being involved in the planning, organizing, financing or commission of criminal activities; or who are suspected of having threatened, attempted, planned or performed criminal acts, or
  - b. Have an established association with known or suspected crime figures.
2. Organizations and businesses which:
  - a. Are currently involved in or suspected of being involved in the planning, organizing, financing or commission of criminal activities; or which have threatened, attempted, planned or performed criminal acts; or
  - b. Are operated, controlled, financed, infiltrated or illegally used by crime figures.

**C. FILE CONTENT**

Material stored in the criminal intelligence file will be restricted to documents of criminal intelligence, and related information from public record and media sources. Examples of excluded material are religious, political or sexual information, which does not relate to criminal conduct and associations with individuals, which, may not be of a criminal nature.

**D. FILE CRITERIA**

All information to be retained in a permanent criminal intelligence file will meet file criteria designed by the Department. Information pertaining to an identifiable subject, who meets the required file criteria, is justified for retention in a permanent criminal intelligence file when it meets the following criteria:

1. Information, which relates that an individual, organization, business or group has been involved in, is involved, or suspected of being involved in one or more of the following criminal activities:
  - a. Narcotics trafficking
  - b. Loan sharking
  - c. Extortion
  - d. Stolen securities
  - e. Bribery
  - f. Major fencing activities
  - g. Major crime including homicide, burglary, auto theft, kidnapping, destruction of property, robbery, fraud, forgery and arson
  - h. Manufacture, use or possession of explosive devices for purposes of fraud, intimidation or political motivation
  - i. Threats to public officials and private citizens.

- j. In addition to falling within the confines of one or more of the above criminal activities, the subject to be entered into the permanent file will be identifiable, distinguished by a unique identifying characteristic(s), such as name, date of birth, criminal identification number, driver's license number, etc. Identification at the time of file input is necessary to distinguish the subject from any similar subjects on file or any others that may be entered at a later time.

#### E. INFORMATION EVALUATION

Information retained in the criminal intelligence file will be evaluated for source reliability and content validity prior to filing.

The bulk of the data an intelligence unit receives consists of allegations or information, which is initially unverified. Evaluating the information's source and content at the time of receipt indicates to future users the information's worth and usefulness and is essential in protecting the individual's right of privacy. Circulating information which has not been evaluated or where the source reliability is poor or content validity is doubtful is contrary to Departmental guidelines and violates the individual's right of privacy.

To insure uniformity within the intelligence community, DeKalb County Police Department Intelligence Unit will utilize the following guidelines.

Source Reliability:.....	Content Validity:
(a) Reliable	(1) Confirmed
(b) Usually Reliable	(2) Probable
(c) Unreliable	(3) Cannot be Judged
(d) Unknown	

#### Source Reliability

(a) Reliable:	The reliability of the source is unquestioned or has been well tested in the past.
(b) Usually Reliable:	The reliability of the source can usually be relied upon as factual. The majority of information provided in the past has proved to be reliable.
(c) Unreliable:	The reliability of the source has been sporadic in the past.
(d) Unknown:	The reliability of the source cannot be judged. Its authenticity or trustworthiness has not yet been determined by either experience or investigation.

#### Content Validity

(1) Confirmed	The information has been corroborated.
(2) Probable	The information is consistent with past accounts.
(3) Cannot be Judged	The information cannot be evaluated.

#### F. INFORMATION SOURCE

In a number of situations the Intelligence Unit may elect to identify information sources for items stored in their criminal intelligence files.

The value of information stored in a criminal intelligence files are often directly related to the source of such information. Some factors to consider in determining whether source identification is warranted include:

1. The nature of the information reported.
2. The potential need to refer to the source's identity for further investigative or prosecutorial activity.
3. The reliability of the source.

Where source identification is warranted, it will reflect the name of the agency and the individual providing the information. In those cases where identifying the source by name is not practical for internal security reasons, a code number can be used. The Intelligence Unit Commander will retain a listing of coded sources of information. In addition to identifying the source, it may be appropriate in a particular case to describe how the source obtained the information, e.g., "S-60, a reliable police informant, heard" or "a reliable law enforcement source of \_\_\_\_\_ Police Department saw" a particular event at a particular time.

In many cases, there would be no need to indicate the source of the stored information. However, each item of information should be individually judged against established criteria to determine whether or not source identification is appropriate.

#### G. INFORMATION QUALITY CONTROL

Information to be stored in the criminal intelligence file should undergo a review for compliance with established file input guidelines and Department policy prior to being filed. This quality control requirement will be the responsibility of a carefully selected and specifically designated individual in the Intelligence Unit.

The quality control reviewer is responsible for seeing that all information entered into the criminal intelligence files conforms with the Department's file criteria and has been properly evaluated and classified. Review of file input will assure the Department of the quality of its criminal intelligence files in meeting established guidelines.

#### H. FILE DISSEMINATION

In order to protect the right of privacy of individuals contained in the criminal intelligence file and to maintain the confidentiality of the sources and the file itself, the following criteria should be met in file dissemination:

1. Need-to-know: - Requested information is pertinent and necessary to the requester agency in initiating, furthering or completing an investigation.
2. Right-to-know: - Requester agency has official capacity and statutory authority to the information being requested.

To eliminate unauthorized use and abuses of the system, the name of the agency and individual requesting the information, the need-to-know, the information provided and the name of the employee handling the request should be noted in the file.

#### I. FILE PURGE

Information stored in the criminal intelligence file will be periodically reviewed and purged to insure that the file is current, accurate and relevant to the needs and objectives of the Department and to safeguard the individual's rights of privacy as guaranteed under federal and state laws.

Reviewing of criminal intelligence will be done on a continual basis as Department personnel use the material in carrying out day-to-day activities. In this manner, information, which appears to be no longer useful or cannot be validated can be immediately purged from the file and destroyed.

To insure that the review and purge of the file are done systematically, operational procedures of the purge as well as the manner of destruction for purged materials is set forth below.

##### 1. Purge Criteria

General considerations, which will be applied, to the reviewing and purging of information stored in the criminal intelligence file are as follows:

##### a. Utility

How often is the information used?

For what purpose is the information being used?

Who uses the information?

##### b. Timeliness and Appropriateness

Is the information outdated?

Is the information relevant to the needs and objectives of the Department?

Is the information relevant to the purpose for which it was collected and stored?

Is the information available from other sources?

Is this non-intelligence information that should be stored elsewhere?

##### c. Accuracy and Completeness

Is the information still valid?

Is the information adequate for identification purposes?

Can the validity of the data be determined through investigative techniques?

##### 2. Purge Time Schedule

Review of the criminal intelligence file for purging purposes will be conducted on a yearly basis.

##### 3. Manner of Destruction

Material purged from the criminal intelligence file should be destroyed under the supervision of members of the Intelligence Unit.

#### J. FILE SECURITY

The criminal intelligence files will be located in a secured area with file access restricted to authorized personnel.

Physical security of the criminal intelligence file is imperative to maintain the confidentiality of the information stored in the file and to ensure the protection of the individual's right of privacy.

### 3-7.18 DIGNITARY PROTECTION

The Intelligence Unit will assume, in conjunction with the Emergency Services Unit, responsibility for the protection of dignitaries visiting DeKalb County. Upon notification that a dignitary will be visiting the County, the Intelligence Unit will:

A. Notify the Unit Commander and Chief of Police and obtain authorization to commit resources to the detail.

B. Designate a detail commander to handle liaison and coordination of the actual operation with other units and outside agencies.

- C. Coordinate with ESU on necessary equipment requirements, such as vehicles, body armor for VIPs and the security detail, special weapons, etc.
- D. Coordinate with the Tactical Unit and other agencies on travel routes and alternates.
- E. Conduct inspections of all sites and facilities to be used during the visit.
- F. Arrange for the sharing and gathering of intelligence information regarding the visit.
- G. Coordinate designation of medical facilities and availability of Emergency Medical Services.
- H. Coordinate with other agencies on the identification of authorized personnel.

### **3-7.19 SPECIAL RESPONSIBILITIES**

Organized criminal investigations are frequently multi-jurisdictional and require manpower and resources beyond the abilities of a single police agency. It is the responsibility of all personnel assigned to the section to promote cooperation on multi-jurisdictional investigations and actively participate in them, as manpower will allow.

The exchange of information among components of the other Departments, as well as outside agencies is important to the suppression of organized crime and vice activities. It is the responsibility of the Unit commander or his designee to disseminate all relative data to units within the other Departments of DeKalb County. The Intelligence Unit will participate in organized group exchanges such as the Georgia State Intelligence Network, the Regional Organized Crime Information Center and the Law Enforcement Intelligence Unit. Records reflecting exchanges of information with outside agencies will be maintained by the Intelligence Unit.

### **3-7.20 CRIMINAL GANG ACTIVITY**

#### **A. CRIMINAL GANG ACTIVITY DEFINED**

A group of three or more persons gathered together on a continuing basis for the purpose of engaging in criminal acts and/or anti-social behavior. The primary objective of the gang is to establish or protect group status and reputation within a framework of deviant values. Such groups may be characterized by a tradition of location, "colors", signs, symbols, and conflict with rival groups, or common criminal purpose(s). This includes groups that do not have a name, but share the same pattern of criminal and/or anti-social behaviors.

#### **B. CLASSIFICATION OF INCIDENTS**

Incidents will be classified using the following criteria to determine if an incident and/or the person(s) involved are involved in criminal gang activity:

- 1) When an incident occurs where the participants, suspects, or victims are identified as gang members or associates.
- 2) When a reliable informant identifies an incident as gang activity.
- 3) When an informant of unknown reliability identifies an incident as gang activity and the information is corroborated by circumstances and independent information.
- 4) When there are strong indications that an incident is gang related, and can be articulated, but does not fit the above criteria.

It is crucial to properly identify a subject as a gang member or associate to ensure the integrity of the information. The attached form will be used by all personnel to properly assess a subject as being a gang member. No subjects will be included in the files without the criteria form being completed. The form will be turned into the Intelligence Unit for proper inclusion in the files. The criteria forms and related information will be maintained in a retrievable form unless all information is purged. The information obtained will be treated as any other files maintained by the Intelligence Unit; subject to file maintenance, security, dissemination, and purging. Any report generated from the database will contain the words, "Confidential-For Law Enforcement Use Only."

#### **C. CRITERIA IN DETERMINING IF AN INCIDENT IS GANG RELATED**

1. When an incident occurs where the participants, suspects, or victims are identified as gang members or associates.
2. When a reliable informant identifies an incident as gang activity.
3. When an informant of unknown reliability identifies an incident as gang activity, and the information is corroborated by circumstances and independent information.
4. When there are strong indications that an incident is gang related, and can be articulated, but does not fit the above criteria.

#### **D. APPLICATIONS OF POLICY IN APPLYING SUBJECTS AS GANG MEMBERS OR ASSOCIATES**

1. The subject admits to gang membership, or;
2. When a subject associates with known gang members, and affects the style of dress, tattoos, use of hand signs, and carries the "colors". (bandannas, etc.), or;

3. When a subject has been arrested several times in the company of gang members for offenses which are consistent with gang activity, or;
4. When a family member or school official presents evidence, such as the "Book of Knowledge" or other forms of written material that shows the subject is a gang member, or;
5. When a subject has been identified as a gang member by an informant, and the information is corroborated by circumstances and/or additional information, or;
6. When there is a strong indication that a subject has close ties with, and accompanies, known gang members on a regular basis, but does not fit the above criteria, this subject would be identified as a "gang associate."

## **INTERNAL AFFAIRS UNIT**

### **3-8.1 INTERNAL AFFAIRS POLICY – PURPOSE AND SCOPE**

Internal Affairs is responsible for the investigation, coordination and/or control of all matters involving the internal integrity of the DeKalb County Police Department, its personnel or facilities.

Internal Affairs will be headed by a commander, who will report directly to the Chief of Police or his designee.

### **3-8.2 INTERNAL AFFAIRS UNIT**

The internal affairs function plays an important part in the maintenance of professional conduct within the DeKalb County Police Department. The integrity of the Department depends on the personal integrity and discipline of each employee. To a large degree, the public image of the Department is determined by the quality of the internal affairs function responding to allegations of misconduct by the agency or its employees.

It will be the policy of the DeKalb County Police Department to investigate and document by either the line/division level, by the Internal Affairs Unit, or by both, all allegations of employee misconduct received from any source outside or inside the Department.

### **3-8.3 PRIMARY OBJECTIVES**

#### **A. PROTECTION OF THE PUBLIC**

The public has the right to expect efficient, fair, and impartial public safety services. Therefore, any misconduct by Department personnel must be detected, thoroughly investigated, and properly adjudicated to assure the maintenance of these qualities.

#### **B. PROTECTION OF THE DEPARTMENT**

The Department is often evaluated and judged by the conduct of individual members. It is imperative that the entire organization not be subject to public censure because of misconduct by one or more of its personnel. When an informed public knows that its Police Department honestly and fairly investigates and adjudicates all allegations of misconduct against its members, this public will be less likely to feel any need to raise a cry of indignation over alleged incidents of misconduct.

#### **C. PROTECTION OF THE EMPLOYEES**

Employees must be protected against false allegations of misconduct. This can only be accomplished through a consistently thorough investigative process.

#### **D. REMOVAL OF UNFIT PERSONNEL**

Personnel who engage in serious acts of misconduct, or who have demonstrated they are unfit for public safety work, must be removed for the protection of the public, the department and the department employees.

#### **E. CORRECTION OF PROCEDURAL PROBLEMS**

The Department is constantly seeking to improve its efficiency and the efficiency of its personnel. Occasionally, personnel investigations disclose faulty procedures that would otherwise have gone undetected. These procedures can then be improved or corrected.

### **3-8.4 COMPLAINTS**

Once a complaint is made to the Internal Affairs Unit, it will be properly recorded in the appropriate register. There are three separate registers where complaints will be listed. All complaints, formal or informal, will be listed in one or more of these registers.

#### **A. TELEPHONE COMPLAINT REGISTER**

This is a listing of all informal telephone complaints made to the Internal Affairs Unit. Many times complaints are made to the Internal Affairs Unit that are more appropriately handled through the employee's own division/unit. A complaint such as this will be listed in the telephone register with a notation that it was referred to the line level. If a complaint is such that it should be handled by the Internal Affairs Unit, the register will reflect that the complainant has been advised of the procedure for filing a formal complaint. The telephone complaint register will document date the complaint was received, the incident, the employee, the name of the detective handling the complaint and the disposition.

## INTERNAL AFFAIRS UNIT

### B. USE OF FORCE REGISTER

Use of Force reports, once completed, are forwarded through the chain-of-command to the Precinct Commander. The Precinct Commander will then forward a copy of this report to the Internal Affairs Unit for review. Employees involved in any of the following incidents will be required to complete a use of force report:

1. Death, hospitalization, or medical treatment of either the officer or the suspect that occurs as a result of any arrest or confrontation;
2. The use of any chemical agent, such as OC;
3. The striking of a suspect with hands, feet, ASP Baton, or other object;
4. The presence of blood or broken skin on the person of either the officer or suspect, that occurs as a result of an arrest or confrontation;
5. Discharge of any firearm, whether accidental or not;
6. Any visible bruises caused by arrest or confrontation; or
7. A complaint of physical injury made by a suspect in the presence of any officer that arose as a result of any arrest or confrontation.

The Commander of Internal Affairs will assign all Use of Force Reports to a detective for review. The disposition of the case, along with the name(s) of the employee(s), type of force used, departmental case number, date of incident and investigating officer will be recorded in the register.

### C. THE COMPLAINT REGISTER

This is a listing of all formal complaints or allegations of misconduct made against employees. This list records the following information:

1. Date received
2. Date incident occurred
3. Internal Affairs case number
4. Name of case detective
5. Complainant's name
6. Employee's name
7. Allegation/Rule and Regulation Violated
8. Disposition of the Investigation (sustained, not sustained, unfounded, exonerated)
9. Disciplinary action if sustained

If a formal complaint is received via mail, facsimile, or electronic mail (e-mail), to the Internal Affairs Unit, the complainant will be sent a letter confirming the receipt of the allegation. The complainant will also be advised the name of the primary detective responsible for conducting the investigation, the complaint number, and information concerning how the detective may be contacted. The letter will be signed by the section commander or his/her designee.

All Departmental procedures regarding the registering of complaints against the Department or any of its employees are a matter of public record and will be made available at all times to the public. It will be the responsibility of each division/unit, and each employee, to furnish upon request, procedures for registering complaints against the Department or its employees.

Upon the conclusion of an Internal Affairs investigation concerning a formal complaint, the complainant will be sent a letter advising them of the final disposition. The complainant will be advised if the allegations were sustained, not sustained, unfounded or if the employee was exonerated. The letter will also include the name and telephone number of the section commander so that the complainant may have a person to contact regarding the investigation or final disposition. Copies of this letter will be forwarded to the employee and also maintained in the employee's Internal Affairs file.

### 3-8.5 INVESTIGATION PROCEDURES

The Internal Affairs Unit will be responsible for conducting a thorough, impartial and accurate investigation of any alleged act of misconduct on the part of any member or employee of this Department. Investigating officers in charge of misconduct investigations:

- A. May take a written statement and/or record the statement from the accused employee;
- B. May require that each employee participating in the investigation prepare and submit an individual written report(s) of all facts of the incident known to them;
- C. Will take statements from witnesses and complainants whenever possible;
- D. May tape record interviews with complainants whenever possible;
- E. Will review details and facts of an investigation with the accused employee and answer questions in regard to any information in the investigative report that is not considered confidential;
- F. May take photographs of employees directly or indirectly involved in any ongoing Internal Affairs investigation;

- G. As a general rule, employees may not be directed or required to participate in a physical line-up as part of an ongoing Internal Affairs investigation; however, employees may be required to do so if the employee is under criminal investigation or subject to serious disciplinary action.
  - H. As a general rule, employees may not be required to submit a financial disclosure statement as part of an Internal Affairs investigation; however, employees may be required to do so if any complaints or allegations are criminal in nature. Further, the investigation must reveal probable cause to believe the financial situation is directly related to the criminal activity.
  - I. May require any employee involved in any incident under investigation or a witness to an incident under investigation to submit to a voice stress examination. Employees requested to take a voice stress examination for an administrative investigation must do so and refusal to do so will be considered insubordination. Employees to be administered a voice stress will sign a "Truth Verification Release" form.  
 During the course of the investigation, employees may not refuse to take a voice stress examination as long as the scope of the investigation is administrative in nature. Once the investigation changes from administrative to criminal, the employee's Fifth Amendment rights attach and the employee may refuse to take a voice stress examination without the possibility of any corrective action. The fact that an employee attempts to commit or commits a criminal act may be investigated by the Internal Affairs Unit and considered an administrative investigation. A criminal investigation begins where an employee is either charged with a criminal offense or there is strong anticipation of the employee being charged with a criminal offense and this Department or any other law enforcement agency anticipates pursuing the criminal act through the judicial system. During an administrative investigation, if at any time there is a decision to pursue the investigation criminally, at that point the employee is afforded all rights that apply during a criminal investigation.  
 May require any employee, whether on-duty or off-duty, who is under investigation, to submit to any intoximeter, urinalysis, blood or other scientific or chemical test, including handwriting, voice analysis, or any other similar type test, in order to sustain any complaint or exonerate the employee. (In reference to the suspicion of drug usage, refer to the "Departmental Drug Screen Policy" 4-1.20 of this manual). Refusal to comply will be considered insubordination and may result in corrective action except in criminal cases as mentioned in the previous paragraph.  
 Responsibility for the decision to request an employee to take a voice stress or scientific/chemical test will rest with the investigating superior officer, after concurrence of the division/unit commander or designee.  
 During any administrative/internal investigation, any statements, test results, or any other type of evidence may be used against the employee in an administrative hearing only, and may not be used against the employee in any criminal hearing. (Garrity vs. N.J. 1967)
- During any criminal investigation or hearing, any statements, test results, or any other type of evidence obtained may be used in the criminal proceeding and additionally may be used against the employee in an administrative hearing.
- Upon completion of the investigation, it will be the responsibility of the investigating officer to summarize their findings and place them in an organized, understandable, definitive packet.

### **3-8.6 INFLUENCING AN INVESTIGATION**

Employees of this Department will not attempt to influence the outcome of an Internal Affairs investigation, except insofar as providing factual information relevant to the investigation. While an Internal Affairs investigation is in progress and incomplete, members of the Department will refrain from contacting Internal Affairs regarding the progress of any investigation, including but not limited to, any preliminary findings, contents of any statements made, witness information or evidence obtained. If any member feels the need to know any information while the investigation is ongoing, they must submit a request through the Chief's Office for said information. Members of this Department will not advise other employees who are involved in an ongoing Internal Affairs investigation to be anything less than fully cooperative.

### **3-8.7 CITIZEN LIABILITY FOR MAKING FORMAL COMPLAINTS**

A citizen who desires to make an allegation of misconduct on the part of a Departmental employee will be required to submit a complete and accurate written statement. The complainants and witnesses submitting statements will be advised that knowingly making false allegations in an official inquiry, such as an internal investigation, may result in criminal prosecution for False Statements (O.C.G.A. § 16-10-20), or for other felony or misdemeanor violations.

### 3-8.8 INCIDENTS TO BE INVESTIGATED

To insure the integrity of the DeKalb County Police Department, all alleged or suspected misconduct will be thoroughly investigated. This will be done to clear the innocent and protect their reputations, to increase morale and the effectiveness of operations, and/or to establish the guilt of transgressors and facilitate prompt and just corrective action.

Allegations of misconduct will either be investigated on the line level or by the Internal Affairs Unit.

A. The following types of incidents will be referred to the Internal Affairs Unit for review, investigation, and screening. Where appropriate, Internal Affairs may refer certain matters back to the appropriate division for disposition.

1. Incidents that require the completion of a Use of Force Report, including the following:
  - a. Death, hospitalization, or medical treatment of either the officer or the suspect;
  - b. The use of any chemical agent, such as OC;
  - c. The striking of a suspect with hands, feet, ASP Baton, or other object;
  - d. The presence of blood or broken skin on the person of either the officer or suspect, that occurs as a result of an arrest or confrontation;
  - e. Discharge of any firearm, whether accidental or not;
  - f. Any visible bruises caused by arrest or confrontation; or
  - g. A complaint of physical injury made by a suspect in the presence of any officer that arose as a result of any arrest or confrontation.
2. Complaints involving allegations of civil rights violations (which include wrongful arrest, brutality, or any other wrongful act against an individual) or involving allegations that an employee has participated in any type of unwanted conduct as defined in the Rules & Regulations. (Employees may elect to report incidents of unwanted conduct to any supervisor of their choosing.)
3. Incidents involving off-duty misconduct other than those described below
4. Incidents involving allegations of criminal or unethical activity; **(Employees who are arrested will immediately notify their Chain of Command)**
5. Incidents involving supervisors above the rank of Police Sergeant.
6. Allegations of negligence or neglect of duty resulting in bodily injury or death;
7. Complaints involving allegations of unlawful or improper manipulation of, or tampering with, the promotional, evaluation or disciplinary processes;
8. Complaints involving allegations of abusive conduct by a supervisor directed towards a subordinate;
9. Incidents involving a complaint from a public official;
10. Incidents that could lead to an employee being relieved of duty or terminated;
11. Whenever an employee is suspected of being under the influence of drugs/alcohol while on duty.

The types of incidents listed above which are referred to the Internal Affairs Unit for investigation will be immediately brought to the attention of the concerned component commander, the Division Chief and the Chief of Police.

Complaints **(on or off duty)** involving traffic violations, minor violations of departmental rules and regulations, discourtesy to the public, rude attitude, complaints on discretionary decisions made by the employee, department/division rules or policies carried out by the employee, etc., **will be handled by the employee's own division/unit**, without referring the matter to Internal Affairs, unless one of the criteria listed above is applicable. Ambiguities will be resolved by allowing Internal Affairs to determine where the case should be handled.

Complaints received at Internal Affairs (in writing or by phone) that are referred to the Line Level for investigation will be handled as follows:

1. Internal Affairs referral document (and any attachments) will be forwarded to the Commander of appropriate division for review.
2. Precinct investigation is conducted and complainant is notified of finding
3. Investigative package is returned to the appropriate Commander for approval.
4. Line level investigative package is sent back to Internal Affairs for record keeping purposes. Unfounded complaints will be logged in the Internal Affairs Phone Complaint Register. Any other findings will result in that information being placed in the employee's Internal Affairs file.

If a complaint is investigated by the employee's own division/unit, and that complaint is substantiated, a copy of the supervisor's investigative summary report, the employee's statement and the recommendation of disciplinary action will be forwarded to the Internal Affairs Unit. The report and all attachments will become part of the employee's Internal Affairs file. Unfounded or unsubstantiated complaints will remain in the employee's division/unit file, and a memorandum indicating such will be forwarded to the Internal Affairs Unit.

For complaints investigated by the division/unit, the complainant will be advised as to the disposition of the case by the investigating supervisor. If the complainant disagrees with the line-level investigation, they will be notified of their right

to file a formal complaint with the Internal Affairs Unit. The concerned component commander or the Chief of Police may, at their discretion, request an Internal Affairs investigation of any complaint or matter deemed appropriate. Cases handled by Internal Affairs will be conducted solely by that unit unless additional assistance is requested. Two exceptions to this rule are:

1. In those instances in which allegations of criminal misconduct are involved, the concerned component commander or the Chief may request that two independent investigations be conducted, one by the Internal Affairs Unit for the purpose of determining whether corrective action is appropriate, and one for the purpose of determining whether criminal prosecution is appropriate. When a dual investigation is ordered, statements made to the Internal Affairs Unit by the accused employee will not be used as evidence in any criminal proceedings.
2. Firearms incidents which occur within DeKalb County and which result in injury or death will be investigated by both Internal Affairs and the Major Felony Unit. This will also apply to incidents in which an employee intentionally fires shots at another person, whether or not injury or death result.

Firearm incidents, which occur outside DeKalb County, will be investigated by the Internal Affairs Unit.

### **3-8.9 CONCLUSION OF INVESTIGATION INVOLVING DEPARTMENT MEMBERS/EMPLOYEES**

All investigations of Department members or employees accused of misconduct will conclude with one of the following findings:

#### **A. UNFOUNDED**

The investigation indicates that the act or acts complained of did not occur or failed to involve county personnel;

#### **B. EXONERATED**

Acts did occur, but were justified, lawful and proper;

#### **C. NOT SUSTAINED**

Investigation fails to discover sufficient evidence to clearly prove or disprove the allegations made in the complaint;

#### **D. SUSTAINED**

The investigation disclosed sufficient evidence to clearly prove the allegations made in the complaint.

### **3-8.10 EMPLOYEE RIGHTS**

Once an employee is notified that they have become the subject of a formal complaint which is being investigated by the Internal Affairs Unit, the Commander of Internal Affairs or his/her designee will issue the employee an Employee's Rights Form. This form will consist of the following:

#### **A. A description of the function and purpose of the Internal Affairs Unit and the rights and duties of the employee.**

The form will explain that the Internal Affairs Unit is a fact-finding unit and is not involved in recommending disciplinary measures. The form will advise the employee that all complainants are warned that knowingly making false statements may result in their prosecution. However, the employee will be advised that they are under the same legal duty to be truthful as are complainants.

#### **B. A list of the Administrative Questioning Rights: (Garrity vs. New Jersey 1967)**

1. The employee has no right to remain silent and must answer all questions truthfully.
2. No statements or admissions made by the employee during these administrative proceedings will be used against them in a criminal proceeding.
3. The Department will advise the employee when and if administrative proceedings have ceased and criminal proceedings have begun. The employee will be advised of their rights under criminal law and procedure at that time.
4. The employee has no right to counsel during an administrative investigation. An administrative investigation will include, but not be limited to, any interview, interrogation, questioning, voice stress or any chemical or scientific test.
5. Admission can be used as a basis for termination.

**C.** The employee will be issued a written statement of the allegations made against them. The statement will list the date, time, and place of the incident and the complainant's name and address. The employee will be advised in writing of the nature of the complaint and will be allowed to read a copy of the complainant's statement. If the complaint is administrative and does not involve an outside complaint, the employee will be so advised, and will only be entitled to a report of the final outcome.

The employee will be required to sign this form. The signature will be witnessed by an Internal Affairs detective.

### **3-8.11 DEPARTMENTAL PSYCHOLOGICAL POLICY**

#### **A. PURPOSE**

Public safety involves a broad range of situations requiring understanding and control of human behavior. Emotional stability in the face of stressful situations is a prime requirement for effective action. Comprehensive psychological services provide support for these tasks through the following approaches:

1. Applicant Screening: Screen out applicants not considered psychologically suitable for the public safety occupation.
2. Professional Assistance: Through voluntary or mandatory identification, provide short-term counseling and referral service to departmental employees experiencing employment related problems.
3. Early Identification: Identify personnel with emotional or employment-related problems before performance is seriously affected.

In order to maintain a stable and well-adjusted work force and to provide the community with the best possible service, the DeKalb County Police Department is committed to screen out applicants who possess exclusionary traits considered excessive by psychological standards, and evaluate employees with performance problems who may require assistance. Internal Affairs will be solely responsible for scheduling, coordinating, conducting, assisting and receiving results of psychological testing and psychological counseling of employees of the Department. For pre-employment, this responsibility will be the responsibility of the County Merit System.

Any policies or procedures developed by the DeKalb County Police Department regarding psychological screening or testing will be coordinated with and reviewed by the County's Human Resources Department prior to implementation.

#### **B. PRE-EMPLOYMENT PSYCHOLOGICAL SCREENING AND TESTING FOR SWORN AND CERTAIN UNSWORN EMPLOYEES**

Under the purview of the Human Resources Department, psychological testing will be utilized as a criterion for screening applicants for sworn positions, and for certain unsworn positions designated by the Chief of Police.

#### **C. PSYCHOLOGICAL COUNSELING FOR CURRENT EMPLOYEES (SWORN AND CIVILIAN)**

Internal Affairs will provide professional short-term counseling and referral assistance for employees experiencing employment related problems. This provision for professional counseling will cover employment related problems for mandatory referrals or for post-shooting or other traumatic incidents.

1. Mandatory Referral: If, in the opinion of a supervisor, actions of an employee indicate that psychological or psychiatric evaluation is required in order to make a determination regarding the employee's fitness for duty, which is related to employee misconduct that may warrant disciplinary action, the concerned commander can direct the employee to submit to such evaluation. The employee must answer all questions directed to them, and provide complete information and documents deemed necessary by the qualified professional or any outside consultant to whom the employee is referred. The employee must submit to all examinations deemed advisable and sign any waivers concerning access to records and reports.
  - a. The directing authority will:
    - 1) Consult with Internal Affairs and determine appropriateness of mandatory referral and the scheduling of counseling.
    - 2) If mandatory referral is deemed appropriate, advise the employee via memorandum of the general circumstances that prompted the action and the appointment date, time and location.
  - b. Evaluation results, opinion, and recommendations made by the psychologist or designated professional consultant will be forwarded to the Internal Affairs commander who will advise the Chief of Police or his designee. Internal Affairs will interpret the results and contact the directing authority. The directing authority may then initiate appropriate action predicated on the recommendations. When deemed necessary, the directing authority may request the employee to attend and successfully complete a therapeutic or counseling program approved by Internal Affairs. Failure to attend and successfully complete the program will be considered in determination of personnel action.
  - c. Communications between affected employees and Internal Affairs or outside consultants, test results, written opinions and recommendations, notes, reports and actions taken are privileged and confidential except that it may be used as part of an official departmental investigation.
  - d. Documents will be distributed and maintained as follows:
    - 1) Originals to Internal Affairs;
    - 2) Copies to concerned employee upon verbal request;Others requesting information or copies will be directed to the Chief of Police.
  - e. Temporary relief from duty with pay, reassignment or return to duty after temporary relief will be decided by the concerned division/unit commander, after consultation with Internal Affairs.

2. Post-Shooting or Other Traumatic Incident Counseling: When an employee is involved in a shooting incident, or any job related traumatic incident, the concerned commander will advise Internal Affairs of the incident. The concerned commander will, in the case of a shooting, and may in the case of any other type of traumatic incident, reassign the employee temporarily to administrative duties based upon the commander's assessment of the situation, at the request of the affected employee, or at the advice of Internal Affairs.
  - a. When other job-related incidents of a severe nature occur, the concerned commander will evaluate the circumstances. If warranted, the commander may reassign the employee temporarily to administrative duties and will advise Internal Affairs of the incident.
  - b. As soon as possible after circumstances of the incident permit, the concerned commander/supervisor will ensure that departmental resources are made available to the employee to receive assistance.
3. Assignment to Specialized Units: Employees (sworn or non-sworn) assigned to any specialized unit such as the Special Weapons and Tactics will be psychologically evaluated in order to determine fitness for specialized assignments.
4. Any other requests for psychological or psychiatric evaluation/counseling, whether mandatory or voluntary (not defined under C-1, C-2, or C-3 above), will be coordinated through the County Employee Assistance Program.

### **3-8.12 DEPARTMENT DRUG SCREEN POLICY**

#### **A. PURPOSE**

The DeKalb County Police Department has a legal responsibility and management obligation to ensure a safe work environment, as well as paramount interest in protecting the public by ensuring that its employees have the physical stamina and emotional stability to perform their assigned duties. A requirement for employment must be an employee who is free from drug dependence, illegal drug use or drug abuse.

Liability could be found against the Department and the employee for failure to address and ensure that employees can perform their duties without endangering themselves or the public. There is sufficient evidence to conclude that the use of illegal drugs, drug dependence, and drug abuse seriously impairs an employee's performance and general physical and mental health. The illegal possession and use of drugs and narcotics by employees is a crime and clearly unacceptable. There are unique corruption hazards associated with drug possession and use by employees. Therefore, the DeKalb County Police Department has adopted the following policy: (1) ensuring an employee's fitness for duty as a condition of employment; (2) ensuring drug tests are ordered based on a reasonable objective basis; (3) having established written policy and procedure to follow; and (4) placing the employees on notice that testing is a requirement of employment. Internal Affairs will be solely responsible for scheduling, coordinating, conducting, assisting and receiving results of drug testing for employees. Upon receipt of any drug testing results, Internal Affairs will not release any information concerning these results to anyone except the Chief of Police or designee.

#### **B. DEFINITIONS**

1. Drug Test - A blood, urinalysis, or any chemical test administered under approved conditions and procedures to detect drugs.
2. Reasonable Objective Basis - An apparent state of facts and/or circumstances found to exist upon inquiry by the supervisor, which would induce a reasonably intelligent and prudent person to believe the employee was under the influence or using drugs/narcotics.

#### **C. DEPARTMENTAL POLICY**

1. Department employees will not take any narcotics or dangerous substance unless prescribed by a person licensed to practice medicine. Employees who are required to take prescription medicine will notify their immediate supervisors of the medication prescribed and the nature of the illness or injury. Any illegal use or abuse of drugs by an employee, whether at or outside employment, will not be tolerated. Internal Affairs will maintain a current listing of all prohibited drugs/narcotics.
2. Employees, who have a reasonable basis to believe that another employee is illegally using drugs or narcotics, will report the facts and circumstances immediately to their supervisor.
3. All property belonging to the Department is subject to inspection at any time, without notice, as there is no expectation to privacy with department issued property.
  - a. Property includes, but is not limited to, county owned vehicles, desks, containers, files and storage lockers.
  - b. Employees' assigned lockers (even those that are locked by the employee) are also subject to inspection by the employee's supervisor. The search will be done in the presence of the employee, if possible.
4. Failure to comply with the intent or provisions of this policy may be used as grounds for corrective action. Refusal by an employee to take the required drug test or follow this policy will result in immediate relief from assigned duties pending disposition of any administrative personnel action.

#### **D. DRUG TESTING FOR CURRENT DEPARTMENTAL EMPLOYEES (SWORN AND CIVILIAN)**

## INTERNAL AFFAIRS UNIT

Current employees (sworn and civilian) of this Department will be required to submit to a test for drug or narcotic usage as outlined below:

1. A supervisor may order an employee to submit to a drug test when there is a reasonable objective basis, with supporting documentation, that the employee is impaired or incapable of performing their assigned duties, reduced productivity, excessive vehicle accidents, high absenteeism or other behavior inconsistent with previous performance. The contents of this documentation will be made available to the employee.
2. Current employees may be ordered by a supervisor or required to submit to a drug test:
  - a. Where the allegation involves the use, possession or sale of drugs or narcotics, or
  - b. Where the allegation involves the actual use of force, or
  - c. Where there is serious on-duty injury to the employee or another person. (If the employee is unconscious or unable to consent to a drug test, consent will be considered implied.)

The purpose of the test is to determine if drug use affected the employee's actions or judgment. The employee will be advised of the content and details of the allegation.

3. A supervisor who orders a drug test when there is a reasonable objective basis for suspecting usage will forward a report containing the facts and circumstances immediately through the chain-of-command to the Chief of Police.
4. A drug test may be required for specialized assignments: pilot, Internal Affairs, bomb technician, vice squad, narcotics, property & evidence, Special Weapons and Tactics Unit.
5. Test results reporting a presence of illegal drugs or narcotics, or the use of prescription or the abuse of any over-the-counter drug, will be submitted as a part of a written complaint by the supervisor.
6. All employees are reminded that Internal Affairs will be designated as solely responsible for the scheduling of drug testing.
7. Current sworn employees assigned to the Narcotics Section of the Criminal Investigation Division will (in addition to the previous requirements) submit to a periodic unannounced drug test at the direction of their supervisor.
  - a. Prior to accepting a special assignment, an employee will execute a written agreement and release stating that they fully consent to any medical, physical, psychiatric, psychological or other testing, including urine and/or blood for drug or narcotic substances. In addition, the agreement or release will give the Department permission to have access to all the employee's medical records.
  - b. The commander of the Criminal Investigation Division will select the date and time when each employee assigned to the unit will be tested. The test may be administered randomly at least twice a year without advance notice.
8. Random Testing (see Merit System policy and procedures)

### 3-8.13 URINE/DRUG TESTING PROCEDURES

The procedure for administering the urine/drug test program is outlined below.

Tenured employees who have been found to be using drugs or narcotics will be provided appeal rights in accordance with departmental procedure and Merit System guidelines. The accused employee will have a right to explain the presence of drugs in the urine.

#### A. URINE/DRUG TEST PROCEDURES

1. The following procedures will be followed for obtaining urine samples:
  - a. The employee designated to give a sample must be positively identified prior to any sample being obtained.
  - b. The room where the sample is obtained must be private and secure with documentation maintained that the area has been searched and free of any foreign substance. Specimen collection will occur in a medical setting, and the procedures should not demean, embarrass or cause physical discomfort to the employee. If the situation dictates, someone of the same sex will be designated to be present in order to witness the urine sample.
  - c. An interview with the employee prior to the test will serve to explain the procedures in giving an appropriate and adequate sample and to establish use of drugs currently taken under medical supervision.
  - d. Specimen samples will be sealed, labeled and checked against the identity of the employee to ensure the results match the testee. Samples will be stored in a secured and refrigerated atmosphere until tested or delivered to the testing lab representative.
2. The following procedures will be followed for processing urine samples:
  - a. The testing or processing phase will consist of a two-step procedure.
    - 1) Initial screening test, and
    - 2) Confirmation test.

- b. The urine sample is first tested using a screening procedure. A specimen-testing positive will undergo an additional confirmation test.
  - c. The confirmation procedure should be technologically different than the initial screening test. Notification of test results to the Internal Affairs detective will be held until the confirmation test results are obtained. In those cases where the second test confirms the presence of a drug or drugs in the sample, the sample will be retained for six months to allow further testing in case of dispute.
  - d. The testing method selected will be capable of identifying marijuana, cocaine and other major drugs of abuse, including heroin, amphetamines and barbiturates. Personnel utilized for testing will be certified as qualified to conduct urinalysis, or adequately trained.
  - e. The laboratory selected to conduct the analysis must be experienced and capable of quality control, documentation, chain-of-custody, technical expertise and demonstrated proficiency in urine drug testing.
  - f. Employees who have participated in the drug testing program, where no drugs were found upon request, will receive a letter stating that no illegal drugs were found. If the employee requests such, a copy of the letter will be placed in the employee's personnel file.
3. The following procedures will be followed for chain of evidence storage:
- a. Upon receipt of any positive or negative report, urine specimens will be maintained under secured storage for a period of not less than 7 days.
  - b. Each step in the collecting and processing of the urine specimens will be documented to establish procedural integrity and the chain of evidence.

### **3-8.14 INVESTIGATIVE CVSA EXAMINATIONS**

#### **A. PURPOSE**

The purpose of this policy is to inform the investigator or detective of the capabilities of the **CVSA (Computerized Voice Stress Analyzer)** along with its limitations and the detective's responsibility in CVSA examinations.

Better results may be obtained when the detective is better informed and has a better understanding of its possibilities and limitations. There is very little information available regarding the detective's responsibility and opportunity in handling and conditioning an individual for a CVSA Examination.

The maximum effectiveness of the CVSA examination is dependent upon the examiner administering the test and treatment of the individual examinee.

#### **B. CVSA PREPARATION AND PROCEDURES**

The purpose of CVSA examinations is to determine if the person being examined is being truthful or untruthful. The examination is to be used as an investigative tool. After CVSA examination of suspects, informants, alleged victims and/or witnesses, the detective in the field can better evaluate evidence and better ascertain what his next steps should be. Admissions and confessions are frequently obtained at this stage, playing an obvious role in the investigative process. The CVSA helps in establishing the truth and cannot be utilized in establishing intent.

#### **C. PROCEDURES**

The effectiveness of the CVSA is dependent upon the detective and the examiner working together as a team. To be successful, both must follow certain basic procedures. The most important of those for the detective are as follows:

1. The CVSA examination should be a supplement to, not a substitute for, a proper field investigation. Examiners shall have graduated from a training program in its use.
2. The examination should not be used as a last resort; the examiner should be contacted for his recommendations as early in the investigation as possible.
3. During an investigation in which the CVSA might be utilized, the detective should not resort to any misleading statements. If the person can determine that he was deceived and if he later takes an examination, he may be hostile and overly suspicious of both the procedure and the examiner.
4. The detective must emphasize to a person who may take an examination that the CVSA is an extremely effective method of establishing the truth. Confidence should be expressed in both the accuracy of the procedure and the impartiality of the examiner. Emphasize the main purpose of the CVSA is to help eliminate them as a suspect in verifying their statement.
5. During the investigation, the detective should withhold from the persons to be examined certain information believed to be known only to the victim, the detective and a person with guilty knowledge.

Details of an incident or crime to be withheld:

- a. The investigating officer should avoid disclosure of certain crucial details or facts established during the investigation.

- b. These crucial facts concerning the incident or crime, which could only be known to the perpetrators, should never be told the suspect. These facts will be of vital importance to the success of the investigation and subsequent prosecution, as will be discussed shortly.
- c. Examples of details, which should not be divulged:
  - 1) Method of entry - tools used to effect entry; point of entry, extent of damage at point of entry; whether or not entry was made by use of key.
  - 2) Property taken - specific amount; denominations of currency; unusual articles; description of articles.
  - 3) Weapon or force used to commit crime - club, gun, knife, poison; also number and location of wounds and bruises.
  - 4) Evidence left at the scene of the crime by suspects - tools, weapons, and articles of clothing.
  - 5) Unusual acts of perpetrator before, during, and/or after the commission of the crime.
  - 6) Means of exit from the scene - if by vehicle, anything unusual about same, such as dents, missing portions, loud muffler, damage; if on foot, direction taken from scene, if noted.
  - 7) Location from which property was taken - where safe or cash box was located; type of container from which money or articles were taken, such as metal cash box, cigar box, laundry bag, paper sack; as well as colors of articles; brand names; victim's clothing, etc.
  - 8) If the person exhibits fear of the test procedure, the detective should assure the person that the examiner will thoroughly explain the procedure prior to any examination.
  - 9) No attempt should be made by the detective to explain the procedure except to express complete confidence in its reliability.
  - 10) Threats to use the voice stress in trying to obtain a confession should not be made.
  - 11) In certain cases, the complainant, victim, or witness should be examined first. In the event the victim cannot be examined for some reason (e.g. age, physical disability), the examiner should be given an opportunity to interview the victim prior to the suspect's examination where necessary to pin down certain case facts.
  - 12) The voice stress should never be used as a bluff. Do not assume the suspect to be innocent just because he agrees to an examination. Statistically, this has absolutely no significance as indicating guilt or innocence.
  - 13) The detective should provide the examiner with as many case facts and documents as possible, including the complete complaint file. Physical evidence (such as the forged instrument in a forgery case) will also be helpful. (Crime scene photos and sketches are extremely important, especially where the examiner cannot visit the scene.)
  - 14) In addition, background information about the perspective examinee, i.e., criminal history, drivers record, physical and mental stability, etc., should be made available to the examiner in order to develop a better test for the individual.
  - 15) At least one officer working on the case should be present or available for consultation with the examiner during the examination when possible.
  - 16) Should the person or persons being examined be under arrest, the officer should also have custodial responsibility both before and after the examination.
  - 17) The responsibility for all CVSA related procedure lies with the CVSA Examiner. In addition, he should have the sole responsibility to determine if any particular examination should take place.
  - 18) If an examination is given, it should be removed in time and place from the original offense, as well as any subsequent arrest or interrogation. Attempts to examine an emotionally distraught party frequently produce no useful results, and may result in error. This holds true for both suspects and victims.
  - 19) No examination should be given to any person under the age of legal maturity without written permission from at least one parent, a guardian, or a juvenile court judge having jurisdiction.
  - 20) Prior to discussing a possible examination with a juvenile, parent, guardian, or probate judge, the detective should first consult with the examiner for his advice and recommendations.
  - 21) As the well being of the person to be examined is of importance, care should be taken that the person be in reasonably good mental and physical condition. He should have had food, rest, and relief from lengthy interview prior to the examination.
  - 22) Upon the completion of a CVSA examination, the examiner will complete a written report that includes the results of the test.
  - 23) All examiners will maintain current certification for operation of the CVSA.

**D. FACTORS THAT MAY CONTRIBUTE TO ERROR**

The detective's failure to conduct a thorough investigation and/or present accurate case facts to the examiner are the primary factors, which may cause error or an inefficient examination.

The examiner must depend on the field investigation for his case facts. The better the case facts, the better job he can do in learning the truth of a given situation.

If the case facts are insufficient or faulty, or if some key bit of information is denied the examiner, the probability of an incorrect or inconclusive CVSA examination is increased - even with a well-qualified examiner. Detectives should never mislead or deceive the examiner, even though it may be a bit embarrassing to admit he failed to check, or just does not know the answer to some investigative detail.

Detectives should not present theory as verified fact. They should not say they have verified an alibi, if they have not. They should not pretend to be positive about a weapon, a cause of death, a point of entry, a time of day, a date, or any other detail, unless such information is factually verified.

The unwitting use of incorrect information by the examiner in questioning the subject and formulating the questions for the examination can give a tremendous psychological advantage to the guilty suspect, both during the examination itself, and during any subsequent interrogation. This is true even though, deception is indicated, which it may not be, especially on any question containing faulty information.

### **3-8.15 REMOVAL FROM DUTY**

Departmental employees may be immediately relieved of duty when they exhibit or an investigation reveals that they exhibited such conduct or misconduct that would warrant their immediate removal from employment with the Department. Only the Chief of Police, with the concurrence of the Director of the Merit System, has the right to terminate one's employment with the Department. If an employee does exhibit or has exhibited such conduct that warrants immediate dismissal, the division commander or acting division commander may relieve the employee of duty and send them home indefinitely pending disciplinary action. The division commander or designee will then notify the employee's division/unit commander, who will in turn notify the Chief of Police, of this action and advise them that the employee should be carried as Suspended with Pay until termination procedures can be enacted and approved.

### **3-8.16 OPEN INVESTIGATIONS**

At the end of each business week, all members of the Internal Affairs Unit will verbally review all open or unresolved cases assigned to them with the division commander or acting commander. All investigations will be completed, reviewed and typed within 30 days of the initial complaint. Extensions may be granted, but only in those cases in which extenuating circumstances exist and after approval of the division commander. Circumstances that might warrant extension may include, but not be limited to:

- A. Critical witnesses are unavailable or have not been located;
- B. Reports from the crime lab are outstanding;
- C. Medical Reports/evaluations are outstanding.

### **3-8.17 CONFIDENTIALITY AND SECURITY OF INVESTIGATIONS**

To insure the confidentiality of all records associated with the Internal Affairs function, all reports will be maintained in a restricted, secured area within the division. Internal Affairs will be equipped with its own separate motion detection alarm system. This system will be linked to the alarm board in the DeKalb County Communication Center. This system will require a code to activate and deactivate. Only individuals assigned to Internal Affairs and those designated by the Chief of Police will have access to this code.

### **3-8.18 REPORTING**

A monthly report will be filed with the Chief of Police by Internal Affairs that will include annual statistics for CVSA services and the internal affairs function.

#### **A. VOICE STRESS SERVICES**

The yearly reports for services (voice stress) by the various entities conducting such tests will include:

1. The total number of individuals tested and the reason for testing (pre-employment, internal affairs investigations, criminal allegations, narcotic periodics, etc.).
2. The results of the tests (deception indicated, no deception indicated).
3. The total number of individuals who failed to keep the voice stress appointment, who were physically unfit or refused to take the test.
4. The number of admissions given as the result of the voice stress test.

## INTERNAL AFFAIRS UNIT

### B. INTERNAL AFFAIRS

The yearly report of the internal affairs function will include:

1. A list of all internal discipline statistical information. This summary will include the number of suspension hours or terminations from the department. The exact rule and regulation violated will also be listed.
2. A list of the total number of formal complaints handled by the Internal Affairs Unit and the disposition of those investigations.
3. A list of the total number of telephone complaints received by the Internal Affairs Unit and the disposition of those complaints whether referred to the officer's own division or handled by Internal Affairs.

These reports may be made available to the public, each division/unit and all departmental employees, through the office of the Chief of Police. Unless otherwise authorized by the Chief, the name, sex and race of the employees will remain confidential.

#### **3-8.19 LIAISON WITH CRIMINAL PROSECUTORS**

It will be the responsibility of Internal Affairs to maintain a close liaison with the County's District Attorney's Office, County's Solicitor's Office and State and Federal Prosecutor's Office.

The purpose of this is to further protect the integrity of the Department when investigating employee misconduct that may have criminal implications.

#### **3-8.20 SEARCHING AND INSPECTION OF DEPARTMENTAL PROPERTY**

All property belonging to DeKalb County and/or the DeKalb County Police Department will be subject to search or inspection at any time and without notice. Property includes, but is not limited to, County owned, leased or controlled vehicles, desks, containers, files, lockers, and cabinets. All property assigned to employees, if locked or secured by the employee, will also be subject to search or inspection. Searches and inspections may be conducted by members of Internal Affairs or by the employee's supervisors. Employees are reminded that there is no expectation to privacy concerning any issued County property.

#### **3-8.21 MONITORING OF DEPARTMENTAL TELEPHONES**

All telephones subscribed to by the County or the DeKalb County Police Department will be subject to monitoring at any time. Telephones should be used for Departmental business only and personal business should be avoided.

#### **3-8.22 LIAISON WITH OUTSIDE AGENCIES**

It will be the responsibility of Internal Affairs to maintain a liaison with Internal Affairs Units of neighboring Law Enforcement Agencies.

Our Internal Affairs Unit will not investigate or conduct Voice Stress examinations of employees of other agencies. Outside agencies can continue to seek assistance from the Georgia Bureau of Investigation.

#### **3-8.23 CUSTODIAN OF RECORDS FOR EMPLOYEE INFORMATION**

Internal Affairs shall be designated custodian of records for employee information from departmental files and will be responsible for the dissemination of said information when requested pursuant to subpoena, third party request for production of documents or Georgia Open Records Act. The file maintained by the Administrative Services Division is hereby designated the official departmental employee personnel file.

The following individuals may view an employee's files:

1. Employee;
2. Employee's supervisors (solely and to the extent necessary for job-related purpose);
3. County attorney and assistant county attorneys;
4. Individual possessing a valid subpoena or Request for production of Documents to a Third Party;
5. Individual who has made a request to the Chief of Police under the Open Records Act; or
6. Representative of another agency or entity who is performing a pre-employment check on the employee, provided that the representative possesses a signed waiver from the employee to view said file.

If a request is made for an employee's file(s) or information maintained by DeKalb County about an employee pursuant to:

- A subpoena;
- The Georgia Open Records Act; or

- A Request for Production of Documents to a Third Party,

The following procedures must be followed:

- Forward the request for information to the Chief's Office for action **immediately**; i.e., on the same day the request is received. This must be done immediately upon receiving the request because there is a time deadline for a response.
- The same day the Chief's Office receives the request, a copy of the request will be forwarded to Internal Affairs.
- The Internal Affairs employee who has been designated custodian of records will be responsible for collecting any requested information that is not maintained in Internal Affairs; i.e., Personnel, Division, etc., as necessary. The custodian of records must determine whether the records are subject to disclosure and, for open records act request, permit copying or inspection within three business days of receipt of the request. Records subject to disclosure pursuant to a valid subpoena or third party request for production of documents should be made available within the time provided for in the request. The requesting party will be required to pay to the county costs in connection with providing the requested Material, as allowed by law.
- The holder of the requested information, i.e., Personnel Unit, Training Unit, or the various divisions, precincts, or units, will cooperate completely with Internal Affairs in producing the information in an expeditious manner. Failure to produce the requested material within the prescribed time limits may expose the county to costly litigation and may result in criminal prosecution.

### 3-8.24 PURGING OF FILES

- Retention Schedule- All types of employee files have a retention schedule, a time span after which they are destroyed. Part of this time is spent in-house, i.e. in the unit in which the file is generated, and part of this time is spent in the County Records Center or Archives. The Internal Affairs Unit is responsible for cataloguing and forwarding any employee file that is to be sent to the county Record Center. Files that have reached the end of their retention life are to be destroyed by shredding or incinerating. Prior to destruction of any document, the Unit or Section destroying the document will review the retention schedule set by the Georgia Department of Archives and History as the below retention schedule does not encompass every document that is addressed by the GA Archives System.

FILE NAME	RETENTION SCHEDULE	DESCRIPTION
Internal Affairs	7 years after separation (3 years at I.A., 4 years at Records Center)	Disciplinary actions and I.A. investigations
Background	5 years past exit date (3 years at I.A., 2 years at Records Center)	Application, background booklet, copies of transcripts and vital records, fingerprints, etc.
Personnel	7 years past exit date (3 years at I.A., 4 years at Records Center)	Personnel action forms, commendations, disciplinary actions, performance appraisals, W-4's, insurance enrollment information, OJI reports, doctor referral forms.
Training	5 years past exit date (3 years at I.A., 2 years at Records Center)	Transcript and copies of training certificates
Precinct or Unit	3 years at precinct or unit, then destroyed (5 years for FTO documents)	Copies of use of force reports, performance appraisals, commendations, training certificates, disciplinary actions, supervisor's accident reports, pursuit reports
Use of Force Reports	3 years at I.A., then destroyed	
Secondary Employment Requests	3 years at I.A., then destroyed	

Precinct or Unit files should contain documents from the past three years only. Documents older than three years should be destroyed. Internal Affairs is not responsible for the destruction of these files- it can be accomplished at the unit or precinct where the file originated. Each employee's file should be checked yearly to ensure that outdated material is removed.

## INTERNAL AFFAIRS UNIT

### 2. Guidelines for Files being forwarded to Internal Affairs (past employees):

Multiple envelopes must be arranged in alphabetical order.

Envelope requirement: 10x13, 9x12 or 10x15; no larger.

Do not use 12x15½ envelopes -they will not fit into box properly.

If you have enough files (envelopes) to fill a box, you must use County supplied (Fellow-Bankers Box) storage boxes – letter size or other storage boxes. Do not use Xerox boxes and do not write on box.

You may use more than one envelope, if necessary for any one employee, if all documents will not fit into one envelope. Make sure documents match information written on front of envelope before inserting. Do not send loose documents- all documents must be in a properly marked envelope.

Text on all envelopes must be legibly printed with a BOLD BLACK marker, “horizontally” with the opening to the right. Computer generated labels are allowed, but place them horizontally along the top of envelope, with opening to the right as well. Do not tape the envelope closed- use clasp.

The text on the envelope should include:

- 1st line - Name (last, first, MI, suffix. On common names, spell entire name out, no initials).
- 2nd line - Employee Identification Number.
- 3rd line - Date of employment through departure date along with exiting reason, i.e. (retired/resigned/terminated/transferred or deceased).
- 4<sup>th</sup> line - Type of file: Departmental, Precinct, Training, Personnel, etc. Do not put “personnel” unless the file is coming from the Personnel Unit.

**Documents not processed correctly will be rejected and returned for proper storage processing.**

### **3-8.25 PERSONNEL EARLY WARNING SYSTEM - PURPOSE AND SCOPE**

The purpose of this directive is to develop departmental guidelines to identify stress-induced or performance problems and to provide assistance through resources available to all members of the DeKalb County Police Department. The Internal Affairs Unit will be responsible for the monitoring and tracking of this policy.

### **3-8.26 PERSONNEL EARLY WARNING SYSTEM - OVERVIEW**

The overview of the Personnel Early Warning System procedures will be as follows:

1. Officers will be identified by Internal Affairs according to predetermined criteria.
2. The Chief of Police will be informed of what officers are identified by means of by report issued by Internal Affairs twice a year.
3. Within thirty days of the issuance of the reports, a review committee will meet to discuss the officers identified on the report and make recommendations.
4. The identified officer will be notified that they are on the report and **WILL** appear before the review committee.
5. The Chief of Police will be notified of the committee’s findings and recommendations.
6. Upon approval of any recommended action, Internal Affairs will assume the responsibility of ensuring that compliance and completion of recommendations are completed in a timely manner. All supporting documentation will become part of the employee’s Internal Affairs file.

The first and second line supervisors are crucial to a successful Personnel Early Warning System program. The first and second line Team supervisor should become familiar with their team and be able to detect employees that would fall within the guidelines of this policy.

If a supervisor becomes aware of a problem with an employee that warrants immediate attention, he or she should not wait for the employee to be identified by the Personnel Early Warning System before taking action to rectify the situation.

### **3-8.27 EARLY IDENTIFICATION PROCESS**

The Personnel Early Warning System provides a review of citizen complaints, disciplinary action and use of force incidents twice a year. These are possible indicators among departmental employees of problems that may or may not be stress or performance related. Additional criteria may be considered, including but not limited to:

1. Agency performance evaluation;
2. Internal affairs complaints
3. Traffic accidents.
4. Excessive absenteeism

This program examines various criteria in order to give a fair assessment of each employee identified.

### **3-8.28 REQUIRED REPORTING**

1. Citizen complaints that are handled at the line level should be documented on the required line-level complaint form. These reports will be completed by the first line supervisor and faxed to the Internal Affairs Commander within 24 hours.
2. The Internal Affairs Commander will compose an overall report twice a year. The primary purpose of the report is to provide a timely notification to command staff of personnel under their command who have been identified as having an above-average number of complaints, disciplinary actions, or use of force incidents in the past three months or in the past year. The report will be disseminated to the Chief of Police, the Department's Accreditation Manager, and the Entity Commander in which the identified employee is assigned.
3. The Internal Affairs Unit will, each January, as part of their annual report, complete an evaluation of the effectiveness of the Personnel Early Warning System and revise the policy accordingly.

### **3-8.29 REPORT COMPOSITION**

The Early Warning System report will outline personnel complaints, disciplinary actions, and use of force incidents. The report will contain names of employees who have received a higher than average number of complaints, disciplinary actions or use of force incidents in the past three months or the past year according to criteria set by the Internal Affairs Unit based on departmental and national averages. For each identified employee, the report will provide a brief profile of each complaint, use of force incident, or disciplinary action involving the employee during the past year.

1. Profile of complaints will include the name of complainant, nature of complaint, and disposition if known. (at times in pending cases, disclosure of information will be limited and is provided at the discretion of the entity commander)
2. Profile of use of force incidents will include the subjects name, date of incident, nature of incident, extent of injury and case number. (at times in pending cases, disclosure of information will be limited and is provided at the discretion of the entity commander).
3. Profile of disciplinary actions will include the date of incident, rules or regulations violated, and disciplinary action taken.

### **3-8.30 REVIEW COMMITTEE**

CALEA Standard 35.1.9 Personnel Early Warning System requires a review of any personnel that are identified on the report completed twice a year. This review will be accomplished by a review committee established for that purpose. The standard requires that first and second line supervisors be emphasized as the key to the success of the program. The second line supervisor will serve as members of the committee. The review committee will consist of the following:

1. Chairman – Internal Affairs Commander or his designee;
2. Secondary Supervisor from Internal Affairs;
3. Lieutenant from the Training Division;
4. Uniform Division Lieutenant from the effected employee's precinct;
5. Investigative Aide – Internal Affairs.

The following is a guideline for possible recommended actions to be made by the review committee: (this list is not exhaustive or all-inclusive)

1. Assessment that no problem exists, no further action;
2. Employee Assistance Program;
3. Transfer from current shift or precinct;
4. Temporary removal from secondary employment;
5. Temporary administrative duty assignment (screening)
6. Fitness for Duty Evaluation
7. Verbal Counseling by Precinct Personnel
8. Remedial Training, i.e.
  - a. Verbal Judo
  - b. Conflict Resolution
  - c. ASP Baton
  - d. Mechanics of Arrest
  - e. Anger Management, or
9. any other reasonable recommended action.

Upon completion of the review committee meeting, all recommendations will be forwarded to the effected entity commander for approval and then forwarded to the Chief of Police for final approval.

### **3-8.31 DOMESTIC VIOLENCE/DOMESTIC RELATED INCIDENTS INVOLVING EMPLOYEES**

#### **Purpose and Scope**

This policy will attempt to address incidents of domestic violence among our employees by helping them to identify causative factors, and to learn to deal with those factors appropriately.

This policy applies on any call to police reporting a disturbance between persons in a “covered relationship” with each other. “Covered Relationships” include: past or present spouses, parents and children, stepparents and stepchildren, foster parents and foster children, or any other person regardless of gender, living in the same household.

A) If an employee is involved in an incident of domestic violence, or domestic related incident within DeKalb County, the ranking supervisor on duty will respond, (police lieutenant or above) and immediately notify the Internal Affairs Unit.

B) Any employee involved in an incident of domestic violence or any domestic related incident occurring outside of DeKalb County, which comes to the attention of the police agency in that jurisdiction, is required to immediately report the incident to the ranking supervisor on duty in their chain of command. Failure to do so may result in disciplinary action.

C) An employee involved in a domestic violence incident will be removed from active employment and placed on administrative leave for up to three, (3) days. During this period, critical equipment such as radios, weapons, and credentials will be surrendered to the Internal Affairs Unit.

D) If the employee is unable to return to active employment, they may be required to take personal leave.

E) An immediate mandatory referral to the Employee Assistance Program will be made to the employee by a supervisor. This referral will be tracked by Internal Affairs personnel. Failure to attend as ordered will be considered Insubordination.

F) During counseling and after return to duty, the employee will serve in an administrative capacity within the department until approval to return to full duty by the Chief of Police. During this period, the employee will be restricted from working any secondary employment.

G) In incidents of domestic violence where the employee is determined to be the victim, the employee’s supervisor, or The Internal Affairs Unit will advise the employee of all available resources for assistance and counseling including the Employee Assistance Program.

This protocol will have no bearing on any disciplinary actions based on violations of rules and regulations, nor on any criminal prosecution mandated by Georgia Law.

**LINE OF DUTY DEATH OR SERIOUS INJURY**

**3-9 PURPOSE AND SCOPE – REMOVED**

**See the DeKalb County Police Department Line of Duty Death and Serious Injury Protocol.**

## **DEKALB COUNTY POLICE DEPARTMENT CHIEF OF POLICE**

### **4-1 PURPOSE AND SCOPE**

The DeKalb County Police Department provides all police patrol, criminal investigation and related functions to the unincorporated area of DeKalb County.

This policy establishes the objectives, defines the functions and sets procedures for the operation of the DeKalb County Police Department.

### **4-1.1 ORGANIZATION**

The DeKalb County Police Department is comprised of six Divisions:

1. Uniform Division
2. Criminal Investigation Division
3. Special Operations Division
4. Homeland Security Division
5. Training Division
6. Office of Professional Standards

### **4-1.2 COMMAND, ADMINISTRATION AND PERSONNEL ASSIGNMENT**

#### **A. CHIEF OF POLICE**

The Chief of Police is responsible for the operation of the DeKalb County Police Department and is the final authority in matters of operation, policy and discipline and will exercise such lawful directives as are necessary to assure the effective performance of the Police Department. He will have the authority to assign or transfer personnel, as he deems necessary and beneficial to the Department.

#### **B. ASSISTANT CHIEFS**

Assistant Chiefs are responsible for assignment, direction and control of personnel under their command to assure the proper performance of duties and adherence to established rules, regulations, policies and procedures, and the continuation of supervision. All commanders are responsible to continuously seek and develop new and innovative methods to improve their operation and further the attainment of Department objectives. Commanders will be responsible for assigning personnel in such a manner that adequate police personnel and supervision are provided at all times.

#### **C. CHIEF'S AIDE**

The Chief's Aide is directly responsible to the Chief of Police. The duties of the Chief's Aide shall include, but are not limited to, the following duties and responsibilities:

1. Supervision of civilian and clerical support staff, including assignments, vacations, holidays, etc. The Chief's Aide's responsibility does not diminish the responsibility of other superior officers to assist in providing general supervision when appropriate to maintain good order and the desired level of performance;
2. Liaison between the DeKalb County Police Department and Federal, State and local courts, the Commission Office and other County departments;
3. Initial investigation and routing of complaints received by the Chief's Office;
4. The Administrative Aide shall perform other administrative duties and assignments as directed by the Chief of Police.

#### **D. ADMINISTRATIVE ASSISTANT**

The Administrative Assistant is directly responsible to the Chief of Police. The duties of the Administrative Assistant shall include, but are not limited to, the following duties and responsibilities:

1. Maintenance of Department personnel rosters, to include: total numbers, assignments, dates of employment and promotion, etc., on all sworn police personnel in the DeKalb County Police Department and all civilian personnel assigned to the Department;
2. Preparation, tracking and disposition of approved disciplinary actions;
3. Maintenance of home and emergency telephone number records for all sworn and civilian members of the Department;
4. Any other duties directed by the Chief of Police.

## CHIEF OF POLICE

### 4-1.3 CHAIN OF COMMAND, POLICIES, CORRESPONDENCE, AND COMPLAINTS

#### A. CHAIN-OF-COMMAND

The chain-of-command shall be respected in all matters when practical. Information and communications shall move up and down the chain- of-command through channels. There is no need for the flow of information to stop simply because the next link in the chain-of-command is unavailable. When the next supervisor in line cannot be contacted in important situations or in emergencies, then an attempt should be made to contact the next superior in line, and so on, up to the Office of the Chief of Police. During times when the Chief's office is closed, an attempt will be made to page or call him at home when necessary. If the Chief is not available, an attempt will be made to contact the Chief's Aide who will advise the Chief as soon as possible.

#### B. POLICIES AND PROCEDURES

All memorandums pertaining to a new Department policy or procedure will be distributed by the Chief's Office. Any recommendations for a new policy or procedure shall be forwarded through the chain-of-command in writing to the Chief's Office for review. No memorandum pertaining to policy or procedure will be sent from one Division to another without the expressed authority of the Chief of Police.

#### C. COMPLAINTS

All complaints against other Departments will be prepared in writing and forwarded through the chain-of-command to the Chief's Office.

### 4-1.4 OATH OF OFFICE

All law enforcement employees will, before exercising any type police powers, be required to take the following oath of office:

*I, \_\_\_\_\_, do solemnly swear or affirm that I will support and defend the Constitution of the United States of America and the Constitution of the State of Georgia; that I will faithfully enforce the laws of the State of Georgia and the ordinances of the County of DeKalb; that I will faithfully perform all of the duties of my office, and that I will faithfully observe all the rules, orders and regulations of the DeKalb County Police Department.*

*I do further swear or affirm that I am not the holder of any unaccounted for public money due this State or any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, any other State, or any foreign state which, by the laws of the State of Georgia, I am prohibited from holding; and that I am otherwise qualified to be a police officer according to the Constitution and the laws of Georgia.*

*I do further swear or affirm that, as a police officer, I will faithfully serve and protect, to the best of my ability, all citizens regardless of race, color, or creed.*

*I accept the law enforcement code or canon of ethics as my standard of conduct while on or off duty and swear to faithfully abide by and defend the same.*

*(this Oath of Office has been amended to comply with changes in O.C.G.A. 45-3-1, eff. April 2, 1998)*

### 4-1.5 CANONS OF POLICE ETHICS

All sworn law enforcement officers in the DeKalb County Police Department or those members vested with law enforcement authority as a result of their employment with the DeKalb County Police Department will, at all times, abide by the following *Canons of Police Ethics*:

#### ARTICLE 1. PRIMARY RESPONSIBILITY OF JOB

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

#### ARTICLE 2. LIMITATIONS OF AUTHORITY

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

#### ARTICLE 3. DUTY TO BE FAMILIAR WITH THE LAW AND WITH RESPONSIBILITIES OF SELF AND OTHER PUBLIC OFFICIALS

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

#### ARTICLE 4. UTILIZATION OF PROPER MEANS TO GAIN PROPER ENDS

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

#### ARTICLE 5. COOPERATION WITH PUBLIC OFFICIALS IN THE DISCHARGE OF THEIR AUTHORIZED DUTIES

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

#### ARTICLE 6. PRIVATE CONDUCT

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

#### ARTICLE 7. CONDUCT TOWARD THE PUBLIC

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

#### ARTICLE 8. CONDUCT IN ARRESTING AND DEALING WITH LAW VIOLATORS

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

#### ARTICLE 9. GIFTS AND FAVORS

*The law enforcement officer, representing government, bears the heavy responsibility of maintaining, in his own conduct, the honor and integrity of all government institutions. He shall, therefore, guard against placing himself in a position in which any person can expect special consideration or in which the public can reasonably assume that special consideration is being given. Thus, he should be firm in refusing gifts, favors, or gratuities, large or small, which can in the public mind, be interpreted as capable of influencing his judgment in the discharge of his duties.*

#### ARTICLE 10. PRESENTATION OF EVIDENCE

## CHIEF OF POLICE

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

### ARTICLE 11. ATTITUDE TOWARD PROFESSION

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

#### 4-1.6 OFFICE OF PROFESSIONAL STANDARDS

The Office of Professional Standards will report directly to the Chief of Staff. The responsibility of this office is to maintain a level of professionalism throughout the department and oversee several entities of the department that are directly related to the professional image of the DeKalb County Police Department.

#### 4-1.7 CHIEF OF STAFF

The Chief of Staff, under the direction of the Chief of Police, performs the following duties which shall include, but are not limited to:

1. Will be responsible for the day to day operations of all entities that fall under the Office of Professional Standards.
2. Will be responsible for keeping the Chief of Police informed on all personnel matters.
3. Coordinates and tracks all matters related to employee suspension and/or termination hearings with the Human Resources and Merit System.
4. Will be responsible for coordinating legal matters presented to the department. Acts as liaison to the DeKalb County Law Department, as well as other departments within DeKalb County Government.
5. Coordinates and assists all Federal, State, and Local agencies with requests on behalf of the Chief of Police.
6. Handles all administrative duties as directed by the Chief of Police Prepares General Orders, Special Orders and Personnel Orders
7. Any other duties as directed by the Chief of Police

#### A. ADMINISTRATIVE ASSISTANT

The Administrative Assistant is directly responsible to the Chief of Staff. The duties and responsibilities of this position include the coordination of complex legal requests received by the Chief of Police, including but not limited to the following:

1. Requests made under the Georgia Open Records Act, Subpoenas for the Production of Documents, Notice to produce, and any other request made pursuant to pending legal matters.
2. Record and track Civil Litigation involving police department employees, and Ante Litem Notices.
3. Will act as a liaison to the DeKalb County Law Department assisting in the scheduling of depositions, response to interrogatories and the coordination of requests for legal opinions.
4. Additional duties include performing general clerical tasks, preparing correspondence, sorting and directing mail, greeting and directing visitors and callers.
5. Providing other support as needed or any other duties as directed by the Chief of Staff.

#### B. ADMINISTRATIVE AIDE

The Administrative Aide is directly responsible to the Chief of Staff. The duties and responsibilities of this position include, but are not limited to the following:

1. Assists and directs visitors and callers to the Chief's Office.
2. Routes citizen questions, concerns or complaints to the appropriate office.
3. Acts as a liaison between the Chief's Office and other Divisions, Units or Precincts, and renders assistance as needed.
4. Assists the Chief of Staff with the preparation, research, and delivery of legal and other sensitive documents.
5. Attends meetings for the Chief of Staff.
6. Handles all administrative duties as directed by the Chief of Staff.
7. Responsible for direct supervision of the Public Information Officer(s)

8. Any other duties, projects or assignments as directed by the Chief of Staff.

#### **4-1.8 ACCREDITATION MANAGER**

The Accreditation Manager reports directly to the Chief of Staff. Duties of the Accreditation Manager include, but are not limited to:

1. Reviews a wide variety of technical, policy and procedure issues concerning law enforcement standards and the accreditation/reaccreditation process.
2. Maintains and updates all accreditation files and all other pertinent documents pertaining to such, including Departmental policies and procedures.
3. Assists in identification of new policies, procedures, etc. which help the agency's efficiency and effectiveness in carrying out the agency's objectives.
4. Acts as the Departmental liaison to the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA), as well as other law enforcement agencies and entities within and outside DeKalb County.
5. Is available to all Department personnel to answer questions of Departmental policies and procedures.
6. Is responsible for the day-to-day operations of the Inspections Unit.
7. Any other duties as assigned by the Chief of Staff.
8. Complete and submit the GACP Pursuit Data Collection Form to the GLECP Director by March 1<sup>st</sup> for the preceding calendar year.

Newly assigned Accreditation Managers will receive specialized accreditation manager training within one year of being appointed.

#### **4-1.9 RELEASE OF PUBLIC INFORMATION - PURPOSE AND SCOPE**

The purpose of this policy is twofold. First, it establishes the Department's procedure regarding the release of any current newsworthy public safety information to the news media. Second, this policy will establish the Department's procedure concerning the confidentiality of documents maintained by the Department and its employees.

#### **4-1.10 POLICY - RELEASE OF CURRENT NEWSWORTHY INFORMATION**

It is necessary to recognize that public safety matters generally are of public interest and concern. The purpose of this policy is to permit the free flow of information to all news media personnel while protecting the cases of both the accused and the prosecution from possible prejudicial publicity. The problem in public safety incidences, especially criminal cases, is seeking a balance between:

- A) The First Amendment right to free speech, a free press and the importance of the public's right to know about public safety matters; and,
- B) The Sixth Amendment right to a fair trial, free from public pressure or a jury biased by news heard or read that a subject is guilty; or any privacy rights guaranteed to any individual by federal or state law.

It is important that the news media have access to information about the occurrence of any public safety incident: who, what, when, where, why and how. However, The Dekalb County Police Department needs the cooperation of the news media to avoid prejudicial pretrial publicity just as the news media needs the Police Department's cooperation to report accurately and fairly, the occurrence of any incident.

It will be the policy of the Department and its employees to cooperate with news media personnel, whenever possible, in the release of information. Release of such information will be made without partiality. Information will not be withheld in favor of a particular agency or representative. Information may be withheld only when public knowledge may jeopardize an investigation, may inflame a critical situation, violates any privacy right, when the next of kin of a fatality has not been notified, or when otherwise required by Federal, State or local law. This policy is not intended to abridge any right of free speech as guaranteed by the Constitution of the United States.

#### **4-1.11 RELEASE OF INFORMATION TO NEWS MEDIA**

A) Department personnel will not be restricted from responding directly to the news media in regard to their daily operations; however, the Public Information Officer on duty/call must be informed by the Division Commanding Officer at the scene, as soon as possible, of any major or newsworthy incident and any follow-up regarding that incident.

B) The Commanding Officer on the scene of any newsworthy public safety incident, at which reporters are present, will give information to those reporters or designate someone to fulfill this obligation. (Refer to Sections 4-1.12 A & B of this policy to determine what information may or may not be released.)

C) In administrative matters, information should only be released by the Public Information Officer, the Chief of Police, or his designee.

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D) 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 service.

E) 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.

F) All actual press releases should be issued by the Public Information Officer or other person designated by the Chief of Police.

G) Supervisors of the Communications Section are authorized to confirm incidences of newsworthy events to members of the news media; however, they are limited to releasing only general information, i.e.

"There is an accident with injuries at Memorial Drive and Covington Highway. Police, EMS and wreckers are on the scene"; or

"There is a house fire at 132 First Avenue. Two fire engines and a ladder are on the scene. No injuries have been reported. The alarm was received at 10:15 a.m.", or

"The First DeKalb Bank on Glenwood Road was held up at 1:30 p.m. Police are looking for 2 w/m's in their late 20's".

H) The Communications supervisors will handle the routine release of information to the news media on weekends, holidays or late at night. For newsworthy events, in the event that the Public Information Officer is unavailable, DeKalb Police personnel will provide the Communications supervisor with all basic facts and general information regarding the event in a timely manner and in writing.

Whenever this Department is involved in a joint operation with other departments/agencies, the Public Information Officer or person designated to represent the Department in the release of newsworthy information will coordinate this effort with the other departments/agencies involved.

### 4-1.12 NEWS RELEASE GUIDELINES IN CRIMINAL CASES

A. The following information should be made available to news media in criminal matters:

1. The accused's name as provided by law (if over sixteen), age, sex, residence and any biographical information.
2. The substance or text of the charge (if one is made), complaint, indictment or information.
3. The identity of the investigating and arresting agency and length of the investigation.
4. The circumstances immediately surrounding the arrest, including the time and place of arrest, resistance, pursuit, possession and use of weapons.
5. The name of any victim, address, age, sex, occupation, property taken, subject to all conditions listed hereafter (the address will only be made available after approval from the victim or next of kin).
6. The type of force used against the victim and extent of injuries to either victim or assailant.
7. The age and sex of a victim, and general location only, where rape or sex offenses are involved.

B. The following information **should not** be released to the news media in criminal matters:

1. Statements related to the character or reputation of an accused person, a victim, or a prospective witness.
2. Admissions, confessions, or the contents of a statement or alibi attributable to an accused person.
3. The performance or the results of any tests, or the refusal of the accused to take a test, or to participate in a lineup.
4. Statements concerning the credibility or anticipated testimony of prospective witnesses.
5. The possibility of a plea of guilty to the offense charged or to a lesser offense, or any other disposition.
6. Opinions concerning guilt of a suspect, merits of the case, quality of the evidence, or any argument in the case whether or not it is anticipated that the evidence or argument will be used at trial.
7. Name, address, and the present location of any victims of sex offenses.
8. Name and address of witnesses of Part I crimes: homicide, rape, robbery, aggravated assault, burglary, auto theft, and larceny.
9. Name and address of any subject sought for a crime, but not yet formally charged, unless help is wanted from the news media in an effort to locate the subject.
10. Name and address of those juveniles arrested as provided by law.
11. The contents of any suicide note.
12. Amount of cash taken in an armed robbery or burglary.
13. Any personal information concerning any victim or witness.
14. Any information considered confidential, from another agency, without their permission.

### 4-1.13 REQUESTING THE WITHHOLDING OF PUBLICATION

1. The news media may photograph and report anything they observe when legally present at an emergency or crime scene.

2. When publication or broadcast of such coverage would interfere with an investigation or place a victim, suspect or others in jeopardy, the Commanding Officer at the scene or the Public Information Officer will explain the situation to the news media representatives and request they withhold release of the story.
3. Withholding of broadcast or publication is dependent upon a cooperative press, not upon censorship by the DeKalb County Police Department.
4. Personnel of the Department will not interfere with a newsperson's activities as long as those activities remain within the confines of the law and the boundaries of Department policy.

#### **4-1.14 PHOTOGRAPHING AND RELEASING PHOTOGRAPHS OF SUSPECTS**

A. Members of the Department will not prevent the photographing of defendants when they are in public places outside the courtroom. However, if future line-ups for identification are pending, the defendant's face may be concealed. They will neither encourage nor discourage photographing or televising, but must not pose the accused.

B. Department photographs of a suspect or arrested person may be released provided the photograph will not jeopardize an investigation. Photographs may also be released if a valid Public Safety function is served. It is proper to disclose this type of information to enlist public assistance in apprehending fugitives from justice. Such disclosure may include photographs or other pertinent information, unless otherwise prohibited by policy or law. Any release of Department photographs of a suspect or arrested person must be done after approval from a supervisor. Any Departmental arrest photos released outside the Department will have all identifying data removed from the photo, i.e., PID number, date, agency name, etc.

#### **4-1.15 RELEASING NAMES OF PERSONS KILLED OR INJURED**

A. Members of the Department upon obtaining an identification of a deceased victim of a fire, criminal act, accident or other misfortune will notify the next of kin prior to releasing the name and address to the news media. However, if the next of kin has not been located after a reasonable length of time, this information may be released. A "reasonable length of time" will be determined after examining all areas of concern and circumstances and may vary accordingly.

B. Notification will vary depending on the circumstances surrounding the incident. However, it is preferable that this is done in person. Notifications inside DeKalb County shall be done by this agency's personnel. Notifications outside of DeKalb County shall be attempted by contacting the agency in the other jurisdiction and requesting their assistance in handling the notification in person, or standing by while this agency notifies by telephone.

#### **4-1.16 PERMITTING MEDIA TO ENTER AREA OF A SERIOUS INCIDENT OR CRIME SCENE**

A. In the event of a major incident, crime or disaster, police lines will be established for crowd control and to preserve evidence. Dependent upon the tactical situation or the likelihood of jeopardizing Department operations related to investigating and collecting evidence, members of the news media may be allowed to enter these areas when possessing current news media credentials.

B. While news media representatives may be permitted in the area of a serious incident or crime scene, they do not have the authority to be within an area that has been secured to preserve evidence, or at any location where their presence jeopardizes Department operations.

C. Upon completion of any scene (crime scene, fire, or other emergency or disaster), only the owner, legal occupant, or their agents, may grant permission to news people to enter private dwellings or the surrounding curtilage to gather news.

D. Duly authorized representatives of the news media may enter any area closed to the public because of a menace to the public health or safety after producing valid press credentials. The decision to assume the risk of possible danger remains with the individual newsperson involved, and it is not the responsibility of Department members to provide for the safety of those representatives of the news media who voluntarily choose to subject themselves to danger.

E. It will not be the policy of this Department to prevent photographers from taking photos at crime scenes, fires, and accidents or at other incidents involving Department employees.

F. The news media's major responsibility is to gather information and photographs at any newsworthy event. Occasionally, the opportunity to carry out these assignments is short lived. Therefore, members of the Department must not unnecessarily obstruct news representatives carrying out their assignments. However, news media representatives are not exempt from any of the laws/ordinances enforced by the Department.

#### **4-1.17 ISSUANCE OF NEWS MEDIA CREDENTIALS**

A. Each newspaper, broadcast news department or news agency must submit the names of all news media personnel requesting DeKalb County Police Department Press Identification on company letterhead. The written request should be directed to the Public Information Officer or the Chief of Police.

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- B. The request for Press Identification will be verified by the Public Information Officer and forwarded to the Permit Unit.
- C. Each newsperson whose request has been approved must appear in person at the Permit Unit to be photographed and have the Press Identification issued.
- D. There is no charge for DeKalb County Police Department Press Identification.
- E. The Permit Unit will maintain in its file copies of the approved letters of request and identification cards, including photograph.
- F. Requests for Press Identification for "free-lance reporters" must also be submitted to the Public Information Officer in letterform. All such requests will be approved only if it is determined that the person is working or has worked for a recognized newspaper, broadcast outlet, magazine, professional journal, or wire service.
- G. All Press Identification passes, regardless of when issued, will expire when representative(s) leave the news organization from which the Press Identification was requested.
- H. DeKalb Police Department Press Identification cards are issued to identify the bearer as a representative of the news media and do not entitle the holder to special privileges. Members of the Department will extend all reasonable assistance and cooperation to holders of press identification cards who are engaged in their news gathering duties.
- I. Press Identification credentials may be revoked at the discretion of the Chief of Police.

### 4-1.18 MEDIA CREDENTIALS COUNTY PROPERTY

- A. Press identification credentials are the property of the Department and must be returned to the Department upon demand or upon expiration, whichever occurs first.
- B. Each person or agency requesting the issuance of a Press Identification card will be furnished with a copy of this policy prior to, or at the time of, issuance.

### 4-1.19 PROFESSIONAL BEHAVIOR AND COURTESY

- A. Personnel of this Department will treat media representatives with respect. The media has a job to perform just as our personnel have their duty to perform.
- B. Any complaint of rudeness, hostility or deliberate harassment toward the media will be investigated. If substantiated, appropriate disciplinary action will be taken. Likewise, media personnel are expected to treat our employees courteously and to obey lawful commands. Any complaints of discourtesy will be made in writing. If the nature of the complaint is significant, the Chief of Police or Public Information Officer will contact the reporter's news agency and relay the complaint.
- C. A number of substantiated serious complaints of violations by a reporter may result in that reporter's DeKalb Police press credentials being revoked by the Chief of Police. (See Section 4-1.47).

### 4-1.20 PUBLIC INFORMATION OFFICER

The Public Information function for the Department falls under the Office of Professional Standards and reports to the Chief of Staff.

In the absence of the Public Information Officer(s), public information relating to Police matters will be designated by the Chief of Staff.

Duties of the Public Information Officer as they relate to public safety matters will include, but not be limited to, the following:

- A. Assists news media personnel in the coverage of newsworthy items,
- B. Gathers information for news releases from Divisions within the Department,
- C. Responds to requests from the news media, County officials and the general public concerning public safety matters,
- D. Conducts research of specific and general questions for news media personnel regarding Departmental operation, policy, and performance,
- E. Acts as a liaison for the Department to civic and service organizations,
- F. Assists community organizations requesting information concerning public safety matters,
- G. Coordinates the arrangement of press conferences and assists news media photographers in preparing photo sessions,
- H. Participates in the preparation of open houses, dedications and other Department special events and meetings,
- I. Coordinates with the appropriate personnel for the release of any information concerning confidential Department investigations and operations,
- J. Coordinates the issuance of news media credentials,

- K. Will periodically solicit input from and involve personnel from the news media for the development of changes in Departmental policy and procedures relating to news media matters, and
- L. Establishes and maintains a close and effective working relationship with the Chief of Police, the Chief of Staff, Division heads, Departmental employees, other County officials and employees, other Public Safety agencies, civic leaders, members of the press and the general public.

#### **4-1.21 CONFIDENTIALITY OF COUNTY DOCUMENTS**

For the most part, police matters are of public interest and public concern. Under the Georgia Open Records Act, Ga. O.C.G.A. 50-18-70, all information is available to the public unless (1) it is confidential by law or (2) an invasion of someone's privacy or (3) protected by a court order. Therefore, unless one of these exceptions apply, public safety matters will be open for personal inspection by any citizen of this State at a reasonable time and place and those in charge of such records will not refuse this privilege to any citizen. The purpose of this policy is to examine all documents created and maintained by the Department and to determine the degree of confidentiality associated with each document. In determining the confidentiality of documents, the public's "right to know" must be weighed against the County's need to protect the integrity and the confidentiality of its documentation as well as to avoid privacy violations.

#### **4-1.22 DEKALB COUNTY DOCUMENTS - DEGREE OF CONFIDENTIALITY**

##### **A. POLICE INCIDENT REPORTS (with or without an arrest)**

These reports are a matter of public record and are available to any citizen at the DeKalb County Records Section for a copying charge. Citizens who desire these reports will give enough information so as to locate the report. Local ordinance cases and traffic tickets issued to violators are immediately forwarded to the Recorder's Court for filing, however, the Record Section will maintain reports where an arrest has been made based on a local ordinance or traffic violation.

Exceptions: Incident Reports with the name of a rape victim and/or the name of a juvenile who was arrested are public record, however, the name of the rape victim or the juvenile arrested will be redacted in accordance with state law. In addition, if a complaint is filed and the complainant desires to remain anonymous, information on the complainant will not be released if the release will place the complainant in clear personal danger. Reporting officers should record the complainant's information in a supplemental report for detective's reference. The complainant field of the incident report may be left blank.

All information concerning individuals who are relied on, as "Confidential Informants" will also not be released by the Criminal Investigation Division.

##### **B. TRAFFIC ACCIDENT REPORTS**

These reports are a matter of public record and available to any citizen who requests a specific report. This includes accidents where there have been injuries and/or fatalities and arrests. The same exceptions apply here as in the "Police Incident Reports".

##### **C. POLICE AND FIRE SUPPLEMENTAL REPORTS**

1. Without an Arrest: A police and fire investigative supplemental or follow- up report, where no arrest has been made and the case has been closed, is a matter of public record and should be available to any citizen upon request. Any investigative case that is still open, pending an arrest or final determination, is confidential and is to remain within the investigator's personal files and/or the Record Section. Exceptions to this are the same as those listed under Police Incident Reports.

Whenever an investigator has an open case, pending an arrest or the development of a suspect and an official request is made for copies of the file pursuant to the "Georgia Open Records Act" or the file is requested pursuant to a court subpoena, the investigator in charge of the investigation will consult with the District Attorney's Office or the Solicitor's Office, to determine if the entire file or portions of the file are confidential and should be withheld. A major determining factor in deciding whether the file or portions of the file should be released is whether the released information will adversely affect the eventual criminal prosecution if a suspect is developed or an arrest is made. After consultation with the District Attorney's Office or the Solicitor's Office, a decision must be made and communicated back to the requesting party.

2. With an Arrest: A police and fire investigative supplemental or follow-up report, where an arrest has been made, is not a matter of public record and is confidential. The supplemental report, however, may be released upon expressed approval by the investigator or their superiors. This release approval must be made pursuant to valid law enforcement duties and restrictions.

According to recent court decisions, an investigator's personal investigative or supplemental files (personal notes, statements from victims, witnesses, suspects or defendants, or other items or documents that might be considered evidence) are confidential until an arrest has been made or the case has been closed. Upon closing the case,

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arrest or not, the investigator's file becomes a matter of public record under the Open Records Act. One exception to the entire investigative file becoming public record would be if the criminal case were appealed. There may be other situations where the entire file or portions of the file will remain confidential. If an investigator is requested to produce a copy of an investigative file and they are unsure whether the file or portions of the file are confidential, they should immediately consult with the staff of the Chief of Police as to what is confidential and what is public record.

At times, investigators may receive and maintain copies in their files of test results, findings, conclusions, opinions, reports or analyses from other agencies, i.e., medical results, ballistics, alcohol/drug content, medical examiner reports, polygraph reports, voice or handwriting analysis, or other agency findings, reports, supplements, etc. These findings may or may not be a matter of public record, however, in that these findings originated from another agency, employees of this Department will treat these findings as confidential and not, under any circumstances, release this information to anyone outside the Department. In situations where these findings are requested, the interested party will be advised to pursue the request through the originating agency.

### D. ANIMAL SERVICES & ENFORCEMENT REPORTS

All incident reports registered by the Animal Services & Enforcement Unit that are forwarded to the Records Section are a matter of public record and available to any citizen. All other documents maintained at the Animal Services & Enforcement Unit will be public record and available upon request. Exceptions to this policy are any veterinarian records or other records where disclosure would be an invasion of personal privacy. In addition, documentation of complaints filed at Animal Services & Enforcement are a matter of public record, however, the names of citizens who wish to remain anonymous will not be released.

### E. CRIMINAL HISTORY AND DRIVER'S HISTORY FILES

These files are not a matter of public record and 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 for the administration of criminal justice. Criminal History and Driver's History files may only be released through any other location within the DeKalb County Police Department so designated. Designated locations within Police Department are as follows:

1. Central Records Section
2. Criminal Investigation Division
3. Intelligence Division
4. North Precinct C.I.D.
5. South Precinct C.I.D.
6. East Precinct C.I.D.
7. Tucker Precinct C.I.D.

It will be the responsibility of the Commander of each of the above listed locations to maintain a detailed written log of all secondary dissemination of Criminal History information and Driver's History information. At the end of each month, the original log sheet will be forwarded to the Central Records Section where it will be maintained on file. The Central Records Section will file all logs and will make them available for inspection as required by law.

The dissemination log must contain the following:

- a) Date of Dissemination
- b) Name of the subject
- c) State Identification Number/Federal Bureau of Investigation
- d) Agency Reference Number (required for Pur/"C" and "F")
- e) Name of the Actual Requester and Agency
- f) Name of the person disseminating record
- g) Purpose of request
- h) Name of operator (If the requester and operator are the same, you must still list the requester's name AND name of the terminal operator)

Criminal History and Driver's History information may be viewed by authorized personnel at any terminal that is capable of displaying such information. Notes may be made from this display, but again, these notes should be safeguarded against possible misuse by unauthorized persons and will not be released to any third party. It should be noted that GCIC also keeps a log of inquiries and compares it with our logs.

Criminal History and Driver's History information may only be obtained by those authorized individuals showing an actual "need to know, based on a public safety interest", such as detectives or anyone else that is authorized by GCIC.

It should be noted that Ga. O.C.G.A. 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 result not only in severe disciplinary action, up to and including termination, but also may result in criminal action.

**F. PERSONAL, VEHICLE AND PROPERTY WANTED CHECKS AND REGISTRATION**

These files are not a matter of public record and are prohibited from being disseminated by State and Federal laws. This information is restricted to authorized personnel. O.C.G.A. 40-2-130(a)

**G. CIVILIAN EMPLOYEE PERSONNEL FILES**

The file maintained by the Payroll/Personnel Unit within the Administrative Services Division is hereby designated the official departmental employee personnel file. These files are a matter of public record, however, certain information must be redacted before the public reviews the file. Items that will not be released to the public include:

- Social security number;
- Insurance information;
- Medical information or records; or
- Law enforcement officer's home address, home telephone number or identity of immediate family members.
- Information, which would be an invasion of privacy if released.
- Items that may be made available for review to a requesting party include salary history, performance evaluations, commendations and disciplinary actions, unless related to any investigation that has not been completed for ten (10) days.

**SWORN EMPLOYEE PERSONNEL FILES**

Personnel files of sworn personnel maintained by the Payroll/Personnel Unit are considered confidential and therefore, are not subject to disclosure in accordance with O.C.G.A. 35-8-15. Requests related to disclosure of documents contained within these files require review by the Office of the Chief of Police.

**H. EMPLOYEE INTERNAL AFFAIRS FILES**

These files are a matter of public record and citizens are entitled to review a specific investigation or file when properly requested. Certain items in the file are exempt from disclosure and must be redacted. These items include:

- Social security number;
- Medical information or records;
- Law enforcement officer's home address, home telephone number or identity of immediate family members.
- Information which would be an invasion of privacy if released (e.g., the names of arrested juveniles or the names of rape victims);
- The identity of a confidential informant;
- Confidential investigative or prosecution material that would endanger the life or physical safety of an individual;
- The existence of a confidential surveillance or investigation;
- Records of a pending investigation or prosecution of a criminal act;
- Pre-employment records;
- Materials of investigation relating to the suspension or firing of, or complaint against, a public officer or employee that has not been completed for ten days;
- Documents which are subject to attorney/client privilege; or
- Documents which are ordered not to be released pursuant a Court Order to the Superior Court.

**I. ALL OTHER RECORDS MAINTAINED BY THE DEPARTMENT ON EMPLOYEES**

These files are a matter of public record; however, certain information must be redacted before the file is reviewed by the public. Items that will not be released to the public include:

- Social Security Number;
- Insurance information;
- Medical information or records; or
- Any required documentation requests relative to a law enforcement officer's home address, home telephone number or identity of immediate family members;
- Documents created for submission to P.O.S.T. (Georgia Peace Officer and Training Council);
- Information which would be an invasion of privacy if released.
- The officers must satisfy vehicle placement locations to their Bureau Commander, who will establish the location as valid and establish an ongoing auditing process to ensure county and Departmental policy adherence.

Items that may be made available for review to a requesting party include salary history, performance evaluations, commendations and disciplinary actions, unless related to any investigation that has not been completed for ten (10) days.

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### J. DEPARTMENTAL PHOTOGRAPHS

Any photographs taken by Departmental personnel concerning any public safety related incident, i.e., crime scenes, fires, traffic accidents, etc., are a matter of public record and available to the public for a cost specified by local ordinance. Photographs that could be considered a matter of privacy by the family of someone depicted in the photographs or by the subject of the photographs will be withheld to protect the privacy interests of those involved. In cases such as these, a release from the parties or their representatives whose interests are affected will be requested. Requests such as these should be approved by the Chief's Office or their designee. Photographs may also be exempt from disclosure under any of the exceptions listed in paragraph G through I above.

### K. CITIZENS CALLS FOR ASSISTANCE THROUGH COMMUNICATIONS

Unless exempted from disclosure by a specific exception listed in paragraphs G through I above. Computer printouts and tapes of all incoming calls through Communications for public safety assistance are a matter of public record.

### L. INTER-DEPARTMENTAL OR INTRA-DEPARTMENTAL DOCUMENTATION, MEMORANDUMS OR CORRESPONDENCE

Unless exempted from disclosure by a specific exception listed in paragraphs G through I above these items are a matter of public record (e.g. attorney/client privilege.)

### M. GENERAL ORDERS, PERSONNEL ORDERS, SPECIAL ORDERS or POLICY/ PROCEDURE MEMORANDUMS TO ALL POLICE PERSONNEL

These documents are a matter of public record.

#### 4-1.23 NON-REQUESTED CONFIDENTIAL INFORMATION

Any employee of this Department who comes across information through the course of their employment which is considered confidential by Departmental policy or local, state or federal law, will not disclose such confidential information that is prohibited by policy or law, i.e., First Offender Act, medical information including AIDS information, GCIC information, etc.

#### 4-1.24 QUESTIONS REGARDING CONFIDENTIALITY

Any employee who is unsure whether a Public Safety document or record is a matter of public record or is confidential will treat the document as confidential and immediately inquire through the chain of command as to the confidentiality of that particular document.

At times the Department or employees of the Department will receive a request from attorneys for information that is considered confidential. These requests are usually in the form of subpoenas, requests for production of documents, interrogatories or court orders. Whether the case is in the form of a criminal, civil or administrative action, it is imperative that any employee who receives such legal requests notifies the Chief's office immediately. Upon receipt of any legal requests for documents that are not a matter of public record, the requested document will not be turned over until the matter has been reviewed by the Chief's Office and express permission has been given to release that specific document.

#### 4-1.25 RECORDS MANAGEMENT SYSTEM (RMS)

There has been established an automated indexing system for reports generated by the various components of the Department. This system consists of computerized indexes to provide a means to locate reports by incident number, the name of any person related to the incident or the incident location by street address or intersection.

It is the responsibility of the Central Records Section, to insure that all necessary information pertaining to reports generated by any component of this Department be entered into the computerized Incident Report Indexing System.

Any County employee seeking information regarding reports maintained by the Central Records Section will, if at all possible, make use of the indexes provided through RMS for such research.

The information contained in RMS should be treated with the same privacy considerations and/or restrictions as the actual reports maintained by the Records Section.

The only personnel authorized to approve and upload incident reports into the Records Management System are those who are the ranks of sergeant or above. Each report will be thoroughly checked for content and verification of accuracy to ensure compliance with departmental and UCR guidelines.

#### 4-1.26 AVAILABILITY AND COST OF COUNTY RECORDS

A) The following individuals and/or agencies will pay a fee set out by County ordinance in order to obtain copies of reports from the Records Section that are a matter of public record:

1. General Public
2. County employees on incidents not job related

3. Military personnel
4. Public utility companies (Georgia Power, Atlanta Gas, Bell South, etc.)
- B) The following are exempt from the required fee for copies of Public Safety reports:
  1. County employees on incidents that occur while on duty and/or involve county property
  2. Local, State and Federal law enforcement, fire or EMS agencies.

#### **4-1.27 VIOLATIONS OF THIS POLICY**

Employees of the Department are expected to adhere to the above policies and the improper, illegal or wrongful release of any Departmental information, whether for personal gain or in violation of Departmental regulations, policy, state or federal law, will result in severe disciplinary action up to and including termination and possible criminal prosecution.

#### **4-1.28 RELEASE OF PERSONNEL INFORMATION**

It is the policy of this Department to cooperate with members of the news media in matters of public interest or concern. Media representatives will not be restricted from access to information as outlined in the policy listed in this section. The security of the investigative information must be closely guarded to prevent jeopardizing the investigation or harming any individual, such as initial suspects who may be later cleared during the investigation.

A similar situation exists where departmental personnel are involved in the death or injury of a citizen. In such situations, the departments need to conduct a complete and timely investigation must outweigh the media's right to certain information. The names of those employees involved in these situations will be considered restricted information until the completion of that investigation.

Department regulations require that employees involved in such situations be available at all times to investigative personnel and undergo psychological debriefings. In such a stressful situation, the release of the employee's identity to the media only adds to the stress of the employee and their families, and also hinders the investigation.

The names of employees involved in incidents resulting in death or serious injury will be released only by the Public Information Officer, after permission has been obtained by the Chief of Police.

With the inception of the Personnel Management System and other various Databases and other sources of information, it shall be the policy of this department that no photographs or any other information pertaining to employees shall be released without express permission of the Unit/Precinct Commander or Internal Affairs. This includes requests for information from other agencies.

#### **4-1.29 INSPECTIONS UNIT - PURPOSE AND SCOPE**

An inspectional process is an essential mechanism for evaluating the quality of the Department's operations, ensuring that the Department's goals are being pursued, identifying the need for additional resources, and ensuring that control is maintained throughout the Department. The inspectional process compares the Department's formal expectations with actual performance. Inspections, conducted with clear objectives and a positive approach, provide a means of communication within the Department, not only downward, but also upward.

The function of the Inspections Unit is to provide fact-finding assistance to the commanders of each component within the Department. The Inspections Unit is responsible for providing an inspected component commander with a systematic, objective review of office facilities, property, equipment, personnel administration and operational activities outside the normal supervisory and line inspection procedures.

Inspections Unit personnel will have the authority of the Chief to inspect all departmental functions including physical facilities, records, equipment and the execution of policies and procedures, both operational and administrative. All personnel will cooperate with and assist Inspections Unit officers.

#### **4-1.30 INSPECTIONS**

##### **A) STAFF INSPECTIONS**

The Inspection Unit function for the department falls under the Office of Professional Standards and reports to the Accreditation Manager.

The Inspections Unit will conduct staff inspections or studies of the various areas of operation within the Department on a routine basis or as assigned by the Chief of Police.

##### **1. Purpose**

The primary purpose of staff inspections is to provide management assistance to component commanders and supervisory personnel throughout the Department. In addition, staff inspections:

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- a. provide supervisors at all levels a means of exercising administrative control over delegated actions or activities through observations to determine if orders and instructions have been carried out in an effective, satisfactory manner;
  - b. insure that policies and procedures of the Department are understood and adhered to, and that policies and procedures are adequate and effective in achieving organizational objectives;
  - c. provide information concerning the quality and effectiveness of the service delivered;
  - d. evaluate the conduct, appearance and proficiency of Department personnel;
  - e. serve to inform respective supervisors if resources (personnel, equipment and materials) are being fully utilized;
  - f. provide determinations of the adequacy of resources for achieving the goals and objectives of the Department;
  - g. serve to inform supervisors of deficiencies in personnel, integrity, training, morale, supervision or policy;
  - h. reveal the existence of a specific need or requirement for change;
  - i. insure that sound operating and administrative procedures are properly executed to correct deficiencies.
2. Inspection Procedures
- a. Origination
    - 1) All inspections will be regularly scheduled, directed or approved by the Chief of Police.
    - 2) An inspection may be suggested or requested by any member of the Department upon submission of a memorandum via the chain-of-command to the Chief of Police stating the reasons for the requested inspection.
  - b. Formal Inspection Notification
    - 1) Written notice of formal inspection will be provided to the Division/Section Commander of the component to be inspected not less than five (5) days prior to the inspection.
    - 2) The memorandum will indicate the nature of the inspection, specific requests for desired action, questions to be answered, documents to be produced, assignment of a liaison or other action necessary to complete the inspection.
  - c. Spot Check Inspection
    - 1) Spot check inspections will be conducted continuously on an unscheduled basis, requiring no advance notification.
    - 2) If a spot check inspection reveals the need for a more comprehensive inspection, the pre-inspection notification will be initiated prior to such formal inspection.
  - d. Post Inspection Activity
    - 1) The Inspections Officer conducting an inspection will be responsible for the completion of a constructive report at the conclusion of formal inspections. The specific format of the report will be as directed by unit policy.
    - 2) Credit or recognition will be given to the inspected organizational component and its personnel when found to be exemplary.
    - 3) Recommendations for improvement may be made to the component's commanding officer in cases where it is within the authority of the commanding officer to affect the change.
    - 4) The Inspections Officer will be responsible for keeping the commander of an inspected component fully apprised of any deficiency noted and for discussing any such deficiency along with appropriate remedy, if applicable, prior to the preparation of a final report on the inspection.
    - 5) The completed report will be directed to the Chief of Police and the next higher level of the chain-of-command of the inspected component. Other distribution will be at the discretion of the Chief.
    - 6) Staff inspection reports, any copy or any portion thereof, are to be considered confidential. Review of a staff inspection report by any party will be on a "need to know" basis only. Any party authorized to receive a staff inspection report will sign a receipt for it and will be responsible for the security of the document.
    - 7) Upon receipt of the staff inspection report, which contains any uncorrected deficiency, the commander of the inspected unit will respond in memorandum format through the chain-of-command to the Chief of Police. The memorandum will note each finding and recommendation, followed by the commander's response on each issue. The response will note concurrence or non-concurrence. If the commander does not concur, the response will either justify current procedure or suggest alternative corrective measures. The Chief of Police will resolve any non-concurrence and notify the commander of said resolution.
  - e. Follow-up Inspections

- 1) At prescribed intervals following the initial inspection, inspectors will be instructed by the Chief of Police to conduct follow-up inspections and report on the progress of the implementation of recommended changes.
3. Inspection Focus
 

Items of primary focus of a staff inspection will include, but not be limited to:

  - a. Personnel
    - 1) Conduct
    - 2) Appearance
    - 3) Discipline
    - 4) Job Performance
    - 5) Job Knowledge
    - 6) Integrity
    - 7) Morale
  - b. Operations
    - 1) Facilities and equipment condition
    - 2) Investigative techniques
    - 3) Communications discipline
    - 4) Incident response time
    - 5) Quality of service
    - 6) Report preparation
    - 7) Roll calls
    - 8) Supervision and command
    - 9) Court appearance and preparation
    - 10) Selectivity of enforcement
    - 11) Manpower scheduling and deployment
    - 12) Proper execution of policy and procedures
    - 13) Safety and Loss Prevention
  - c. Administration
    - 1) Cooperation with other organization components or other agencies
    - 2) Boards, committees, and special teams
    - 3) Control of overtime, vacation and sick leave
    - 4) Selection process for employment, transfers or assignments
  - d. The focus of staff inspections will be directed toward policies, procedures, systems and equipment and only incidentally on persons.
    - 1) The primary concern is to determine if policies and procedures are adhered to, and not that a particular person may be performing improperly.
    - 2) Training, direction and discipline are the responsibility of the appropriate commander.
  - e. These inspections may be one of two types:
    - 1) General Inspection - An inspection of a cross section of operations functions and procedures of a particular command.
    - 2) Specific Inspection - An examination and evaluation of a single function or operations procedure performed either by a single unit or as a process of several units.
4. Frequency of Staff Inspections
  - a. A staff inspection will be conducted within each organizational component at least every three (3) years. The Chief of Police may cause inspection more frequently as needed.
  - b. Unannounced inspections of evidence and property storage will be conducted randomly, but no less than annually, or as directed by the Chief of Police.
  - c. A staff inspection of formal grievances will be conducted annually to serve as a management tool in determining departmental problems, which must be addressed.
  - d. A staff inspection of the written evaluation system will be conducted annually.
  - e. It is the duty of the Inspections Unit to conduct periodic unannounced inspection at all organizational levels.
  - f. The result of any substantive inspection, except formal inspections, will be documented and maintained by the Inspections Unit.
5. Response to Inspection Findings
  - a. Staff Inspection Reports are thoroughly reviewed and evaluated by the Chief of Police as a matter of policy.

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- b. When conditions warrant, the Chief of Police may require that a written response be submitted to his office by those command staff personnel held accountable for the conditions cited in the staff inspection report.
- c. The response will demonstrate that the commanding officer has given full consideration to the overall importance of the inspectional findings and has taken action to insure conformance to the policy or procedure at issue.
- d. Suspense file copies of inspection reports directed to designated Division Commanders for follow-up action will be maintained by the Inspections Unit.
  - 1) Upon the instruction of the Chief of Police, the Inspection Unit will provide assistance in the evaluation of written responses from component commanders to determine if reported deficiencies have been properly corrected.
  - 2) Records will be kept of responses specifying action taken.

### B. LINE INSPECTIONS

#### 1. Purpose and Scope

A basic rule of supervision is to ensure that all instructions and directives are communicated, understood and properly executed. Each supervisory level within the Department will be required to exercise supervisory control through frequent and routine inspection of facilities, equipment, records and compliance with policies and procedure within their organizational component. Line inspection is the responsibility of all personnel and the primary responsibility of supervisors and managers at every level of the Department. Inspection provides a mechanism, through observation and documentation, for achieving accountability within the Department.

The purpose of this procedure is to establish guidelines for conducting line inspections within the Department. This procedure will apply to all Department personnel.

#### 2. Responsibility for Line Inspections

- a. Division Commanders will insure that personnel, equipment, facilities, operational procedures and areas under their command are inspected at frequent scheduled and unscheduled intervals. They will also be responsible for insuring that formal inspections of personnel, vehicles, equipment and performance are conducted, and for encouraging supervisory attention to punctuality and appearance of subordinate personnel.
- b. Watch/Shift Commanders will be responsible for insuring that, conditions permitting, daily roll calls are held, that orders and necessary information are communicated, that necessary roll call training is conducted, and that the content of such roll calls is documented.
- c. First line supervisory personnel will:
  - 1) make a careful daily inspection of their subordinates to insure they are properly uniformed, equipped and fit for duty;
  - 2) monitor the activities of subordinates to determine if duties, services to the public, orders, and instructions are being promptly, efficiently and effectively performed;
  - 3) at frequent and irregular intervals, observe the manner in which subordinates perform their duties and react to varied situations with citizens, co-workers and supervisors.

#### 3. Minimum Inspection Scope and Frequency of Review

- a. Daily observation by supervisory personnel on a routine basis will include, but not be limited to: punctuality and appearance; roll call inspection; field inspection; vehicle, facility and equipment inspection.
- b. The following facility areas will be inspected daily:
  - 1) all areas of each facility for cleanliness and security;
  - 2) locker rooms for cleanliness and security;
  - 3) equipment storage areas cleanliness and security;
  - 4) outside storage areas, facility grounds and vehicles;
  - 5) holding facilities in police precincts.
- c. The following operational functions will be inspected daily:
  - 1) radio usage;
  - 2) telephone use for compliance with department directives;
  - 4) field operations.
- d. The following administrative functions will be inspected daily:
  - 1) uniforms and related equipment;
  - 2) daily field activity reports;
  - 3) Incident Reports;

- 5) other operational paperwork.
- e. **Monthly Inspections**  
 Monthly inspections will be performed by the precinct, station, unit or facility commander or his designee at a designated time and in a formal manner to determine the condition and adequacy of all personnel and equipment.  
 The inspecting commander will complete or cause to be completed a Monthly Inspection Report showing the results and conditions of those areas previously listed under daily inspections.  
 Comments about operations, building security and conditions will be noted on the report, along with the corrective action taken.  
 Following each formal monthly inspection, the individual first line supervisor (s) conducting the inspection will complete an Inspection Memorandum to the Watch/Shift Commander. This memorandum will be included, and form the basis of, the commander's overall Monthly Inspection Report.  
 Deficiencies noted during the inspection will be described on the memorandum. Officers with noted deficiencies will be re-inspected within two (2) working days. If the deficiencies are not corrected, then corrective action may be initiated by the appropriate supervisor.  
 The Monthly Inspection Report will be forwarded, via the chain-of-command, to the Division Commander who will forward a copy to the Inspections Unit.  
 Monthly Inspection memorandums may also be used for on street, field inspections, and other inspections of personnel or equipment as deemed necessary by the Watch/Shift Commander or any supervisor. When an inspection memorandum is prepared, follow up will be conducted by the originating supervisor to insure that corrections have been made.
- f. **Tri-Annual Inspections** will be completed by each division commanders or his designee with the assistance from all subordinate supervisors. These inspections will be held in April, August and December of each year. Written reports on such inspections will be submitted to the Chief of Police through the chain-of-command.  
 Inspections will include:
  - 1) personnel inspections - appearance and fitness;
  - 2) Employee Manuals;
  - 3) vehicles assigned to the precinct/station/unit;
  - 4) equipment issued for regular use;
  - 5) for police personnel only:
    - a) detectives case closure and case integrity;
    - b) all uniform police personnel will have their weapons inspected during a formal roll call. This inspection will insure that:
      - c) all weapons are clean and free of dirt, rust or corrosion;
      - d) the weapon road ready, safety off;
      - e) there is a round chambered.
  - 6) Safety and Loss Prevention programs, to include housekeeping inspections;
  - 7) Review of Monthly Inspection Reports.
    - a. **Change Over Inspection Reports**  
 Written status reports on inspections will be prepared on the appropriate form noting the following:
      - 1) areas of deficiencies;
      - 2) areas of compliance;
      - 3) time table for compliance;
      - 4) any disciplinary action taken.
4. **Corrective Notice**
  - a. Supervisors charged with inspection responsibilities will identify and report any deficiencies found.
  - b. Necessary documentation will be completed and forwarded to the Division Commander when formal disciplinary action appears to be warranted.
  - c. Deficiencies should be corrected at the line level, if possible.
  - d. If a deficiency can not be corrected by the Division level, then the appropriate components will be notified.

**4-1.31 BACKGROUND UNIT - PURPOSE**

During the selection process for employment with the DeKalb County Police Department, a well-documented background investigation of eligible candidates is generally recognized as one of the most useful and relevant components of this process. The background investigation function for candidates seeking employment with the DeKalb County Police Department will rest with the Background Unit.

**4-1.32 SCOPE**

The Background Unit will be responsible for background investigations of all employees of the DeKalb County Police Department.

**4-1.33 PRE-EMPLOYMENT INITIAL REQUIREMENTS**

A background investigation will be conducted on each applicant that successfully completes the basic entry-level requirements as determined by the DeKalb County Merit System. The basic entry-level requirements include, but are not limited to, a written examination and a physical agility test.

Prior to taking the written examination, the applicant may be required to complete a background investigation booklet. The background investigation booklet is designed to help the background investigator focus on those areas of inquiry, which have the highest potential of yielding job-related information. This background booklet may be provided to the applicant by the Merit System and it may be turned into a Merit System representative when the applicant takes the written exam. The booklet will include a list of all areas from which a CVSA will be drawn. The booklet will be provided to the applicant at least three weeks before taking the written test.

**4-1.34 PRE-EMPLOYMENT REQUIREMENTS**

Once an applicant is officially referred to the Background Unit, the following procedures will be followed:

- A. A photograph of the applicant will be taken. These photographs are taken only for identification purposes during the background investigation. A photograph may be used as a means of identifying the applicant to a reference person.
- B. The applicant will be asked to provide the following documents to a background investigator.
  1. The original or certified copy and two copies of the applicant's birth certificate. The original or certified copy will be returned to the applicant after it has been viewed. Baptismal certificates are not acceptable as verification of age. The name on the birth certificate must be the same name that appears on all relevant documents. Police applicants will be required to meet the pre-employment requirements of the Georgia Peace Officer Standards and Training Council.
  2. Documents that show citizenship of the United States or naturalized citizen status as evidenced by the original or a certified copy of the applicant's birth certificate or other certified proof of citizenship. The applicant will produce an original social security card and other credentials that will enable the background investigator to complete the United States Department of Justice Immigration and Naturalization Service Eligibility Verification Form, (Form I-9).
  3. The original and two copies of the applicant's high school diploma or its recognized equivalent must be provided. A recognized equivalent means a diploma awarded by any State on the basis of a General Education Development (GED) Test. If the applicant has a GED diploma awarded by the military (USAFI), it must be converted to a State awarded GED diploma. If the diploma has been lost or stolen, a certified copy of the applicant's school transcripts stating the date of graduation or a certified letter on the high school letterhead stating the date of graduation will be accepted. Also a college diploma from an accredited college may be substituted for a high school diploma.
  4. Copies of college or technical school transcripts. The applicant may provide copies of their college diploma and/or any appropriate training certificates.
  5. Appropriate military records verifying that they have not received a dishonorable or undesirable discharge. An applicant must not have received a dishonorable, undesirable or general discharge from any of the Armed Forces of the United States, except a general discharge under honorable conditions. This required documentation includes a copy of the long form of the applicant's DD-214.
  6. A copy of a valid driver's license if required to operate a County vehicle. Georgia residents must possess a valid Georgia driver's license, Class I, III, IV or V. Out-of-State applicants must provide a copy of a driver's license from the State in which they reside. They must be eligible to obtain a valid Georgia driver's license.
  7. Copies of all marriage licenses and all divorce papers.
  8. Copies of any major civil or criminal litigation, including a bankruptcy.
- C. The applicant will then be interviewed by a background investigator. The background Investigator

will be trained, upon transfer, in collecting background information. The background investigator must hold the rank of Master Police Officer or above. The background investigator will review all information, credentials, documents provided by the applicant and:

1. Make certain that the documents produced appear to be genuine on their face;
2. Review all information provided in the background investigation booklet and Merit System application;
3. Ensure that the background investigation booklet is complete, every question is answered and all requested information has been provided;
4. Determine if all the addresses where the applicant has lived for the past ten years have been listed;
5. Ensure that the applicant has listed all of the full time and temporary jobs he or she has held for the past seven years no matter how little time was involved;
6. Review with the applicant all waivers they were required to sign.

The investigator will then compare the background booklet, Merit System application and other documents to ensure that the information provided by the applicant is consistent. If conflicting information has been provided, the applicant will be given the opportunity to explain.

D. The background investigator will determine if the applicant meets the minimum acceptable standards for hire. If they do qualify, then an extensive background check will be initiated. For all employees or any unsupervised non-criminal justice contract employees who handle, access, process, disseminate or destroy criminal justice information, the extensive background check will include, but not be limited to, the following:

1. A criminal history check obtained from NCIC (National Crime Information Center) and the appropriate State and local jurisdictions where the applicant has resided for any substantial length of time.
2. A driver's history check with all States in which the applicant has held a driver's license.
3. Two fingerprint cards processed by the Georgia Crime Information Center and the National Crime Information Center.
4. A background check with the applicant's high school and any other vocational, technical school or institutions of higher learning. These checks can be made through telephone or mail inquiries.
5. An employment history check will be sent to all locations where the applicant has been employed during the past seven years. These verifications can be made by telephone or correspondence and should be backed up by written notations.
6. At least three personal reference forms must be completed.
7. The applicant's credit history will be checked through Credit Bureau Information (Equifax) and the credit report will be reviewed by the background investigator.
8. The Merit System will supply the background investigator with a copy of the applicant's County physical report. The investigator will then compare this report with the information the applicant supplied in the background booklet concerning their physical condition.

E. The investigator will then review all initial information. The applicant must then meet the following minimum acceptable standards:

1. The applicant must have a high school diploma or its recognized equivalent.
2. The applicant must be a United States citizen, or, if applying for certain positions, must possess at least a valid work permit issued by the United States Government.
3. The applicant must meet the minimum age requirements.
4. The applicant must not have a felony or domestic violence conviction, unless otherwise provided by state law.
5. The applicant must not have been convicted of misdemeanor crimes that establish a pattern of disregard for the law. No applicant will be hired if they have been convicted of three or more misdemeanors in the immediate past five years. Minor traffic offenses will not be considered, unless a pattern has been established which would indicate an obvious disregard for safe driving practices. Nolo pleas will be considered as convictions. First Offender status will not be considered.
6. If the position applied for requires the driving of a vehicle, the applicant must have a valid driver's license. Georgia residents must possess a valid Georgia driver's license Class I, III, IV or V. A Georgia driver's license which is in possession of someone who was previously a habitual violator is only valid when the violator's privileges to operate a motor vehicle in the State of Georgia has been totally restored by the Georgia Department of Public Safety. A probationary or learners license will not be considered to be a valid license. The applicant cannot have a suspended or revoked license in Georgia or any other State. If the applicant does not possess a valid driver's license, they must furnish identification with a current photograph of themselves affixed to the identification.

## CHIEF OF POLICE

7. The applicant must not have illegally used, possessed, distributed, or manufactured a controlled substance as defined by the Georgia Criminal Code Section, O.C.G.A. § 16-13-24. This Code Section establishes five schedules of controlled substances, known as Schedules I, II, III, IV and V. The following guidelines are to be used by the Background Unit, and these indicate conditions under which an applicant may be denied consideration for employment as related to drug usage:
  - a) MARIJUANA
    - 1) Any sale or distribution.
    - 2) Any use within the past 12 months.
    - 3) Any amount that shows a pattern of use beyond the past 12 months that would indicate a potential problem or abuse.
  - b. COCAINE
    - 1) Any sale or distribution.
    - 2) Any use within the past 72 months.
    - 3) Any amount of pattern or use beyond the past 72 months that would indicate a potential problem or abuse, unless applicant can produce proof of professional rehabilitation.
  - c. HALLUCINOGENIC DRUGS
    - 1) Schedule I (to include Heroin)
      - a) Any sale or distribution.
      - b) Any use of any Schedule I drug. (no time limit)
    - 2) Schedule II
      - a) Any sale or distribution.
      - b) Use of any Schedule II drug within the past 72 months.
      - c) Any amount or pattern of use beyond the past 72 months that would indicate a potential problem or abuse.
    - 3) Schedules III, IV and V
      - a) Any improper or illegal sale, distribution, or acquisition of any Schedule III, IV or V drug.
      - b) Improper or illegal use of any Schedule III, IV or V drug within the past 36 months.
  - d. STEROIDS
    1. Any sale or distribution of any type of steroid or other growth accelerator(s) within the past 36 months.
    2. Use of steroids or other growth accelerator(s) within the past 36 months.
    3. Any amount or pattern of use beyond the past 36 months that would indicate a potential problem or abuse.
  - e. Any illegal manufacturing of controlled substances of any type.
  - f. Test positive for any known narcotic substance not indicated by the applicant as being prescribed by a licensed physician or other competent medical authority. (See the Georgia Criminal Code, Sections 16-13-24 through 16-13-29 for Schedules I through V)
8. An applicant for a sworn position, who has failed to graduate from a P.O.S.T. certified academy, will be considered eligible for hire/rehire on a case-by-case basis.
9. An applicant cannot have had a history of misconduct/adverse disciplinary actions with a previous public safety agency.
10. The applicant must not have a poor work history. The applicant must not have a history of terminations on previous jobs, must not have serious problems with reliability/attendance. Work history must be at a minimum level of satisfactory performance.
11. Any military service discharge must be honorable or under honorable conditions, except as noted above. Applicants with military service can not have a history of court martials, Article 15's, or any other disciplinary action while a member of the armed services.
12. The applicant cannot be a fugitive from justice. There can be no outstanding criminal or traffic warrants on the applicant. The applicant cannot be on probation. The applicant must not be the subject of pending criminal charges that could result in their being placed on probation.
13. The applicant cannot have a poor driving history. A poor driving history would be indicated by, but not limited to, a history of DUI convictions, numerous moving traffic violations, driver's license suspensions or revocations. Any pending DUI charge that has not been adjudicated will disqualify.
14. The applicant must meet the minimum physical standards. The applicant must pass a physical examination given by the DeKalb County Health Department.
15. Refusal to take the drug screen test at the requested time will be grounds for rejection.
16. The applicant will be required to take and successfully pass a psychological test and examination.

17. The applicant must cooperate with the Background investigator by completing the background booklet. If at the time of the initial interview the booklet is incomplete, the applicant will receive written notification that they have 15 working days to complete the booklet. Failure to adhere to this policy will cause the applicant to be disqualified. The applicant must complete all of the appropriate waivers and forms that are required. The applicant must keep all scheduled appointments. Failure to meet these standards will result in the applicant being rejected. Exceptions will be made based on extenuating circumstances.
18. An applicant will not falsify, omit or misrepresent themselves in anyway during the course of the investigation. Any violation of this standard will result in rejection.
19. The applicant will be required to pass a physical agility examination administered by the DeKalb County Merit System.

F. The Background Unit may conduct a field investigation on each candidate. The investigator will insure that the information provided in the background booklet is correct. The investigation should routinely involve a home visit with the candidate and their family and interviews with neighbors, coworkers, employers and landlords.

G. A Computer Voice Stress test will be conducted. A list of questions from which the test will be drawn will be covered with the applicant prior to the administering of the test. The purpose of the test is for detection of deception. After the test has been administered, a profile of the candidate will be completed. When CVSA examinations and/or other instruments used for the detection of deception are used in pre-employment candidate selection processes, the administration of these examinations and evaluations of those processes are to be conducted only by certified examiners. These personnel must at all times possess a current certification to practice in the field of regarding those instrumentation used in determining the detection of deception.

H. The background profile of each applicant will be reviewed by the Assistant Chief of the Special Services Division and the Assistant Chief of the Criminal Investigation Division for their recommendations. The Chief of Police will determine whether or not the applicant is acceptable up to that point and his approval will authorize that the applicant may continue through the hiring process. Absent such authorization, the applicant is rejected and removed from further consideration. The hiring process its organization and implementation, as it relates to sworn personnel, will be under the general overall supervision of the Chief of Police. An Oral Interview Board will be appointed by the Chief of Police as required and will sit for such term, as he deems appropriate.

I. The background investigation file on each applicant referred to the Background Unit will be maintained on file for a period not less than five years. All files will be stored in a secured area within the Background and Recruiting Unit.

J. Applicants who are rejected because of background information (excluding those rejected for marijuana/hash usage referred to in E-7 above) may not become eligible for processing through the Background Unit for a period of two years.

#### **4-1.35 DEPARTMENTAL SELECTION POLICY**

The selection process is designed to establish guidelines and procedures in order to select the most qualified candidates in a manner that is consistent with federal, state and local law, and equal opportunity/affirmative action guidelines.

##### **A. RESPONSIBILITY FOR SELECTION**

Responsibility for the selection process of all Police Department employees will be shared between the DeKalb County Merit System and the DeKalb County Police Department.

Within the Merit System, a Personnel Officer will be assigned as the administrator of the recruitment and selection processes. The administrator will be responsible for the application process, test administration, coordination of physical examination if applicable, administration of the agility test if applicable and may also serve as a member on the Oral Interview Board. Psychological testing will also be included in the selection process and will be administered by the Merit System.

Within the Department, Background Unit will assume overall responsibility for conducting background investigations, drug screening, CVSA, and coordinating the Oral Interview Board, where applicable. The Background Unit will work closely with the Merit System Personnel Officer assigned as administrator. An Oral Interview Board may be comprised of members from both the Merit System and DeKalb County Police Department. A representative from the County's Affirmative Action Office may also sit on the Board.

##### **B. POLICE SELECTION**

The police selection criteria, which describes the procedure for every component of the police selection process, has been jointly developed by the Merit System and the DeKalb County Police Department. This criteria provides for the following steps: a description of its purpose and how it relates to the position; instructions for administration and scoring procedures; guidelines on interpretation; and, where applicable, information on validity, utility, fairness, and adverse impact. These criteria may be located in the Administrative Procedures Section within the County Personnel Code.

## CHIEF OF POLICE

### 1. Selection Process Validity

All components of the selection process have been demonstrated to show validity either through a criterion-related or content validation design. For some of these components such as the police test, the test manufacturer has conducted extensive criterion-related research (concurrent validity design) to demonstrate the test's validity, utility, and minimum adverse impact. Similarly, psychological testing relies on the use of validated, standardized instruments. For other components, such as the physical agility test, a content validation design was used in its development by relying upon exercises used in other departments' programs and normative data for each of these exercises.

The validity of the selection process as whole, or individual components of the selection process, is determined in one or more of the following ways: criterion-related validation, construct validation or content validation.

All components of the police selection process have been demonstrated as being valid. A brief review of each component supports this claim.

#### a. Police Written Test

The police test used by DeKalb County is provided by the Chris W. Hornick (CWH). Based upon a thorough job analysis, the results of which were deemed applicable to the DeKalb Police Department, two forms of the police test were developed. A concurrent validation design was employed in validating the tests. Significant, predictive correlations were achieved for both forms.

#### b. Police Agility Testing

The physical agility test is comprised of exercises adopted from various departments and from talking with experts in the field of physical training. DeKalb County relied heavily on research conducted by the Cooper's Clinic in developing its program. According to the Clinic, physical fitness consists of four areas: aerobic capacity, strength, flexibility, and body weight/body composition. Physical agility tests, which measure these areas, are considered valid indicators of physical fitness. Beyond deciding upon which exercises to use in order to measure these areas, efforts were made to either acquire previously developed norms for an exercise or develop norms ourselves. (Of course, the norms being used have breakdowns by sex and age so to minimize adverse impact. As with other steps, tracking mechanisms are in place to monitor any adverse impact trends.)

#### c. Background Investigation

The background investigation conducted by the Background Unit explores the following areas: personal/family; education; work history; financial; military; alcohol abuse; illegal drugs; gambling; criminal activity; gratuities; undetected crimes; and driving records. A CVSA is given to candidates who successfully proceed through the initial stages of the background investigation. The CVSA questions are drawn from information obtained from the background investigation booklet. This booklet is provided at the time of application. Finally, the candidate is given a drug screen.

#### d. Oral Interview

The oral interview is one step in the hiring process. Members on the Board may include representatives from the Uniform Division, Police Training, Affirmative Action Office and the Merit System. Board members will, as closely as possible, reflect the racial, sexual and ethnic makeup of the general population of DeKalb County. Each member of the Board is charged with asking the same job-related (content valid) questions to all candidates. These questions, for example, address the police academy and training, precinct assignment, and candidate career goals. The order of the questioning is standardized for all candidates, as is the process of making a decision on a candidate.

#### e. Psychological Testing

Psychological testing has recently been added to the selection process and, thus, has not yet had enough candidates participate in these steps to make any judgments regarding adverse impact. Tracking mechanisms are, though, in place to monitor such data

While performance data on these steps are not available, assurances can be made that during the development of these steps issues of validity, utility and adverse impact were at the forefront of the Merit System's thinking.

Regarding psychological testing, DeKalb County seeks to adopt a series of paper and pencil tests, possible role-plays, and an oral interview. All tests will be validated. Some of the tests, such as the FIT (Culture Fair Intelligence Test) will be included so that more educated candidates do not gain an unfair advantage over less educated candidates.

#### f. Police Physical Examination

The police physical is designed to determine if candidates meet minimal physical standards in areas deemed essential to successfully performing the duties of a police officer. The physical includes, but is not limited to, checking: weight/height; blood pressure; vision including color, depth, and peripheral; hearing; urine;

blood; lungs; heart; reflexes; ears; mouth; abdomen; pulse, flexibility; hand strength; thyroid; and symptoms of arthritis.

The drug and alcohol screenings are required for the position within the DeKalb County Police Department. The test results can be requested by a candidate if submitted in writing within 60 days. If the alcohol test results are .02 or greater or there is a positive test for a controlled substances, the applicant will not be considered medically qualified with DeKalb County for a period of one (1) year and, if the applicant chooses to reapply, they must provide proof of completion of a rehabilitation program. If the applicant refuses to be tested, the offer of employment will be withdrawn.

If the applicant has a breath alcohol result of .02 or greater that is considered to be a non-qualifier for employment with DeKalb County. If the breath alcohol results are .02 or greater, the offer of employment will be withdrawn and the above stated requirements will apply.

2. Adverse Impact

In order to ensure the absence of adverse impact in the police selection process, statistics are compiled after the completion of every academy's Oral Interview Board. Selection rates are computed by race and sex for every academy. A cumulative total is also kept. Every effort will be made to select academy classes which do not discriminate between different races or sexes and which minimize adverse impact.

Accurate statistics are kept and closely monitored to ensure the County's non-discriminatory status. If a situation in the future arises where adverse impact becomes evident, preferential actions will be implemented in accordance with the County's Affirmative Action Program.

3. Selection Records

Tracking mechanisms have been established and are being utilized to determine possible adverse impact at every step of the selection process. These records are kept in a separate manual by the Merit System. Each chapter of the manual represents one step in the selection process. Each chapter is updated in accordance with the frequency of that particular step. For example, for every administration of the police test the database would be updated. The oral interview is conducted a few weeks prior to the beginning of each academy; thus, additions to this database can only be made as often as the police department chooses to begin an academy.

4. Private Sector Test Validity

All written tests used as part of the police selection process are provided by outside vendors, and all of the tests have been demonstrated as being valid by using one of three validation techniques: criterion-related validity; content validity; or construct validity. Some of the tests used have been designed specifically to identify potential police officers. An example of this kind of test is the IPMA Entry-Level Police Officer Examination. Other tests are broader in scope, such as the MMPI which aids in identifying personality dysfunctions. Regardless of the intent of each test, all have been judged to be useful in providing unique and beneficial information regarding a candidate's qualification to become a police officer. Finally, all test providers have documented evidence, which demonstrates the cultural fairness of their tests. DeKalb County only uses test results that have been demonstrated as being valid and culturally fair to aid in hiring decisions.

5. Police Selection Process Elements

All police candidates participate in the police selection process in an identical manner. The process presently consists of eleven steps. Candidates must successfully complete a step before progressing to the next step of the selection process. These steps, in chronological order, include: written application, written test, physical agility test, background interview, voice stress, oral interview, initial job offer, physical, drug screen, written psychological, clinical (oral) psychological. The administration, scoring, evaluation, and interpretation for each step is uniform. The details provided below describe the procedure for each step.

Once a candidate's application is received and screened for minimum qualifications (high school education or GED, U. S. Citizenship, and be within three months of turning 20 years old), the candidate is provided with a Police Officer job description, a background investigation booklet, a police test study guide, a list of physical requirements, a description of the physical agility test, a list of other documents as required by the Background Unit, and a testing date. This date is at least three weeks from the date the application is received. Candidates who mail their applications to the Merit System will receive the above-mentioned materials through the mail. The police test is administered using standardized instructions to an average of 101 candidates per month. The tests are scored and a list of eligible candidates is put on a register. A computer is used to score all tests. Evaluation of the results consists of dividing the candidates into two groups: those who score 70% or above (pass) and those who score below 70% (fail). In either case, a candidate's test results are received through the mail approximately seven to ten days from the day of the test. Those who fail the test are given their score and are encouraged to reapply. Those who pass the test are not given their score in the letter they receive, since the

Merit System does not rank individuals by test score. The information is not shared with the candidate or the DeKalb County Police Department.

A physical agility test is scheduled and once a candidate passes the physical agility test, they are directed to go to the Background Unit to begin the background investigation. This process commences with candidates' filling out paper work given to them by an Investigative Aide, which gives permission to begin the background investigation. A one-on-one interview is then conducted. The interview consists of discussing information contained in a candidate's background investigation booklet. A standardized checklist of questions is used to ensure an uniform interview. If a candidate's background contains an automatic disqualifier, such as drug usage, the candidate is eliminated from further consideration. If a candidate successfully completes the interview (no automatic disqualifiers are found) the candidate gets fingerprinted, and the background check begins (example letters sent to previous employers). This process continues over a period of several weeks as for record checks (example - driving history) and reference letters to be returned. If these checks uncover a disqualifier, a candidate is eliminated from further consideration, and a standardized letter is sent outlining the reason for disqualification. If a candidate successfully completes this phase of the background investigation, a CVSA is scheduled.

The CVSA questions asked of every candidate are presented in the background booklet that is given to candidates at the time of their application. As mentioned above the background booklet is screened for disqualifiers during the one-on-one interview. When an applicant comes in for a CVSA, the examiner will go through the background booklet with a candidate, but this time in greater detail. This is termed the "pretest". The objective of the pretest is to confirm that the background booklet is filled out accurately and completely. If additions made uncover a disqualifier, the candidate will be eliminated from further consideration. Once the pretest is completed, the actual CVSA is administered. The results of the CVSA are given to the candidate immediately following the exam. If deception is shown, the candidate is advised so and is asked to offer an explanation. The deception is noted in the candidates profile along with any explanation offered. If the candidate admits to concealing information, the candidate may be asked to write a statement explaining why the information was withheld. If the newly acquired information results in an automatic disqualifier, the candidate will be eliminated from further consideration, (The candidate, in this case, is offered the opportunity to voluntarily withdraw). If the information withheld is not of a disqualifying nature, the deception and statement is noted in the candidate's profile.

The Oral Interview will be conducted in a uniform manner. The same questions are asked of every candidate, and the same descriptions of the department, such as academy training and precinct assignment, are provided to all candidates. Upon conclusion of the oral interview, the applicant is graded by the voting board. The voting board may consist of the Uniform Division commander or designee, Merit System representative, Affirmative Action representative, and Training Division representative. The Board, however, reserves the right to deviate from the set questions if a member requires clarification of a candidate's response or if a member has a question regarding a candidate's background. Hiring recommendations for all candidates are based upon total votes from voting board members. Candidates are informed immediately of their interview results. Once all interviews are completed, a letter is then sent to the candidates that were not selected advising them of the re-application process. Candidates not selected are encouraged to re-apply.

If the applicant is selected after the oral board interview, he/she is offered a job contingent upon successfully completing a physical examination, which also includes a drug screen and a psychological evaluation.

All candidates are required to meet the same physical standards for the position of Police Officer as established by the Merit System and Police Department. The medical staff makes one of three possible judgments on a candidate: 1) pass - candidate progresses to the next step of the selection process; 2) defer - candidate must get rechecked by the medical staff at a later date due to an unsatisfactory medical condition, or a request for additional information; 3) fail - candidate does not meet minimum medical requirements for the position and is, thus, eliminated from further consideration in the police selection process.

The final steps in the process include a written psychological test, which may be administered by the Merit System followed by a clinical (oral) psychological exam. If the psychological exams result in a recommendation not to hire the candidate is eliminated from consideration.

6. Selection Personnel Representatives

DeKalb County presently uses and will continue to use personnel representative of different races, sex and ethnic backgrounds in carrying out the steps of the police officer selection process. Furthermore, representatives must be qualified to carry out these duties and must receive training on the proper administration of their responsibilities. The selection manual outlines the qualifications and training needed to successfully perform a particular position in the selection process.

7. Storage of Selection Material

Police selection materials and confidential information on police candidates will be locked in a secure area when not being used, at the office of the Merit System. These materials include the police exam, scoring key, physical results are stored in locked file cabinets and locked storage cabinets.

In addition to the above measures, security systems have been installed at both locations. The Merit System office is patrolled by security personnel 24 hours per day, and has an alarm system, which is monitored by Public Safety Communications Center during non-office hours.

8. Disposal of Selection Material

The only selection materials, which are disposed of, are the police test booklets used by each candidate. Expired booklets may be destroyed by shredding in the presence of a Merit System representative, or in accordance with the test supplier, test booklets may be shipped back to the supplier. The expired test booklets are stored in a locked closet until a sufficient number of booklets accumulate to warrant the above-mentioned process.

9. Selection Process Review

The police selection process will be formally evaluated on an annual basis. The emphasis of the evaluation will be to determine if the process is successfully identifying the most qualified and promising candidates and to determine if the steps in the selection process need revision based upon changes in the responsibilities of the Police Officer position or other factors. Also included in the evaluation will be a review of adverse impact analyses conducted for each step of the hiring process. Validity studies will also be evaluated to ensure the effectiveness of the selection process. Changes in the selection process will be made if any step or portion of a step is deemed obsolete or if it is shown to create any adverse impact against a protected class.

10. Lateral Entry

In certain situations, Police Officers may be hired at an advanced pay step level in the position of Police Officer II. The department may select Police Officer candidates who are hired as Helicopter Pilots and start them in the position of Police Officer Senior. The probation period will still be a twelve (12) month period.

Additionally, candidates seeking employment with the DeKalb County Police Department who are already certified with at least two (2) years of law enforcement experience and in good standing with the Georgia Peace Officers Standards and Training Council (POST) may be hired at an elevated rate of pay and classification. These individuals may be considered for employment, bypassing certain areas of training that non-certified candidates will be required to undergo.

There may also be occasions where candidates who are certified in outside states may fall into this category.

These cases will be determined by the above criteria, as well as requirements set forth by POST.

**a. EMPLOYMENT OF POLICE OFFICERS WITH ACTIVE STATE OF GEORGIA P.O.S.T. CERTIFICATION**

Candidates for these positions shall be required to undergo a background investigation and must successfully complete all regular pre-employment requirements for entry-level personnel. DeKalb Police Background Unit will conduct an investigation of the candidate's police work record, employment history and personal references.

Candidates that possess a current, up-to-date Georgia POST Certification with two years or more of police experience will not be required to attend a regular entry level recruit academy. They will attend an amended training course consisting of special blocks of instruction that will familiarize them with the policies and procedures of the Department as well as Select Ordinances of DeKalb County. Previously completed courses of instruction required for POST Certification will be eliminated. Entry-level personnel at this position will then be assigned to a Field Training Officer for up to eight weeks. During this eight week, Field Training period, a written evaluation of the trainee will be conducted on a daily/weekly basis. At the end of the evaluation, Field Training Officers will recommend either retention or termination. Candidates must also pass all pertinent subject areas administered by the Police Training Section before being released to ride alone.

The Department will not allow any candidate to complete probation with DeKalb County until the candidate has completed all financial obligations with any other police agency that DeKalb County may be obligated to under State Law for that officer's previous training.

Previous experience counted to qualify for these special entry-level consideration will not be counted as longevity for use in DeKalb County longevity programs.

Candidates will begin a six-month (6-month) probationary period effective on their hire date.

Officers certified in another state will be considered under these guidelines only if they are allowed by P.O.S.T. to convert their training from their state of certification to the State of Georgia.

**b. Eligibility to Apply For Promotion to Master Police Officer**

Officers hired under this program (those officers hired with two or more years of previous POST Certified experience) can not apply for the rank of Master Police Officer until having completed a total of two years of service with this Department, including their probationary period.

**11. Reapplication of Police Candidates**

Reapplication for those candidates not hired is permitted as long as an automatic disqualifier does not exist in a candidate's background. The procedure for reapplying differs depending upon which step in the selection process the candidate is disqualified. The reapplication procedure for each step in the selection process is outlined below.

**Police Test** - Candidates are told at the time of their test that, if unsuccessful, they may retake the test six (6) months after their test date. They are required to fill out another application unless something in the candidate's background has changed since the initial application. Candidates must contact the Merit System to receive a new test study guide and test date. Candidates will be required to fill out a second background investigation booklet each time they retest or reapply for any reason.

There is no limit on the number of times a candidate can take the test; however, the Background Unit will wait a period of six months before starting another background check.

**Medical Exam** - Candidates who fail the physical cannot reapply because by failing the physical the medical staff is certifying that candidate's physical condition is such that minimum physical requirements for the position will not be achievable. Candidates can be deferred if their physical condition is borderline. In this case, a recheck is scheduled, and candidates have their condition reevaluated.

**Background Investigation** - Candidates who have used marijuana or hashish within the immediate six months prior to the interview will be disqualified or allowed to voluntarily withdraw his/her application. The applicant will not be eligible to be processed for six months.

**Physical Agility Test** - In order to pass the PAT candidates must meet the standards on all exercises. If a standard is not met on one of the exercises, candidates fail the PAT. Candidates who fail are given a second chance to repeat their failed exercise(s). If they fail on the second attempt, candidates can be retested in six (6) months. Candidates failing the test a second time will have to reapply for the position by submitting another application.

**Psychological** - Candidates proceed through this step in stages. First, paper and pencil tests are administered. Candidates screened out here are not eligible for further consideration. Candidates passing the first stage may then participate in a role-play simulation and a clinical interview with a licensed psychologist. Candidates who demonstrate a disqualifying mental disorder based upon results from the exercises are eliminated from further consideration.

**Oral Interview** - Candidates who fail to get hired after completing their oral interview still have reapplication rights, but certain requirements must first be met. Candidates must first fill out a new application. Secondly, the date of candidates' police test must be evaluated. The results are good for one year, thus, candidates have one year in which to be hired as a police officer before they would have to retest. Similarly, the physical date is good for ninety (90) days. A second physical would be required for candidates failing to get hired within ninety (90) days from the original physical date. Regarding the background check, candidates would have to update their background investigation booklets, take another drug screen, and another CVSA. Once these steps are completed the Background and Recruiting Unit Commander and the Chief of Police, reviews candidate's profiles. If the Chief feels a second interview is warranted, it is scheduled. If not, candidates are eliminated from further consideration.

**12. Informing Candidates of the Selection Process**

At the time of application candidates receive written materials, which document the entire police selection process. These materials outline the steps of the selection process, the expected length of the selection process, and the procedures required for reapplication. Candidates who are not selected, and do not have an automatic disqualifier in their background can reapply for the position in accordance with the procedures previously mentioned.

**13. Advising Candidates of Their Ineligibility for Appointment**

Candidates may be eliminated from further consideration at any step of the police selection process. For each of these steps, letters exist which outline the reason(s) for not meeting the requirements of a particular step. These letters are mailed to the candidates normally within seven to ten working days. Candidates will always be notified within 30 days.

Each step of the selection process requires the use of detailed documentation outlining the specific reason(s) why candidates do not meet minimum requirements. For example, if a candidate fails the police test, documentation is maintained showing the candidate's test score so that he/she knows how much improvement is needed in order to pass the test. A second example is elimination at the background investigation step. Candidates are advised through scheduled appointments, the specific reason for their elimination, such as background investigation information (example - illegal drug usage or poor driving record) or failure to appear for a prearranged meeting.

Included in the general ineligibility letter is the information for appointment and the phone number of a contact person that candidates can call if they have any questions regarding their results.

14. Record Storage of Candidates Not Selected

All application materials, testing results, and medical examination documents for police officer candidates who are not appointed to probationary status are stored indefinitely by the Merit System. Information gathered during the background investigation, including the background investigation booklet, is stored by the Background and Recruiting Unit for at least five years.

All information is stored in accordance with federal, state, and local requirements. Access to all application materials, testing results, and medical records can only be gained with the permission of the Merit System Director. Access to information gathered during the background investigation can only be gained with the permission of the Commander of the Background and Recruiting Unit or his designee.

15. Police Occupational Qualifications

The police officer selection process has been designed to meet the requirements of validity, utility, and minimum adverse impact with regard to physical and age qualifications. While there is no maximum age cutoff, age is taken into consideration in establishing physical agility standards. The physical agility test, which is explained in greater detail later, uses norms by age (and sex) on all exercises included in the test. Furthermore, each exercise was chosen because it has been validated as measuring specific physical fitness areas. The medical examination is administered by the county health clinic and uses standardized requirements for tests such as blood pressure and vision. Weight standards are the only test, which take into account an individual candidate's physical attributes, these being height and frame size.

- a. Every candidate who passes the police test proceeds to the physical agility test. The test is designed to evaluate candidate's physical condition in areas deemed to be essential in conducting the duties of a police officer.

The physical agility test attempts to determine the level of physical fitness candidates possess in the areas of aerobic capacity, strength, and flexibility. The test is designed to determine if a minimum fitness level exists, a level that would ensure candidates are capable of performing both the physical training in the police academy and the physical demands of the position on the street.

The physical agility test was designed to measure candidates' physical fitness in the areas of aerobic capacity, strength, and flexibility. These areas are widely considered job-related measures of candidates' ability to perform the physical requirements of the police officer position.

Five events were selected that measure the above fitness areas. These events include the 440-yard distance run, push-ups, sit-ups, sit-and-reach, and an obstacle course. All of the events have been demonstrated as being valid indicators of physical fitness.

In order to assure fairness, all of the events have norms broken down by sex and age. This helps to ensure against discrimination due to physical differences among different sexes and age groups.

- b. The medical exam concentrates on identifying physical deficiencies, which would prevent candidates from performing the duties of the police officer position. The physician, in effect, certifies that candidates are physically capable of handling the demands of the position.

The County uses two licensed physicians to conduct police officer medical exams. In order for candidates to successfully complete the physical, one of the two physicians must certify that they meet the minimum physical requirements for the police officer position. Without such certification, candidates cannot continue further in the police selection process.

- c. Different areas of candidates' physical fitness are evaluated during the medical exam and physical agility test.

Both the medical exam and the physical agility test have been developed using valid, useful, and nondiscriminatory procedures.

- d. The psychological fitness examination used by DeKalb County is the same procedure used in several departments throughout the United States. This validated procedure includes the use of standardized paper-and-pencil tests, and a clinical interview conducted by a licensed psychologist or psychiatrist.

Licensed Psychologists or Certified Psychiatrists who are contracted by the County make all interpretations gained through psychological testing, interview, and other relevant medical and/or background information during the process. Decisions by the County Psychologists and Psychiatrists are final and binding. This is due to the inclusion of culturally fair tests in the procedure.

- e. All interpretations from information gained through the psychological procedure are made by the certified psychologists or psychiatrists who are contracted with the psychological testing program. Their decisions are final and binding.
- f. Candidates' results from psychological testing will be maintained on file in the Background and Recruiting Unit. These reports will be secured in a locked location and kept separate from other background and personnel documents.
- g. The probationary period for all police recruits entering the academy is twelve months, unless the probationary period is extended as described below. The probationary period consists of three phases: academy training program, field training program and patrol duty. Each phase must be passed before proceeding to the next one. Successfully completing all three phases of the probationary period and meeting the P.O.S.T. and Department requirements for certification results in permanent status and promotion to the next rank.

Any recruit officer in good standing who fails three written examinations or fails to successfully complete the firearms or EVOC performance qualification portion of the academy may be placed in cadet status by the Chief of Police until the start of the next police academy. Cadet status will be permitted for a maximum of five months. The recruit officer's probationary period will extend through any such period in cadet status and through any second police academy. If the cadet is placed in a second academy as a recruit, and then fails to meet any P.O.S.T. or Departmental requirement for certification, his probationary employment will be terminated and he will not be eligible to reapply for a police officer position for a period of two years. A recruit who is terminated from the academy for disciplinary reasons will not be eligible for cadet status and may not reapply for a police officer position for a period of two years.

- h. Probationary periods are used for evaluating employee performance. During the academy, employees are appraised bi-weekly using the standardized Merit System performance appraisal instrument. During the eight-week field- training period, a tailor-made instrument is used that is designed to evaluate observable behaviors performed by the employee. Field training evaluation occurs weekly. Once field training is completed, employees will receive their last appraisal just prior to the completion of their probationary period. The Merit System instrument is used at this time once again.

In all cases, employees' superior officer (or field training officer) conducts a performance discussion with his/her subordinates when presenting the evaluation form. Employees sign the evaluation and are provided with a copy of the rating.

- i. There is ample opportunity for probationary employees to contest their performance appraisals. During the academy, employees meet with their immediate supervisor to discuss their differences. Employees are also permitted to write comments at the bottom of the appraisal form. During field training, employee's first recourse is to talk with the field-training officer. If this does not suffice, employees can set up a meeting with their Sergeant to discuss their appraisal. If employees are still not satisfied, they may meet with other superior officer in the chain-of-command. Employee's final appraisal while on probationary status can be contested by meeting with their Sergeant to discuss their differences and by adding comments at the bottom of the appraisal instrument. While on probation, employees do not have formal appeal rights under Merit System provisions.

#### **C. COMMUNICATIONS PERSONNEL SELECTION**

##### **1. General**

The communications selection criterion, which describes the procedure for every component of the communications selection process, has been jointly developed by the Merit System and the DeKalb County Police Department. This criteria provides for the following steps: a description of its purpose and how it relates to the position; instructions for administration and scoring procedures; guidelines on interpretation; and, where applicable, information on validity, utility, fairness, and adverse impact. This criteria may be located in the Administrative Procedures Section within the County Personnel Code or within the Selection section of this manual.

##### **2. Adverse Impact**

In order to ensure the absence of adverse impact in the communications selection process, statistics are compiled and selection rates are computed by race and sex. A cumulative total is also kept. Every effort is made to select personnel by not discriminating between different races and sexes.

Accurate statistics are kept and closely monitored to ensure the county's nondiscriminatory status. If a situation in the future arises where adverse impact becomes evident, preferential actions will be implemented in accordance with the county's Affirmative Action Program.

3. Communications Selection Process Elements

All communications candidates will participate in the communications selection process in an identical manner. The process presently consists of five steps. Candidates must successfully complete each step before progressing to the next step of the selection process. These steps, in chronological order, include: application and initial testing for CRT terminal experience; an initial interview with a background detective, background investigation including a voice stress test (CVSA), an oral interview before a board and a medical physical to include a drug screen. The administration, scoring, evaluation, and interpretation for each step will be uniform.

a. Initial Application

Candidates for communications positions will initially apply with the Merit System and will be tested for basic CRT terminal skills.

b. Background Investigation

A background investigation of each candidate will be conducted by the Background Unit. During this background investigation, interviews will be conducted by Background Unit personnel and a voice stress tests will be administered.

c. Selection

Upon successfully completing all the above-mentioned steps, the candidate's background profile will be reviewed by the Background and Recruiting Unit Commander. The Background and Recruiting Unit Commander will make a recommendation for selection and final approval granted by the Chief of Police. Those candidates not selected for hire will be notified by letter and advised of their ability to reapply.

d. Physical

Candidates who are selected for employment will be required to complete a physical examination and drug screen which is designed to see if the candidate meets the minimal physical standards in areas deemed essential to successfully perform the duties of a communications operator.

D. ANIMAL SERVICES & ENFORCEMENT SELECTION

1. General

The Animal Services & Enforcement selection criteria, which describes the procedure for every component of the Animal Services & Enforcement selection process has been jointly developed by the Merit System and the DeKalb County Police Department. This criteria provides for the following steps: a description of its purpose and how it relates to the position; instructions for administration and scoring procedures; guidelines on interpretation; and, where applicable, information on validity, utility, fairness, and adverse impact. These criteria may be located in the Administrative Procedures Section within the County Personnel Code or within the Selection section of this manual.

2. Adverse Impact

In order to ensure the absence of adverse impact in the Animal Services & Enforcement selection process, statistics are compiled and selection rates are computed by race and sex. A cumulative total is also kept. Every effort is made to select personnel by not discriminating between different races and sexes.

Accurate statistics are kept and closely monitored to ensure the county's nondiscriminatory status. If a situation in the future arises where adverse impact becomes evident, preferential actions will be implemented in accordance with the county's Affirmative Action Program.

3. Animal Services & Enforcement Selection Process Elements

All Animal Services & Enforcement candidates will participate in the Animal Services & Enforcement selection process in an identical manner. The process presently consists of five steps. Candidates must successfully complete each step before progressing to the next step of the selection process. These steps, in chronological order, include: application and initial testing; pre-interview with Animal Services & Enforcement personnel; an initial interview with a background detective, a background investigation, including a voice stress test, and a medical physical to include a drug screen. The administration, scoring, evaluation, and interpretation for each step will be uniform.

a. Initial Application

Candidates for Animal Services & Enforcement positions will initially apply with the Merit System.

b. Pre-Interview

Candidates who successfully meet the initial requirements for the job description are then scheduled to meet with Animal Services & Enforcement command personnel and a Merit System representative for a pre-interview.

c. Background Investigation

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A background investigation of each candidate will be conducted by the Background Unit. During this background investigation, initial interviews will be conducted, and a voice stress test (CVSA) administered.

d. Selection

Upon successfully completing all the above-mentioned steps, candidates are reviewed by Animal Services & Enforcement command personnel, and candidates are then recommended for selection to the Chief of Police. Those candidates not selected for hire will be notified by letter and advised of their ability to reapply.

e. Physical

Candidates who are selected for employment will be required to complete a physical examination and drug screen which is designed to see if the candidate meets the minimal physical standards in areas deemed essential to successfully perform the duties of an Animal Services & Enforcement officer.

E. CRIME SCENE INVESTIGATOR

The selection criteria and process for that of crime scene investigator is the same as that set out in subsection E, Animal Services & Enforcement Selection, of this section.

F. SELECTION PROCESS FOR ALL OTHER DEKALB COUNTY POLICE DEPARTMENT EMPLOYEES

1. General

The selection criteria which describes the procedure for every component of the selection process for all other Departmental employees has been jointly developed by the Merit System and the DeKalb County Police Department. This criteria provides for the following steps: a description of its purpose and how it relates to the position; instruction for administration and scoring procedures; guidelines on interpretation; and, where applicable, information on validity, utility, fairness, and adverse impact. This criteria may be located in the Administrative Procedures Section within the County Personnel Code or within the Selection section of this manual.

2. Adverse Impact

In order to ensure the absence of adverse impact in the selection process, statistics are compiled and selection rates are computed by race and sex. A cumulative total is also kept. Every effort is made to select personnel by not discriminating between different races and sexes.

Accurate statistics are kept and closely monitored to ensure the county's non-discriminatory status. If a situation in the future arises where adverse impact becomes evident, preferential actions will be implemented in accordance with the county's Affirmative Action Program.

3. Selection Process Elements

All candidates will participate in the selection process in an identical manner. Candidates must successfully complete each step of the process before progressing to the next step. These steps, in chronological order, may include initial application; pre-interview; background investigation; selection and physical. The administration, scoring, and evaluation, and interpretation for each step will be uniform.

a. Initial Application

Candidates will initially apply with the Merit System. Depending on the job, candidates may also be required to successfully pass an aptitude or skills test.

b. Pre-Interview

Candidates who successfully meet the application requirements (and successfully pass any aptitude or skills test required by the Merit System, may then be scheduled to meet with the command staff of the position sought.

c. Background Investigation

Depending upon the position sought, a background investigation of each candidate may be conducted by the Background Unit, voice stress tests (CVSA's) and drug screens, if the situation dictates, may also be administered.

d. Final Selection

Upon successfully completing all the above-mentioned steps, candidates are reviewed by command personnel of the position sought, and candidates are then recommended for selection to the Chief of Police. Those candidates not selected for hire will be notified by letter and advised of their ability to reapply.

e. Physical

All candidates who successfully pass the pre-interview phase will be required to complete a physical examination and drug screen which is designed to see if the candidate meets the minimal physical standards in areas deemed essential to successfully perform the duties of the position sought.

#### **4-1.36 RECRUITING**

##### **A. PURPOSE**

An effective recruiting program is a major asset to any law enforcement agency. The benefits of positive recruitment policies should be manifested in a lower rate of personnel turnover, fewer disciplinary problems, higher morale, better community relations, and more efficient police services.

The DeKalb County Police Department has been and will continue to engage in an active program to recruit and hire persons of all races and sexes, who are qualified to become members of the department.

##### **B. THE RECRUITING UNIT**

The recruiting function will be within the Background Unit. It will consist of at least 2 sworn police officers as addressed by the Police Settlement Agreement. Recruiting will be responsible to the Background Unit Commander.

##### **C. RESPONSIBILITIES**

The Recruiting function will develop an effective program for the recruitment of qualified males and females of all races for sworn and unsworn positions in the department. Recruiting will be consistent with the departments hiring needs, and will include a wide range of direct and indirect recruitment activities, including but not limited to the following:

1. Continued contact with and presentations to community agencies and organizations such as the Urban League, Explorer Scouts, Boys Clubs, Girls Clubs, Girl Scouts, YMCA's, YWCA's, and other such organizations as may be deemed appropriate. In addition to the foregoing, recruiting may be undertaken at local or regional shopping malls.
2. Advertisement in local mass media that services both predominantly black and white communities.
3. Participation in local and regional job fairs, and recruiting on at least an annual basis from the military.
4. Annual recruiting at major universities, community colleges, trade schools, and high schools.
5. Advertisement of positions through local newspapers, police magazines, and county cable television.
6. Recruiting in areas outside the department's jurisdiction.

##### **D. MERIT SYSTEM COORDINATION**

The recruitment of qualified employees will be conducted on a continual cooperative basis in conjunction with the DeKalb County Merit System and its recruiting policies and procedures.

The responsibilities for the recruitment process are shared between the Dekalb County Merit System and the Dekalb County Police Department. The Merit System primarily handles advertisement while recruiting officers participate in off-site recruiting efforts, i.e., college job fairs, giving talks to groups of interested candidates, etc.

Within the Merit System, a Personnel Officer will be assigned as the administrator of the police recruitment program. The administrator will assist in providing for all application materials, coordinating all advertisements, contacting educational institutions and community organizations, and setting up and participating in recruiting trips.

The Recruiting function aids in coordinating recruiting trips by providing transportation to recruiting destinations and by participating in job fairs and college presentations.

Before any representative of either the Merit System or the recruiting function of the Background Unit participates in any departmental recruiting activities, the representative must first review and become familiar with all recruitment training materials which have been developed. The training material is designed to familiarize individuals in the areas of recruitment needs, career paths, salary/benefits information, legal guidelines, community demographics, cultural awareness, candidate record keeping and tracking, candidate selection process, other recruitment programs, ideal candidate characteristics, candidate disqualifiers and medical requirements. The representatives must also have a working knowledge of the county's Affirmative Action Program and the Recruitment Section of the Police Settlement Agreement.

##### **E. DEPARTMENTAL RECRUITING INVOLVEMENT**

The Department encourages all of its employees to assist the recruiting function in attracting new officers to the Department. Veteran officers are to direct potential recruits to the Merit System in order to begin the application process. In situations where candidates have questions that veteran officers are unable to answer, they are to have the candidates contact the recruiting function of the Backgrounds Unit or the Merit System. Word-of-mouth advertising through veteran officers has always been and continues to be an important recruiting tool for the department.

##### **F. RESOURCE SHARING**

The Recruiting function will participate in a resource sharing arrangement with other agencies in the Metro Atlanta area in order to share selection procedures, background investigations, and candidates. This participation in resource sharing will not be solely restricted to other police agencies, and may involve other governmental personnel agencies.

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Information regarding each agency's selection procedures will be shared. This is helpful, for example, when an agency wants to include a pre-employment physical agility test in its selection procedure but lacks the in-house expertise to develop a program by themselves.

A cooperative effort in background investigations involves expediting criminal arrest checks of candidates by participating jurisdictions. This serves to shorten the time it takes to complete a candidate's background investigation. Candidate sharing occurs in a situation when an agency has recruited a promising candidate but for some reason, the candidate cannot meet all the agency's minimum hiring standards. For example, color blindness is not acceptable in the City of Atlanta. In Dekalb County, color blindness is acceptable with the use of color-corrective lenses. In this case, the City of Atlanta would refer the candidate to Dekalb County.

### G. COMMUNITY OUTREACH

Merit System and Recruiting representatives will conduct on-site recruiting efforts at numerous organizations and facilities. The Recruiting function of the Background Unit not only actively seeks recruitment assistance, referral and advice from community organizations and leaders; it also receives assistance from these organizations in posting job announcements. These activities include both the local area and the southeastern states.

Many of these recruiting trips involve attending college career days. Where on-site visits cannot be arranged, recruiting materials will be sent to contact persons at each school.

Recruiting booths may also be set up at local shopping malls. Advanced advertisement for these events will be provided by local radio stations in the form of public service announcements.

### H. INTERN PROGRAMS

The department sponsors college juniors and seniors in a law enforcement intern program. The prospective intern must make a formal request through their respective school and be interviewed by the Background and Recruiting Unit Commander prior to consideration.

Upon notification of acceptance, all interns will be given intern guidelines and waiver forms for their signature. If, for some reason, the intern is under age, the signature(s) of their parent(s) or guardian(s) will be necessary. It will be the responsibility of the student and/or the school to provide room and board for the duration of the internship.

The goal of the intern program is to provide interested students the opportunity for practical application in the area of law enforcement. This program is designed to gradually increase the average level of education within the department.

### I. COMPREHENSIVE RECRUITMENT PLAN

Upon passage of the county budget, the Chief of Police will submit a memorandum, through the chain of command, to the Recruiting function of the Background Unit. This memorandum will set forth a statement of the department's authorized strength, actual strength, and those positions created by the budget. In addition, the memorandum will state the department's objectives for recruitment by setting out a comprehensive plan, which will include current vacancies in addition to newly created positions, along with timetables for hiring goals. The memorandum will also address the recruiting budget (itemized) for the upcoming year and will suggest methods for obtaining the assistance from community organizations and key leaders.

The Recruiting function will file a monthly report to the Chief of Police detailing all recruiting activities during the reporting period. Particular attention will be given to key activities and other indicators of program progress.

The Recruiting function will also file an annual written recruitment evaluation report that will address progress made towards the comprehensive recruitment plan. This report will include: Measurements of recruitment activities against quantitative objectives; an analysis of the effectiveness of recruiting; and any and all recommendations for improvement.

### J. EQUAL EMPLOYMENT OPPORTUNITY

All recruiting and selecting processes will be done pursuant to any existing court order or settlement agreement, and pursuant to the county's affirmative action program and equal employment opportunity plan. The recruiting function will maintain a copy of any existing court order and a copy of the county's Equal Employment Opportunity Plan, and will be responsible for maintaining a working knowledge of such orders and plans.

### K. DUTIES

When conducting recruiting activities, the recruiting function within the Background Unit will have available and provide to each interested individual a copy of the Merit System Job Description and requirements for Police Officer. A departmental brochure will also be available to all interested individuals. This brochure will provide a description of the duties, responsibilities, and requisite skills, educational level, and physical requirements for the position. The brochure will further indicate that the county and the department are equal opportunity employers. The recruiting function will also send job descriptions and brochures for the position of Police Officer to all interested individuals who inquire by telephone or mail.

Positions for Police Officer are continuously advertised by the Merit System and through the recruiting function. These positions are advertised once it is determined that vacancies exist and in no event will any position be initially advertised

less than 10 days prior to the filing deadline. Filing deadlines will be emphasized to all potential applicants and will be clearly indicated on all employment announcements and recruitment advertisements.

Whenever an individual expresses an interest for the position of Police Officer, it will be the responsibility of the Background Unit to document the individual's name, home address and telephone numbers, date of birth, and the position desired. This information will be filed by the recruiting function of the Background Unit and will be periodically checked against those individuals who applied for the position.

Once a police officer candidate formally applies for the position of police officer, it will be the responsibility of the Background Unit to maintain contact with all applicants through final employment disposition. The Background Unit will also conduct a "pre-interview" with the candidate to ensure that everything on the initial application and background booklet is current, updated, and correct. Any error or deficiencies in the applicant's paperwork can be rectified at this stage to prevent rejection.

#### L. APPLICATION AND TESTING LOCATIONS

The Background and Recruiting Unit will share the responsibility of receiving police officer applications with the Merit System, however the administering of all entry level testing will rest with the County Merit System. All applications may be received at various locations to include the Merit System's main office located at 1300 Commerce Drive, Decatur, the field office, the Background and Recruiting Unit or at any DeKalb County Police precinct. If the need warrants, the Merit System may receive applications and administer testing at outside locations.

### **4-1.37 OFFICE OF COMMUNITY AND MULTI-MEDIA RELATIONS PURPOSE AND SCOPE**

The Department is committed to improving the quality of life for everyone who lives works and visits DeKalb County. The department and its employees will establish and maintain comprehensive strategies that will inform and educate the community, promote the department's good will, identify problems and offer solutions as well as encourage consistent community participation in departmental programs and initiatives.

The Department is committed to education and prevention through the administration of proactive community based programs. Educating and informing the community will be the responsibility of the Office of Community and Multi-Media Relations as well as all law enforcement personnel. Any employee, citizen or community with relevant information regarding community and multi-media issues or concerns shall communicate all information through the Office of Community and Multi-Media Relations in writing, via email, personal meeting or telephone.

All employees of the department will share the responsibility of achieving the goals established by the Office of Community and Multi-Media Relations.

The department will develop and maintain positive working relationships with all communities and organizations throughout DeKalb County.

The department will work closely with the Crime Analysis and Research Section to develop monthly as well as quarterly crime statistics and reports for the Chief Executive Officer, The Chief of Police, Deputy Chiefs, Precinct Commanders Neighborhood Organizations and Community Groups. The crime statistics and reports will be used for the following purposes:

- A. Identifying and addressing current crime patterns.
- B. Identifying and addressing concerns of the community as it relates to public safety.
- C. Identifying training and education needs as it relates to public safety through surveys, interviews, conferences and community meetings.
- D. Recommending and implementing proactive programs and initiatives to the community.
- E. Informing the community of potential problems and offering tangible solutions.

### **4-1.38 ORGANIZATIONAL STRUCTURE**

The Office of Community and Multi-Media Relations reports directly to the Office of the Chief of Police.

### **4-1.39 RESPONSIBILITIES**

The primary purpose of the Office of Community and Multi-Media Relations will be to meet the needs of all communities through training, education, information and communication. The Office of Community and Multi-Media Relations will also be primarily responsible for developing and managing community and departmental based programs and initiatives. This office will maintain close ties with all departments and offices within the Police Department, as well as produce and maintain audio/visual and print materials used to promote the department inform and educate citizens and train county personnel as well as the community.

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### **4-1.40 Assistant Public Information Officer**

The Assistant Public Information Officer is directly responsible for the Office of Community and Multi– Media Relations Administers and coordinates the day to day operations of the Office of Community and Multi-Media Relations. He/she establishes, manages and develops community and departmental based programs and initiatives for the County; produces and maintains audio/visual and print materials used to promote the Police Department; educates and informs citizens and trains County personnel as well as the community.

- A. Manages, directs and evaluates assigned staff. Including employee concerns and problems, directing work, counseling, disciplining and completing employee performance plans.
- B. Prepares and maintains long range, short range and strategy plans addressing community and departmental needs.
- C. Reviews work load, plans work assignments, assigns personnel and provides direction for department personnel.
- D. Attends various meetings as the department's representative.
- E. Identifies and addresses community concerns between the department County residents and businesses.
- F. Develops working relationships with other County, State and Federal agencies.
- G. Develops partnerships with community groups, civic organizations, businesses, clergy and schools throughout the County.
- H. Develops and manages school and community based programs and initiatives.
- I. Develops educational material for community based programs and initiatives.
- J. Manages and directs neighborhood programs and initiatives to address citizens' issues and concerns.
- K. Consults with the Chief of Police, departments and outside agencies to determine and develop video needs/formats.
- L. Evaluates production needs, directs departments in script and program development; directs audio visual production which include lighting, sound, cameras and film. Plans and directs editing sessions.
- M. Directs reproduction of audio visual materials.
- N. Sets up and takes down audio visual equipment for meetings and special events.
- O. Writes, produces, edits and distributes departmental newsletter.
- P. Researches materials develops and writes speeches.
- Q. Develops, edits and produces lay outs and other print projects.
- R. Manages all web-based media.
- S. Promotes and publicizes the departments' goals, objectives and successes.

### **4-1.41 Administrative Assistant**

The Administrative Assistant of the Office of Community & Multi Media Relations performs paraprofessional work by providing administrative and technical support.

- A. Develops and implements procedures or systems to organize departmental operations.
- B. Compiles types and maintains confidential and sensitive correspondence, files, records and reports.
- C. Provides records and program information to appropriate parties on behalf of the office or department.
- D. Prepares various reports, correspondence, and records.
- E. Performs various customer service functions such as responding to inquiries and directing visitors.
- F. Responds to inquiries from the communities and schools.
- G. Assists with community and school based programs and initiatives.
- H. Assists management as necessary with various reports, presentations and special projects.
- I. Maintains department commendation data base.
- J. Assists in creating and maintaining tape catalog system.
- K. Logs raw footage tapes.
- L. Assists with scheduling and coordinating interviews and field video shoots.
- M. Assists with script writing as necessary.
- N. Assists with obtaining information for departmental website.
- O. Orders and maintains supplies, materials and equipment needed for presentations.
- P. May attend meetings as directed by supervisor.
- Q. Assists other departments or agencies in obtaining information about specific incidents or general information about department operations and functions.

### **4-1.42 Audio/Visual Specialist**

The Audio/Visual Specialist of the Office of Community & Multi-Media Relations produces and maintains materials used to promote the Police Department and County as well as informs citizens and train County personnel.

- A. Meets with departments and outside agencies to determine and develop video needs/formats.
- B. Assists in directing departments in script and program development, directing audio/visual production which includes lighting, sound, camera and film.
- C. Sets up and takes down audio/visual equipment for meetings and special events.
- D. Coordinates technical set-up in studio/location, assists in filming live BOC meetings and editing of BOC meeting tapes for cablecast.
- E. Coordinates maintenance of audio/visual equipment determines replacement needs and makes recommendations to departments.
- F. Contacts vendors for outside repairs of audiovisual equipment.
- G. Reproduces audio/visual materials.
- H. Takes photographs at special events.
- I. Maintains and updates the department's website.

#### **4-1.43 Public Education Specialist**

The Public Education Specialist develops, coordinates, implements and presents various educational programs to schools, residents, businesses and County employees; and coordinates training programs, workshops and seminars with other agencies.

- A. Develops, organizes and conducts presentations on various topics to schools, businesses, community groups and County employees.
- B. Identifies and addresses community concerns between department and County residents.
- C. Conducts on site-surveys of residential and commercial locations.
- D. Designs and disseminates quarterly newsletter.
- E. Represents the department on various professional and business task forces regarding public safety issues.
- F. Researches crime data and prepares an analysis of data for community and business groups based on information obtained through the Crimeview Community Database. Any other data requested that is not part of Crimeview Community must be approved through the Precinct Commander before release.
- G. Develops, presents and/or assists in school and community programs such as sponsoring poster contests, science fairs.
- H. Coordinates training programs, workshops and seminars for County employees, community groups, businesses and schools.
- I. Develops schedules and administers departmental related educational programs.
- J. Responds to inquiries from the general public, teachers and students.
- K. Designs and develops educational material used in presentations that must be submitted to the ICP Publications coordinator for approval before use.
- L. Public Education Specialists will work in conjunction with the precinct ICP officer to meet the goals of the Department and the ICP Program.
- M. Reports will be submitted weekly identifying upcoming community events and meetings. A monthly report will be submitted summarizing the meetings, Community Watch Program recruitment efforts and other programs. These reports will be submitted through the chain of command of each Public Education Specialist and a copy will be forwarded to the Office of ICP.
- N. Acts as a liaison between the department and civic, community and educational organizations.
- O. Develops new programs and reviews educational material for implementation into current programs presentations that must be submitted to the ICP Publications coordinator for approval before use.
- P. Develops working relationships with other County, State and Federal agencies.
- Q. Will assist in organizing new Crime Watch Programs and maintain a list of new and current watch programs to include:
  - 1. Group name, mailing address and phone number
  - 2. Chairperson, address and phone number
  - 3. Precinct, sector and territory
  - 4. Type of Crime Watch (i.e., residential, apartment or business)

#### **4-1.44 Education Liaison Team**

The Education Liaison Team of the Office of Community & Multi-Media Relations works with educational organizations throughout the county by implementing education and prevention based programs and initiatives.

- A. Acts as liaisons between the department and educational organizations.

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- B. Develops positive working relationships with students, parents and the administration of educational organizations.
- C. Works closely with the department's Public Education Specialist and Cultural Affairs Liaison.
- D. Educates and provides special training in communication skills, conflict resolution, peer pressure, positive reinforcement to students and parents of educational organizations.
- E. Implements violence and crime reduction programs, initiatives and campaigns.
- F. Assists with the department's Perspective Program, Stop, Look, Learn, Enterprising Interns, Project One on One and Youth Police Academy.
- G. Responds to inquiries from teachers and students on issues related to public safety.
- H. Assists in school programs such as career day, science fairs and special projects.
- I. Attends educational organizations meetings and conferences.

### 4-1.45 Cultural Affairs Liaison

The Cultural Affairs Liaison of the Office of Community and Multi-Media Relations educates, informs, identifies and solves problems affecting citizens of culturally diverse communities of the County.

- A. Acts as a liaison between the department and culturally diverse communities of the County.
- B. Identifies problems and offers solutions to culturally diverse communities.
- C. Educates and provides training and resources to culturally diverse communities regarding issues of public safety.
- D. Establishes and maintains relationships with community groups, civic organizations, businesses, clergy and schools.
- E. Assists in developing and improving diversity relations policies for the department.
- F. Publicizes the department's goals, objectives and initiatives with diverse communities of the County.
- G. Represents the department as a consultant on various community task forces as it relates to civic, business and residential public safety issues.
- H. Hosts periodic meetings and visits with community organizations, professional and residential groups to ensure the needs and concerns of all diverse communities are being addressed.
- I. Works closely with the department's Public Education Specialist.
- J. Establishes and maintains an updated list of the County's language bank.
- K. Develops culturally diverse educational material used in programs, initiatives and presentations.
- L. Assists with developing and implementing diversity training for the community, department and the County.
- M. Promotes the good will of the department through informing and educating all diverse communities throughout the County.
- N. Develops working relationships with civic, County, State and Federal Agencies.

### 4-1.46 Cultural Emissaries

The Cultural Emissaries of the Office of Community & Multi-Media Relations represent the interests of culturally diverse communities of DeKalb through promoting education, information and cross cultural and community relationships.

- A. Works closely with the Cultural Affairs Liaison, Public Education Specialist and Education Liaison Team.
- B. Responds to inquiries from culturally diverse communities.
- C. Assists with addressing problems in culturally diverse communities.
- D. Assists with providing education and training to culturally diverse communities regarding issues of public safety.
- E. Assists in improving relationships with community groups, civic organizations, businesses, clergy and schools of culturally diverse communities throughout the county.
- F. Assists with diversity training for the community and the County.
- G. Assists with the department's cultural based programs and initiatives.

### 4-1.47 Programs and Initiatives

Programs and Initiatives Administered by the Office of Community & Multi-Media Relations include but are not limited to the following:

#### A. COMMUNITY - BASED

- 1. Citizens Academy
- 2. Community Caucus
- 3. Senior Safety Academy
- 4. Hot Button Issues (addresses current community issues and concerns as it relates to public safety)
- 5. Tools for Tolerance Training
- 6. Neighborhood Watch

**B. CULTURAL - BASED**

1. Tools for Tolerance Training
2. Cultural Diversity and Sensitivity Training
3. Cultural Community Coffee Hours
4. Hot Button Issues (addresses current cultural issues and concerns as it relates to public safety)

**C. YOUTH - BASED**

1. Youth Police Academy
2. Stop...Look...Learn
3. Project One on One
4. Know Your Rights
5. Enterprising Interns

**D. FAITH - BASED**

1. Clergy Quarterly (includes crime analysis updates, public safety legislation updates)
2. Senior Safety Training

**E. DEPARTMENT- BASED**

1. Leadership Development
2. Team Building Workshops
3. Cultural Diversity and Sensitivity Training
4. Community and Multi-Media Relations Training

**F. MULTI- MEDIA BASED**

1. Public Safety News Magazine Programming
2. Salute to the Troops
3. Public Service Announcements (community & inter-departmental)
4. Proactive department and community based training programs, exercises and simulations
5. DKPD Newsletter
6. Community Corner Newsletter

**4-1.48 SOCIAL MEDIA AND NETWORKING – PURPOSE**

The DeKalb County Police Department endorses the secure use of social media to enhance communication, collaboration and information exchange, and streamline processes and foster productivity. Social media provides a potentially valuable means of assisting the Department and its personnel in meeting community outreach, problem-solving, investigations, crime prevention and related objectives. This policy establishes the Department's position on:

- the utility and management of social media
- the guidance on social media management, administration and oversight
- potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel.
- clarification on the boundaries between appropriate and inappropriate use of social media
- concerns associated with an employee's personal use of social media
- guidelines for the regulation and balancing of employee speech and expression with the legitimate needs of the Department

The Department recognizes the role social media can play in the personal lives of its employees and the effect it can have on their official capacity. Nothing in this policy is intended to prohibit or infringe upon the employee's speech or expression that has been clearly established as protected or privileged.

This policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by Department personnel.

**4-1.49 POLICY**

All County employees, when communicating on behalf or in representation of the DeKalb County Police Department are required to adhere to this policy when posting or representing themselves on social media. DeKalb County has the right to monitor and review all postings made by its employees on behalf of the County on social media platforms for compliance with this policy.

**4-1.50 DEFINITIONS**

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- A. *Blog*: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions or comments. The term is short for “Web log.”
- B. *Page*: The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.
- C. *Post*: Content an individual shares on a social media site or the act of publishing content on a site.
- D. *Profile*: Information that a user provides about himself on a social networking site.
- E. *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 (Facebook, MySpace, LinkedIn), microblogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs and news sites (Dig, Reddit).
- F. *Social Networks*: Online platforms where users create profiles, share information and socialize with others using a range of technologies.
- G. *Speech*: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- H. *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.
- I. *Wiki*: Web pages that can be edited collaboratively.
- J. *Public Information Office*: The delegated unit responsible for providing general oversight and maintaining the integrity (in terms of content and authorized users) for each official Department social media account in coordination with the Chief of Police.
- K. *Speech and Expression*: The communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

### 4-1.51 DEPARTMENTAL USE

- A. All Departmental social media sites or pages will be approved by the Chief of Police or his designee and will be administered by Departmental personnel selected by the Chief of Police.
- B. Social media pages will clearly have Department contact information prominently displayed, along with a statement that the site is maintained by the Department.
- C. All use of social media technologies will be consistent with applicable federal, state and local laws, regulations and policies, including all information technology and records management policies. Usage must also be consistent with the County’s Public Communications directives. Content is subject to open records laws; relevant records retention schedules apply.
- D. Official content posted by the designated personnel will accomplish and support the initiatives of community policing, reputation management, customer service, public relations and awareness, and crime prevention/solution. This includes incidents such as missing persons, providing crime prevention tips and announcing time sensitive notifications such as road closures or weather emergencies.
- E. Department personnel representing the Department via social media outlets will adhere to the following:
  - 1. Conduct themselves at all times as representatives of the Department and, accordingly, will adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.
  - 2. Identify themselves as a member of the Department.
  - 3. Not make statements concerning 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 permission from the Chief of Police or his designee.
  - 4. Not conduct political activities, or private business, or engage in solicitations of commerce.
  - 5. Not use profane language or content.
  - 6. Not use content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation.
  - 7. Not use sexual content or provide links to sexual content.
  - 8. Not provide any information that may tend to compromise the safety or security of the public or any member of the Department.
  - 9. Not use content that violates a legal ownership interest of any other party, such as copyrights or trademarks.
- F. Any content concerning an open or on-going investigation must be approved by the investigative unit commander before posting.
- G. Any material that references any elected official, including photographs, must be approved in advance by the county’s Chief Communications Officer or his designee.

- H. In utilizing social media, any feature that allows return comments to be publicly posted must be disabled.
- I. Social media is not an acceptable substitute for legal notices or official notifications.
- J. The Public Information Office will maintain a list of all approved Department social media accounts. This list will identify each account, including a list of all authorized users and their level of administrative rights for that account.
- K. The Public Information Office will limit access to each social media account based on assignment and needs of the Department in order to maintain the integrity of the account. Unauthorized access to a Department social media account is prohibited.
- L. Unapproved or unregistered accounts will be deemed unauthorized and will be closed and/or removed.

#### 4-1.52 PERSONAL USE

It is essential for every employee of this department to recognize that the proper functioning of any law enforcement agency relies upon the public's confidence and trust in its individual employees and this department to carry out the law enforcement function. Therefore, any matter that brings individual employees or the Department into disrepute has the corresponding effect of reducing public confidence and trust in our department, thus impeding our ability to work with and serve the public.

A. Department personnel will not post, transmit or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Chief of Police or his designee. This information includes but is not limited to:

1. Photographs/images relating to any investigation by the Department.
2. Video or audio files related to any investigation by the Department.
3. Information relating to any investigation by the Department.
4. Video, audio, photographs or recordings that document a law enforcement-related action of the Department.
5. Documents that are property of the Department.
6. Opinions about the Department and its operations that could adversely affect the ability of the Department to perform its law enforcement function.
7. Any information, photographs/images and video related to undercover detectives, their investigations, their equipment, their vehicles or any other item related to their undercover status.
8. Photographs/images, videos or audio files of traffic accidents, crime scenes, suspects in custody or the interior of any secured area of departmental facilities.

B. For safety and security reasons, department personnel are cautioned about disclosing their employment with the Department. Personnel will not post information pertaining to any other member of the Department without their permission.

C. Officers who are or may reasonably be expected to work in undercover operations will not post any form of visual or personal identification relating to their employment with the Department. In addition, personnel not assigned in an undercover capacity are cautioned that information posted identifying themselves as a police officer could make them ineligible for specialized assignments where anonymity is effectively required or preferred.

D. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department's code of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:

1. Speech containing obscene or sexually explicit language, images, acts, statements, or other forms of expression in which the Department's public image could be viewed as less than professional.
2. Speech that ridicules, maligns, disparages or otherwise expresses bias against any race, any religion or any protected class of individuals.
3. Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
4. Posting photographs, images, or videos of department personnel posing with weapons, evidence or contraband in a manner contrary to the standards of professional conduct.

E. Engaging in prohibited speech herein may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination.

F. Department personnel may not divulge information gained by reason of their authority, make any statements, speeches, appearance and endorsements or publish materials that could reasonably be considered to represent the views of positions of the Department without authorization from the Chief of Police or his designee.

G. Department personnel should be aware that they may be subject to civil litigation for:

1. Publishing or posting false information that harms the reputation of another person, group or organization (defamation);

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2. Publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern and would be offensive to a reasonable person;
3. Using someone's name, likeness or other personal attributes without that person's permission for an exploitative purpose; or
4. Publishing the creative work of another, trademarks or certain confidential business information without the permission of the owner.

H. 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.

I. 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.

J. Department personnel will not use their personal social networking website accounts to conduct official law enforcement investigations.

K. Postings of any photographs or work-related material which is positive about the Department and reflects pride in your work and our mission is permitted as long as it is professional in nature.

L. Any employee wishing to post any information, photograph, image, audio, video recordings, etc., involving other members of the Department must first obtain written permission from the other involved employees prior to making the post.

M. Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of this policy will notify his supervisor immediately for follow-up.

N. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the Department.

O. As public employees, department personnel are cautioned that speech on or off-duty, made pursuant to their official duties and responsibilities – that is, that owes its existence to the employee's professional duties and responsibilities – is not protected speech under the First Amendment, and may form the basis for discipline if deemed detrimental to the Department. Department personnel should assume that their speech and related activity on social media sites will reflect on their office and this department.

P. An employee's conduct, both on and off-duty, is the means by which the employee and the Department's integrity, credibility and reputation are measured. Employees must maintain high standards of professional and personal conduct at all times.

Q. Employees utilizing, posting pictures/audio/video, commenting or creating a social networking site, blogs, and comment oriented websites, must conduct themselves at all times in a manner so as to not bring embarrassment, disgrace or doubt as to their credibility as an impartial police officer or employee of the DeKalb County Police Department, or does not bring discredit upon individuals, the Department, DeKalb County or the community.

R. It is critical for employees to understand that statements posted by the employee on a social networking site that are misleading, false or coercive may be used to challenge the employee's truthfulness or impeach the credibility of the employee in any legal proceeding.

### 4-1.53 ADMINISTRATIVE INVESTIGATIONS

An administrative investigation will be conducted whenever there is a direct or indirect reference within these forums that violates any part of this policy.

A. Employees who are subject to administrative investigations may be ordered to provide the Department with access to the social media accounts when:

1. the focus of the investigation is directly, narrowly, and specifically related to the employee's alleged misconduct
2. the employee's performance or ability to perform his function within the Department is in question
3. the subject of the investigation is potentially adverse to the operation, morale or efficiency of the Department.

B. Supervisors may require of employees the ability to review the employee's social networking(s) for compliance with the policy. Employees do not have to provide access passwords, but will open the site for supervisory review upon request.

C. Employees have no expectation of privacy while using Department owned or leased equipment, even when using this equipment to access their personal email account or any social media site.

D. Authorized use of County equipment and networks is regulated by the Innovation and Technology personnel.

### 4-1.54 INAPPROPRIATE USE OF SOCIAL MEDIA

Failure to adhere to any parts of this policy is prohibited.

## OPERATION OF POLICE VEHICLES

### 4-2 PURPOSE AND SCOPE

To establish the DeKalb County Police Department procedure regarding routine, emergency response and pursuit driving by officers and employees of the Department.

These regulations and guidelines apply to all members of the Police Department, sworn or civilian, and all personnel who operate vehicles issued by the Department.

#### 4-2.1 AUTHORITY

The State Code of Georgia gives police officers the authority to violate traffic laws under certain circumstances. Georgia O.C.G.A. §.40-6-6 states:

*"40-6-6. Authorized emergency vehicles.*

*(a) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this Code section.*

*(b) The driver of an authorized emergency vehicle may:*

- (1) Park or stand, irrespective of the provisions of this chapter;*
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation; (Note: refer to 4-2.4 for Departmental policy)*
- (3) Exceed the maximum speed limits so long as he does not endanger life or property;*
- (4) Disregard regulations governing direction of movement or turning in specified directions.*

*(c) The exceptions granted by this Code section to an authorized emergency vehicle shall apply only when such vehicle is making use of an audible signal and use of a flashing or revolving red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that a vehicle belonging to a federal, state, or local law enforcement agency and operated as such shall be making use of a flashing or revolving blue light with the same visibility to the front of the vehicle.*

*(d) The foregoing provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons.*

*(e) It shall be unlawful for any person to operate an authorized emergency vehicle with flashing lights other than as authorized by subsection (c) of this Code section allowing the DeKalb County Police Department to issue permits for the use of flashing or revolving amber lights."*

#### 4-2.2 OPERATION

All vehicle operations by members of the Police Department will be in one of three modes, described below.

##### A. ROUTINE PATROL AND NORMAL OPERATIONS

1. While on patrol or conducting routine operations, the posted speed limit will be observed.
2. All traffic control signs and/or signals will be observed and obeyed.
3. Good driving habits and courtesy toward other drivers and pedestrians will be practiced at all times.

##### B. EMERGENCY RESPONSE DRIVING

1. An emergency response, using blue lights and siren, will be allowed only in response to a call of an immediate or potential life-threatening nature or a forcible felony that is in-progress, has just occurred or where failure to respond immediately would aid the perpetrator in making good his escape. (When dispatched through the Communications Division, this type call will be termed "Priority 1".)
2. The operator of a vehicle responding to an emergency call may violate traffic laws so long as he does not needlessly endanger life or property.

##### C. "HOT" PURSUIT DRIVING

1. "Hot" Pursuit is the immediate pursuit of an actual or suspected violator of the law.
2. The operator of a vehicle in hot pursuit may violate traffic laws so long as he does not needlessly endanger life or property.

#### 4-2.3 LIMITING FACTORS AND RESPONSIBILITY

A. The decision to operate a police vehicle in a manner that violates State traffic laws must be carefully considered. Even at those times when the law and Department policy clearly give the officer authority to violate traffic laws, some limiting factors must be considered:

1. Every vehicle has a maximum speed at which it may be operated safely. Some of the limiting factors include:
  - a. The type and condition of the tires and ambient temperature.
  - b. The brakes related to the known characteristic of fading under severe use.
  - c. The limit of the suspension system to support the vehicle at maximum side thrust.
2. Every driver has a limit to his ability to safely operate a high-speed vehicle on a given roadway. Some of the limiting factors include:
  - a. Experience and training in high-speed operation.
  - b. The degree of familiarity with the roadway being traveled.
  - c. The degree of understanding of the handling characteristics of the vehicle being operated.
  - d. The visibility and illumination available to the operator in the area being traveled
  - e. The obstacles, both present and potential, that must be avoided.
3. Every roadway has a maximum speed at which a particular vehicle may be operated safely. Some of the limiting factors include:
  - a. Lack of straight and level surface.
  - b. Condition and type of road surface.
  - c. The presence of rain, snow, ice, loose gravel or other foreign substance on the road surface.
  - d. The presence of intersections that could allow other vehicles to suddenly and unexpectedly obstruct the roadway.
  - e. The level of vehicular and pedestrian traffic in the area traveled.

B. When the speed of a patrol car nears 100% of the maximum of any one of the above limits or conditions, that speed is defined as HIGH SPEED regardless of the actual indicated miles-per-hour. There is little or no margin for error when a driver approaches 100% of an absolute maximum. A driver's lack of knowledge and understanding of these maximums is of itself a limiting factor.

C. The responsibility for the decision to engage in pursuit or an emergency response and the methods to be employed rests with the individual officer. In arriving at his decision, he must carefully consider all factors involved, including the seriousness of the offense, all possible consequences, and most importantly the safety of citizens, whose protection is his major objective.

#### 4-2.4 POLICY

A. The law permits officers who are engaged in hot pursuit or an emergency response to exceed the speed limit and to violate other traffic regulations as necessary, but only:

1. If the emergency lights and siren are employed (designating an emergency vehicle); and
2. If the utmost safety is assured for self and others. The decision to initiate or continue pursuit may be negligent when the heightened risk of injury to third parties is unreasonable in relation to the interest in apprehending suspects.

B. Even though the officer is legally engaged in an emergency operation and complying with subparagraph A-1 above, he is neither relieved of his duty to drive with "due regard" for the safety of all persons nor protected from the consequences of any reckless disregard for their safety. He must exercise that degree of care, which a reasonably prudent person in the discharge of similar duties and under like circumstances would use. It is understood that the officer's ability to supervise control over other motorists is limited, but it is the officer's duty to avoid contributing to the danger already created by the violating motorists.

In addition, it will be Departmental policy to restrict the latitude of operation granted by the State in the following manner:

1. Vehicle pursuits may result in serious injury or death and should be viewed in the same manner as a potential use of deadly force. Pursuits are prohibited unless there is probable cause to believe the person(s) being pursued has committed one of the following crimes:
  - a. Murder
  - b. Manslaughter (Voluntary or Involuntary)
  - c. Aggravated Assault
  - d. Aggravated Battery
  - e. Kidnapping
  - f. Rape

- g. Armed Robbery
  - h. Arson in the First Degree
  - i. Crimes, which create an imminent threat of serious bodily injury or death to others if the suspect is not placed in physical custody immediately.
  - j. Other crimes, felony or misdemeanor, involving deadly force, threatened deadly force, serious bodily injury or where there is strong belief that unless the subject is taken immediately into physical custody the safety of others will be in jeopardy.
2. Vehicle operation restrictions are as follows:
- a. The driver of a police unit will not pass another vehicle in a curve or at a hillcrest.
  - b. **No police unit shall proceed through a stop sign or red traffic signal without first coming to a complete stop and ensuring that all conflicting traffic in all lanes has come to a complete stop.**
  - c. No officer shall, at any time, operate a vehicle at a rate of speed that may cause him to lose control over the operation and/or direction of his vehicle.
  - d. No officer shall operate a vehicle on the wrong side of the road except with extreme caution and with the full understanding that the officer is accountable for any consequences.
  - e. No officer shall operate a vehicle against the traffic flow on any Interstate, entrance or exit ramp, one-way street or limited access highway unless all traffic between the officer and destination has been blocked.
  - f. A motorcycle may initiate a pursuit but will relinquish primary unit status immediately upon the participation of a marked vehicle.
  - g. An unmarked police vehicle will not participate in a vehicular pursuit unless it is equipped with an emergency light and audible device. The unmarked car shall relinquish primary unit status immediately upon the participation of a marked vehicle.
  - h. To diminish the likelihood of a pursuit, a police officer intending to stop a vehicle for any violation of the law shall, when possible and without creating a threat to public safety, close the distance between the two vehicles before activating emergency lights and siren.
- C. When attempting to stop a violator who has not yet begun to flee, the pursuing officer should keep in mind personal safety and try everything within his authority to apprehend the subject without resorting to a high-speed chase. For example, officers should wait on backup units to arrive or for the suspect to exit their car, or by not allowing suspects to enter the roadway from private property by parking a police vehicle in the driveway.

#### 4-2.5 PROCEDURES FOR HOT PURSUIT

- A. When engaged in "hot pursuit", the pursuing officer should remember that the sooner the subject is stopped or apprehended the less the opportunity for an accident. Of utmost importance the officer should not endanger the public or himself as a result of his driving techniques.
- B. When the operator of a pursued vehicle increases his speed or drives in such a manner as to endanger the safety of others, the pursuing officer shall immediately activate the siren and blue lights, and shall continuously use both throughout the pursuit. Officers are reminded that the warning effect of the siren will decrease rapidly as the speed of the pursuit vehicle increases.
- C. When safe to do so, the pursuing officer shall maintain communication with the dispatcher, relaying information such as the identity of his unit, location, direction of travel, exact reason for pursuit, estimated speed of the vehicle being pursued and other details, which will enable the other officers in the area, as well as the dispatcher, to assist. While the pursuit officer is transmitting information to the dispatcher and/or to other units, he must keep his voice as normal and coherent as possible and not shout. In the case of a two-man police car, the passenger should handle the radio transmissions. Units that have riders, prisoners, witnesses, suspects, or complainants in their vehicles shall not become engaged in pursuit situations. It is mandatory that officers announce their speeds over the air so that supervisors can better evaluate the situation, as well as assist other units in positioning.
- D. Units responding to assist should concentrate on covering the streets parallel to the one the pursuit is on, thus creating a "boxing in" effect, which will, hopefully, if not capture, at least discourage the violator from continuing his flight. This technique is also advantageous in the event the violator is able to elude the immediate pursuit vehicle, or in case the violator abandons his vehicle and flees on foot. If the violator should abandon his vehicle and flee on foot, the officer should, before giving foot pursuit, notify the dispatcher of his location, remove his ignition keys, and quickly check the violator's vehicle for other occupants who may have hidden.
- E. No more than two police vehicles shall be directly involved in the chase (immediately behind the perpetrator) unless authorized specifically by a supervisor (blocking maneuvers require more than two cars). The vehicle closest to the fleeing suspect shall be considered the primary unit.

## **POLICE VEHICLE OPERATION**

- F. No pursuit shall be initiated on the basis of traffic charges alone unless the subject vehicle is being operated in a manner such as to endanger life and property prior to pursuit.
- G. To the fullest extent possible, detailed descriptions of the car, license number and occupants should be obtained and broadcast. Even a partial license number is a valuable aid in quick identification. (In some cases, the license number could be obtained while following the motorist before directing him to stop.) If possible, the officer should note the license number on his clipboard or notebook. These notes are valuable in the event the subject is able to avoid immediate arrest or the pursuit is abandoned.
- H. During pursuit, a safe distance shall be maintained between both cars, enabling the pursuing officer to duplicate any sudden turns and lessen the possibility of a collision in the event of a sudden stop. Deliberate physical contact between vehicles at any time will not be justified, except as required at roadblocks and under the orders pertaining thereto.
- I. Because of the potential dangers involved, pursuing officers shall not pull alongside a fleeing motorist in an attempt to force the subject into a ditch, curb, parked car, or any other obstacle. It should be noted that if this occurred on a four-lane highway, the danger of a sideswipe collision would be increased, and the opportunity for escape would become greater through quick application of the brakes and a sudden turn by the violator.
- J. To avoid being arrested, many motorists will take imperiling chances. Regardless of the extenuating circumstances, the pursuing officer shall not duplicate these hazards. In the apprehension of traffic offenders and other violators, an officer must be sensitive to the public's reaction. This means that in all cases he must operate his vehicle in a manner that shows consideration for his own safety, the safety of the violator whom he seeks to apprehend, and, above all, the safety of others who may be using the roadway. Because of the many handicaps encountered, the pursuit officer must recognize and accept the fact that he will not be able to successfully apprehend every motorist he decides to stop.
- K. Officers will not discharge a firearm at or from a moving vehicle except as the ultimate measure of self-defense or defense of another when the suspect is using deadly force. (See Use of Force/Firearms, Section 4-6)
- L. Aerial support should be requested. When the helicopter arrives, communication responsibilities will be turned over to the helicopter crew and the pursuing units will reduce speed allowing a greater distance to develop between the police units and the violator. Units not directly participating in the pursuit will move toward the area in the event of a foot chase.

### **4-2.6 USE OF ROADBLOCKS**

- A. Because of the extreme and obvious dangers inherent in the use of roadblocks in pursuit situations, it is the policy of the Police Department that the use of roadblocks to apprehend wanted suspects will not be employed when it is apparent that innocent persons would be endangered.
- B. Roadblocks can be used by members of the Police Department during a hot pursuit only on the order of a supervisor and then only as a last resort when the person being pursued has proved, by his method of flight, total disregard for the lives and safety of the public.
- C. Once a decision has been made to use a roadblock, the Communications dispatcher will announce on all radio frequencies the location of the roadblock and the situation requiring the roadblock. The dispatcher will also ensure that the principal pursuit patrol cars acknowledge the location of the roadblock. If the pursuing units do not acknowledge the existence of the roadblock, the roadblock will be immediately abandoned.
- D. Under no circumstances shall vehicles other than DeKalb police vehicles be used as roadblocks. Once a roadblock has been ordered and a Police vehicle has been stationed as part of roadblock, no one shall remain in the vehicle.

### **4-2.7 ROLLING ROADBLOCKS**

- A. Stationary roadblocks are effective in some instances. If the violator realizes that his passage is blocked and he stops his vehicle, the stationary roadblock is effective. If the violator realizes that his passage is blocked and attempts to run the roadblock, the chance of injury and severe vehicle damage is imminent.
- B. Under certain limited circumstances the use of the rolling roadblock is effective and the chance of injury and vehicle damage is greatly reduced. Citizen's vehicles are not to be used in rolling roadblocks.
  - 1. Blocking: In a pursuit of moderate speed, blocking can be accomplished by positioning a patrol vehicle in front of the violator and another patrol vehicle beside the violator. Speed should be reduced gradually until the violator is stopped. Every effort should be made to avoid actual contact with the violator vehicle. Contact with patrol vehicles may cause airbag deployment preventing the driver/officer from controlling the vehicle.

#### **4-2.8 TIRE DEFLATING DEVICES**

To maximize the officer's safety and the safety of the motoring public, sworn personnel may choose to terminate a pursuit by the deployment of tire deflating devices. The use of the tire deflating devices will be governed by sound professional judgment and only under the following circumstances:

- The sworn officer has reasonable cause to believe the suspect has committed an offense justifying the suspect's arrest.
- The pursuing sworn officer has attempted to apprehend the suspect by means of both a blue light and siren, and the suspect has ignored the attempt.
- The sworn officer utilizing the tire deflating device has received Department-approved training on the use of the devices.
- The deployment is authorized by a supervisor.
- The tire deflating device will not be used to stop a pursuit involving any two or three wheeled vehicle, such as motorcycles, or any all-terrain vehicle (ATV).
- If other law enforcement agencies request a sworn officer to assist by using the Department's tire deflating devices, all provision of the Department's policy for the Operation of Police Vehicles will be followed.

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. The deploying officer will be responsible for notifying Communications of the location of the deployment. Communications will announce on all radio channels the location of the deployment. The dispatcher will also ensure the principal pursuit vehicles acknowledge the location of the deployment. If the pursuing units do not acknowledge the location of the deployment, the tire deflating devices will not be deployed.

#### **4-2.9 WHEN TO ABANDON PURSUIT**

- A. The pursuing officer must always use his best judgment in evaluating and reevaluating the chase and make a continuous appraisal of it in deciding whether he should continue the pursuit. Never should the element of a personal challenge to the officer enter into the decision. A professional officer is aware that the decision to abandon pursuit is, under certain circumstances, the most intelligent course of action. Officers should discontinue any chase when:
  1. The hazards of exposing the officer and the public to unnecessary dangers are high; or
  2. The environmental conditions indicate the futility of continued pursuit; or
  3. The offense is a misdemeanor and the identity of the violator is known; or
  4. The pursuing officer knows, or is almost certain, that the fleeing vehicle is operated by a juvenile and the offense constitutes a misdemeanor or a felony that did not involve an actual or threatened attack, such as Unauthorized Use of a Vehicle, and the safety factors involved are obviously greater than a juvenile can cope with; or
  5. When directed to do so by a superior officer. Officers involved in pursuits will adhere to all instructions and orders given by supervisors.
- B. It is difficult to describe exactly how a fleeing motorist could or should be apprehended, except that it must be done legally and safely. It is also difficult to list any particular traffic regulations that pursuing officers could or should not disregard. Likewise, one cannot set a safe, maximum pursuit speed. Each chase is unique within itself. The pursuing officer, in a short period of time, will have to use his own judgment; collect his total resources, including his training and overall experience, bearing in mind the procedures, and guidelines outlined in this policy; and apply them collectively to the existing circumstances. If the officer feels certain that his pursuit is justified according to the established criteria and it can be performed safely, he should continue with the intent to apprehend the suspect, but only while exercising maximum safety for all concerned. Officers should never be indifferent to the safety of the public, and every effort should be made to handle pursuit with such care and finesse that it can rationally be justified as a help, not a hazard, to highway safety.

#### **4-2.10 PURSUIT REPORTING**

All precinct Lieutenants are required to file a pursuit incident report on the form provided for each pursuit initiated by officers under their command. Every chase is to be documented, regardless of its duration.

These reports shall be forwarded to the Division Commander at the conclusion of the shift on which the chase occurred. The Division Commander or his designee shall review each report for compliance with policy.

## **POLICE VEHICLE OPERATION**

Pursuit reports shall be filed in the office of the Commander of Special Operations and such commander shall cause to be published an annual analysis covering pursuit operations for each entity and for the Division as a whole and shall fulfill such other reporting requirements as shall from time to time be required. Additionally, the Commander of Special Operations will conduct a documented annual review of pursuit policies and reporting procedures.

An informal line level critique of each pursuit shall be held by the participants involved in the incident. The meeting will be geared toward improvement of tactics and safety.

### **4-2.11 PURSUIT TRAINING**

All recruits in basic mandate training will receive the P.O.S.T. approved EVOC Course. (Emergency Vehicle Operations Course) Vehicular pursuit training shall consist of knowledge of applicable statutes, familiarization with the DeKalb County Police Department pursuit policy and the procedures relating to it, decision-making skills, behind-the-wheel driving skills, and the existing Metropolitan Atlanta Inter-jurisdictional Pursuit Policy.

### **4-2.12 METROPOLITAN ATLANTA INTER-JURISDICTIONAL PURSUIT POLICY**

In 1989 the Department signed a "Memorandum of Agreement" concerning inter-jurisdictional police pursuits in the metropolitan Atlanta area. All metro police agencies have signed this agreement, which will now be considered Department policy.

- A. Before entering another jurisdiction, the pursuing agency 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. Compete description of occupants and vehicle.
  - 5. Number of units involved in pursuit.
  - 6. Whether or not assistance is needed.
  - 7. When applicable, notify agency when pursuit is leaving their jurisdictional boundaries, or the location of termination.
- B. In order to lessen the dangers created by pursuits, agencies that maintain an air/aviation unit agree to provide such assistance, when available, to any and all signatories upon a direct request. Any signatory obtaining aviation support in the future will also provide this assistance. The agencies that will provide this assistance are: Dekalb County, Clayton County, Fulton County, Gwinnett County and Atlanta.
- C. The initiating agency will have control and be responsible for the pursuit. Other agencies will not participate unless requested to assist.
- D. A total of no more than three (3) vehicles from the combined jurisdictions will be involved in any pursuit, two (2) units from initiating agency and one (1) additional unit from the assisting agency.
- E. Where pursuits enter third and subsequent jurisdictions, the assisting unit, due to boundary familiarity and greater ability to maintain radio communications, will notify the next jurisdiction of a desire for assistance. The assisting unit will then remain with the pursuit until replaced by the next assisting agency. If the suspect is apprehended, all concerned agencies will be notified of the location and supplied pertinent information for appropriate charges.
- F. During a pursuit involving more than one agency, the following practices are prohibited:
  - 1. Roadblocks (fixed and rolling);
  - 2. Ramming;
  - 3. Forcing pursued vehicles off the roadway;
  - 4. Shooting at pursued vehicle (except to protect against the use of unlawful deadly force).
- G. Responsibility of the initiating agency:
  - 1. Arraignment of arrested persons;
  - 2. Disposition of any passengers;
  - 3. Disposition of arrested person's vehicle;
  - 4. Coordination of all reports, citations and criminal charges with the exception of accident reports.
- H. A supervisor from the agency where the pursuit terminates will respond to the location to supervise and assist officers.
- I. This Agency will not assist in any pursuit entering our jurisdiction in a manner or under circumstances in contradiction to our own pursuit policy.
- J. The information in this agreement will be distributed to all departmental personnel.

**4-2.13 POLICE ACCIDENT REVIEW BOARD**

- A. The DeKalb County Police Department Accident Review Board is hereby established:
1. to initiate and maintain an active interest in vehicular safety among Police personnel;
  2. to assist the Chief of Police in reducing the number and severity of vehicular accidents/injuries/damage among County personnel;
  3. to promote defensive driving and vehicular safety within the DeKalb Police Department;
  4. to hear accident cases of vehicle accidents involving County owned vehicles and personnel.
- B. The Police Accident Review Board will hear, on a periodic and timely basis, those vehicle accident cases, which involve DeKalb Police Department personnel and/or are referred to the Board by the DeKalb County Loss Control Manager.
- C. The Accident Review Board will hear cases involving personnel from the following entities:
1. Uniform Division
  2. Criminal Investigation Division
  3. Special Services Division
  4. Office of the Chief of Police. The Chief of Police will appoint a supervisor to present accidents involving the following personnel:
    - a. Office of the Chief of Police
    - b. Office of Professional Standards
    - c. Animal Control
    - d. Code Enforcement
    - e. Communications
    - f. Administrative Services
- D. ORGANIZATION
1. The Dekalb County Police Department Accident Review Board will be appointed by the Chief of Police and will be comprised of the following:
    - a. Chairman
    - b. Vice Chairman
    - c. Six (6) other voting members

The eight (8) Board Members will represent each Division, Precinct, Section and Unit in the Police Department to include Detectives, each Precinct, the Chief's Office, and the Special Services Division. The Chairman and Vice Chairman will have dual roles of also representing one of the entities.
  2. Voting members of the board will be designated on a DeKalb Police Personnel Order.
  3. Board appointments will be authorized by the Chief of Police and serve at his pleasure. Appointments will normally be staggered so that all members are not replaced simultaneously.
  4. Obtaining clerical support for the Police Accident Review Board will be the responsibility of the Chairman of the Board.
- E. DEFINITIONS
- The Accident Review Board will consider the following definitions in its deliberations:
1. Vehicular Accident - An undesired event that results in physical harm to a person or damage to property related to an employee's operation of a county vehicle.
  2. Property Damage Accident - An undesired event that results in physical harm to a person or damage to property not related to an employee's operation of a county vehicle. Property damage accidents will not appear on the employee's vehicular accident record and will be returned to line level for appropriate disposition.
  3. Preventable Vehicular Accident - Any accident which was avoidable through prudent, cautious and/or defensive actions on the part of a person/driver/operator.
  4. Incident - An undesired event that could have resulted in a loss/injury/damage.
  5. Minor Vehicular Accident - Any accident resulting in no injuries requiring hospitalization and/or damages to County/private property of less than \$1,500.
  6. Major Vehicular Accident - Any accident resulting in injuries requiring hospitalization of a county employee or private citizen for one day or more and/or damages to County/private property of \$1,500 or more.
  7. Negligence - Failure to exercise the care that the circumstances justly demand.
  8. Accident Review Board Worksheet - A worksheet used by the Board when discussing the elements of the accident, so that a measure of uniform corrective action can be achieved. Department policies which outline specific safe driving procedures take precedent over the scores developed by the Accident Review Board.

## **POLICE VEHICLE OPERATION**

### **F. CONDUCT OF ACCIDENT REVIEW BOARD**

A quorum of the Accident Review Board members must be present to hear cases. A quorum exists when five (5) of the eight (8) of the voting members appointed by Personnel Order are in attendance.

The Accident Review Board may hear information offered by the vehicle operator or other witnesses to: decide the appropriate corrective action to be recommended by the Board to the Chief of Police with the intent to reduce vehicle accidents; and, promote driving safety within the DeKalb County Police Department. After hearing the unsworn information offered by the vehicle operator and/or other witnesses, the Board, in closed session, will:

1. Discuss the case.
2. Hear Board member proposals as to corrective action to be voted upon and recommended to the Chief of Police, from reprimand up to termination.
3. Vote on the proposals offered. A proposal, which received a simple majority of the votes, will become the Board's unanimous recommendation for action to be taken.
4. Each recommendation for action will be reported in the meeting minutes to the Chief of Police in writing for final approval not later than three working days after completion of the Review Board meeting. The recorder will forward a copy of the approved minutes to the DeKalb County Loss Control Manager, and the Safe Driving Awards Program Manager.
5. Board recommendations will retain confidentiality until released by the Chief of Police. Board members are encouraged not to discuss the results of individual cases with outsiders either before or after approval of Board recommendations.
6. In the event that any DeKalb Police Personnel is involved in a traffic accident that results in death, the incident will be investigated by the Traffic Specialist Unit and the results forwarded to the District Attorney's Office, if appropriate, before any hearing by the Police Accident Review Board.

### **G. ACCIDENT REVIEW BOARD RECOMMENDATIONS**

1. No Action- The information offered the Board was of such a nature as to result in a recommendation for no further action against the employee.
2. Written Counseling- The information offered the Board was of such a nature that the Board recognized the need to make the accident a matter of record and possibly the basis for more severe action in the future.
3. Suspension - The accident was such that the employee should be relieved from duty without pay for a period as recommended by the Board.
4. Termination - The accident, or number of accidents, is/are significant and warrant(s) the recommendation for termination of the employee.

#### **NOTE:**

- a. All suspensions should commence within 30 days after the Chief of Police approves the Accident Review Board's recommendations.
- b. If an accident is serious enough to justify both a recommendation for suspension and the successful completion of a driver training program, the suspension time will not relieve the employee of the overall liability to successfully complete the driver training.
- c. Suspensions and dismissals are subject to the provisions of Section 20, Article IX of the DeKalb County Code.
- d. The actions of the Accident Review Board only address vehicular accidents and related loss. No attempt is made to investigate the rules and regulations of a specific division. To that end, each division is expected to address corrective action with their employees for violation of any such departmental regulation.

### **H. REPORTS**

A copy of the Accident Review Board minutes will be provided to the Chief of Police, and once approved, will then be provided to each member of the Board for information and appropriate action.

## **4-2.14 USE OF PATROL VEHICLES FOR OFF DUTY EMPLOYMENT**

The use of a patrol vehicle for off-duty employment may be appropriate under certain circumstances, because of obvious public safety hazardous conditions and/or exceptional criminal behavior that concerns the safety, welfare and protection of the citizens of DeKalb County in general. An example would be highway construction. Prior authorization by the Chief of Police or his designee is required.

When authorized, officers will check out a vehicle from the precinct in which the off duty job is located. The requesting officer will make contact with the Watch Commander on duty and request permissions to check out a vehicle. It is the responsibility of the Watch Commander to ensure that adequate vehicles are available for the primary duties of the precinct. If a vehicle is available, the Watch Commander will designate which vehicle the officer is to use.

The requesting officer will conduct an inspection, complete the appropriate vehicle inspection form including signature and submit the form to the Watch Commander. Inspection forms will be maintained at the precincts by the Watch Commander or his designee. The precincts will maintain a log book for officers who are checking out vehicles which will include the officer's name, badge number, date, motor maintenance number of the vehicle, time checked out and in, location of job detail and supervisor's signature.

The vehicle is to be returned to the precinct cleaned and refueled. Vehicles signed out should only be kept for the time period of the off duty job.

#### **4-2.15 USE OF TOLL FACILITIES IN AGENCY VEHICLES**

In performing its law enforcement duties, the DeKalb County Police Department may have a need to utilize one or more toll facilities operated by the Georgia State Road and Tollway Authority (SRTA).

SRTA agrees to allow authorized DeKalb County Police Department law enforcement officers operating an official agency vehicle to be exempt from toll payment on a Toll Facility when on official law enforcement business and that vehicle is equipped with an assigned Peach Pass.

SRTA agrees to allow authorized DeKalb County Police Department law enforcement officers operating an official agency vehicle off duty to be exempt from toll payment on a Toll Facility with occupancy requirements ("HOV Requirements") **only** if the number of occupants in the agency vehicle meets the HOV Requirements of that Toll Facility.

Each Peach Pass issued is assigned to a specific vehicle, therefore the Agency shall ensure that each Peach Pass provided is properly affixed to the agency vehicle to which SRTA assigned such Peach Pass. Only agency vehicles equipped with an assigned Peach Pass shall be exempt from tolls.

The DeKalb County Police Department shall only allow law enforcement officers, and not civilians, to utilize agency vehicles associated with an account to be exempt from toll payments.

Only the following uses of a DeKalb County Police Department agency vehicle will be exempt from toll payments:

1. Law enforcement officers operating an official agency vehicle when on official law enforcement business on behalf of the agency.
2. Off duty law enforcement officers operating an official agency vehicle on a Toll Facility with HOV Requirements **only** if the number of occupants in the vehicle meets the HOV Requirements of that Toll Facility.

Distribution of the SRTA Peach Passes to authorized personnel will be coordinated and administered by the Fleet Manager.

Any personnel violating these provisions will be responsible for all toll fees and penalties incurred and may be subject to disciplinary action.

#### **4-2.16 LEAVING A VEHICLE IDLING AND/OR UNATTENDED**

No county owned or operated vehicle will be left unattended and running with the keys in the ignition.

No vehicles operated by the police department will be left idling for convenience purposes. Anytime an employee leaves a vehicle, it will be turned off and locked or secured to prevent unauthorized access. Vehicles that must use emergency lights can be left idling if an employee is with the vehicle, so long as keeping the vehicle idling is required to operate the emergency equipment.

## TRAFFIC LAW ENFORCEMENT

### 4-3 PURPOSE AND SCOPE

To provide personnel of the DeKalb County Police Department with prescribed procedures for traffic law enforcement.

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 action will be taken without regard for such factors as attitude, intent or excuse. Enforcement not only involves arrest and citations, it includes effective warnings to drivers and pedestrians.

#### 4-3.1 TRAFFIC ENFORCEMENT GOALS AND OBJECTIVES

The objective of the DeKalb County Police Department's traffic enforcement program is the reduction of fatalities, personal injuries and property damage as a result of traffic accidents. To this end, the Department will collect and analyze traffic accident data in order to direct selective enforcement efforts to those areas or conditions that contribute to traffic accidents.

The reduction of the number and severity of traffic accidents will be the sole motivation of the department's traffic enforcement efforts. The generation of revenue or imposition of quota systems will not be a determining factor.

The goal of each precinct or unit involved in the Department's selective enforcement effort will be a reduction in the number or severity of traffic accidents in areas targeted as a result of accident data analysis. The progress made by each component in the attainment of its goals in targeted areas will be reported in the components' Goals and Objectives Reports.

#### 4-3.2 SPECIAL SERVICES DIVISION RESPONSIBILITIES

Various units and sections within the Special Services Division will be responsible for the planning, analysis, monitoring and coordination of the Police Department's traffic activities. Responsibilities will include, but not be limited to:

- 1) Operation of speed measuring devices;
- 2) Evaluation and coordination of enforcement activities resulting from analysis of traffic accident experience;
- 3) Evaluation and coordination of enforcement activities resulting from citizen complaints;
- 4) Special events coordination.
- 5) Follow-up investigation of all traffic related fatalities and all non-traffic fatalities resulting from motor vehicle accidents;
- 6) Follow-up investigation of all hit and run accidents;
- 7) Compiling, analyzing and reporting of accident statistics, to include annual review of traffic accident data as it compares to selective enforcement activities;
- 8) Dissemination of monthly accident and enforcement summaries to each precinct and the Special Operations Section. These reports will contain location, time, date, day, type of accident and primary cause or, if enforcement activity, the charge on all accident reports and traffic tickets written by the Department during the previous month;
- 9) The Special Services Division Commander will appoint a liaison with the DeKalb County Traffic Engineering Division to facilitate the sharing of information, make-up and distribution of traffic reports and the timely and efficient solution of traffic engineering problems;
- 10) Traffic safety education, in conjunction with the Community Relations Unit.

#### 4-3.3 UNIFORM DIVISION RESPONSIBILITIES

Each precinct and unit will, to the extent possible, direct its selective traffic enforcement efforts into areas that are:

- 1) Determined to be high incident areas of traffic accidents. Decisions will be based on monthly accident and enforcement reports and general accident patterns.
- 2) The subject of citizen complaints regarding violations of traffic laws.

## TRAFFIC LAW ENFORCEMENT

- 3) Staffing decisions regarding number of officers assigned to a certain territory or beat and the number of officers per watch will take into account the need for selective enforcement in that area or at that time of day.

### 4-3.4 ENFORCEMENT ALTERNATIVES

Officers are to use individual discretion, based on professional judgment, as to which form of enforcement action will be taken. Action will be appropriate for each violation of the law. This will be accomplished in a fair, impartial, courteous and business-like manner with one of the five following options:

- 1) Verbal Warning: A verbal warning is appropriate when the violator commits a very minor violation that results in little or no potential danger to the public.
- 2) Written Warning: A written warning is a proper alternative in response to a minor traffic violation, but not to the extent that court or other judicial action is warranted.
- 3) Written Citation: Traffic citations will be issued to violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic.
- 4) Written Citation with a Cash Bond: Cash bonds will be required for offenses where the appearance in court of the charged party is in doubt, i.e., out-of-state violator who is not from a Non-Resident Compact State or in those cases involving an out-of-state resident charged in an accident case.
- 5) Physical Arrest: The physical arrest of a driver is the most extreme action that may be taken for a traffic offense. This action may only be taken when the continued operation of the vehicle would result in an immediate danger to the public or when the driver's license has been suspended or revoked by the Georgia Department of Public Safety or the Department of Public Safety of another state. In addition, an arrest will be made for violation of an offense cited in 4-3.6. Physical arrest for traffic violations must be approved in advance by a superior officer.

### 4-3.5 TRAFFIC PATROL

Traffic patrol enforcement will include:

#### A. VISIBLE TRAFFIC PATROL:

- 1) Area - moving or stationary observation in an area that includes a number of streets or sections of highway.
- 2) Line - moving or stationary observation on a specific street or highway between two points.
- 3) Directed - either area or line patrol that is specifically directed by supervisory personnel and is based on unfavorable traffic accident or enforcement data.

#### B. STATIONARY OBSERVATION

- 1) Covert - traffic enforcement units will not be concealed from view of the roadway to the extent that the officer is not visible to persons using ordinary powers of observation.
- 2) Overt - traffic enforcement units will be positioned in such a manner near the roadway, or intersection, that is clearly seen by persons using ordinary powers of observation.
- 3) Unmarked traffic vehicles - unmarked vehicles will not be used in traffic enforcement.

### 4-3.6 SPECIAL PROCESSING PROCEDURES

#### A. NON-RESIDENTS

- 1) If a violator's state of residence is a member of the Non-Resident Violator Compact (See page 4), the officer may release the person on a copy of the citation and 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 Public Safety will notify the violator's Department of Public Safety and his drivers license will be suspended until the fine is paid.
- 2) 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 DeKalb County Recorder's Court during normal business hours (Monday through Friday, 0730 -1630). After normal business hours, the violator will be escorted to the DeKalb County Records Section. The citation should be marked "Posted Bond" in the remarks section of the citation, and appropriate copies left with the Records Clerk.

#### B. JUVENILE OFFENDERS

- 1) 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. The court date should be indicated on the citation in accordance with Juvenile Court guidelines on either the last Tuesday or Thursday of the month.
- 2) A field case will accompany the following violations whether the juvenile is arrested or released with a citation.
  - a) Homicide by Vehicle

- b) Manslaughter
- c) D.U.I.
- d) Failure to stop and render aid
- e) False affidavit relating to ownership of vehicle
- f) A felony in the commission of which a motor vehicle is used
- 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 drags
- l) Display of another person's license

#### NON-RESIDENT VIOLATOR COMPACT STATES

ALABAMA	NEBRASKA
ARKANSAS	NEW HAMPSHIRE
COLORADO	NEW JERSEY
CONNECTICUT	NEW MEXICO
DELAWARE	NEW YORK
D.C.	NORTH CAROLINA
FLORIDA	NORTH DAKOTA
GEORGIA	OKLAHOMA
ILLINOIS	OHIO
INDIANA	PENNSYLVANIA
IOWA	RHODE ISLAND
KANSAS	SOUTH CAROLINA
KENTUCKY	SOUTH DAKOTA
LOUISIANA	TENNESSEE
MAINE	TEXAS
MARYLAND	UTAH
MASSACHUSETTS	VERMONT
MINNESOTA	VIRGINIA
MISSISSIPPI	WEST VIRGINIA
MISSOURI	WYOMING

A field case may also accompany any other citation where the officer feels that additional information surrounding the circumstances of the violation would be beneficial to the court.

- 3) Juveniles that are taken into custody for D.U.I. should be given their rights under the Georgia Implied Consent Law for the purpose of the chemical test for alcohol or drugs. If the juvenile takes the test, the results should be noted in the officer's field case. If the juvenile refuses to take the chemical test, it should be noted in the officer's field case and the proper forms for a refusal will be completed.
- 4) The chemical breath test should be administered in the Book-In Unit. drawing of blood should be done by qualified medical personnel. All necessary precautions should be taken to expedite the juvenile's stay in the Book-In Unit. The juvenile may not be placed in any holding cell. (See 4-16.9 DUI)

#### 4-3.7 IMMUNITY FROM ARREST/TRAFFIC CITATIONS

##### A. LEGISLATORS

All legislators, state or federal, will be free from arrest during legislative sessions or committee meetings, and in going thereto or returning there from, except for treason, felony, or breach of the peace. When legislators are in session, citations or physical arrest will not be initiated without prior approval of the arresting officer's immediate supervisor. (Ga. Const., Art. 3, Sec. 4, Para. IX)

## TRAFFIC LAW ENFORCEMENT

### B. PRIVILEGE OF MILITIAMEN

The members of the organized militia or military forces will 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. 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 militiaman 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))

NOTE: Any sheriff or peace officer may apprehend persons subject to the Georgia Code of Military Justice upon reasonable belief that an offense has been committed and that the person apprehended has committed an offense. (O.C.G.A. 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. 38-2-322)

Militia shall be composed of the Army National Guard, Air National Guard, the Georgia Militia when organized, and the Georgia State Guard when organized. (O.C.G.A. 38-2-2 (10))

### C. 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. (O.C.G.A. 24-10-96)

### D. DIPLOMATIC AND CONSULAR IMMUNITIES

#### 1. Diplomatic Immunity

- a. The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving state shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom, or dignity. (Vienna Convention on Diplomatic Relations, Article 29-31, 23 U.S.T. 3227; 23 U.S.C. 254a et seq.)
- b. 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).
- c. 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).
- d. Private servants of embassy personnel have no immunity.

#### 2. Consular Privileges and Immunities

- a. In the absence of a specific treaty, consular officials are not entitled to diplomatic immunity. (Hall v. Coppel, 74 U.S. 549, 19 L.Ed 244, 247).
- b. The Vienna Convention on Consular Relations, Article 41-42, 21 U.S.T. 78, provides that:
  - 1) 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.
  - 2) 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.
  - 3) Except as specified above, consular officers shall not be committed to prison or liable to any other form of restriction on their personal freedom save in execution of a judicial decision of final effect.
  - 4) If criminal proceedings are instituted against a consular officer, he must appear before the competent authorities.
- c. In the event that a consular officer or employee or members of their families are taken into custody, the U.S. Department of State should be promptly notified.
- b. 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.I.)

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). (O.C.G.A. 50-1-1).

c. Family members of consular officials are not entitled to immunity. (Vienna Convention on Consular Relations, Art. 57.)

f. Traffic violations by Consular Officers.

1. 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 summons 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.)
2. 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/she may recover sufficiently to drive safely.
  - b) Take him/her to a telephone to call someone to drive them home.
  - c) Call a taxi for him/her.
  - d) Take the official home.
  - e) In all cases involving a consular official, a superior officer should be contacted.
3. Verification Of Status Of Person For Whom Immunity Is Claimed

A person claiming immunity is required to produce satisfactory evidence that he/she is entitled to immunity. The U.S. Department of State issues identification to diplomatic agents and career 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, ie., 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:

- a. During regular hours - the Office of Protocol, U.S. Department of State.
  1. For diplomats - (202) 647-1404
  2. For international organization employees - (202) 647-1406
  3. For Consular Officers - (202) 647-1664
  4. For United Nations employees - (202) 415-4131
- b. After normal hours, all calls should be made to the Command Center of the Office of Security, U.S. Department of State as follows:
  1. (202) 647-2412
  2. (202) 415-4444 (United Nations employees)

#### 4-3.8 INFORMATION TO VIOLATOR

At the time a motorist is charged with a violation, they will be provided with the following information:

- A. Court appearance schedule - written on citation.
- B. The violator should be furnished the phone number and told to contact the DeKalb County Recorder's Court to determine if the violator may enter a plea and/or pay a fine by mail or if appearance is mandatory.

#### 4-3.9 UNIFORM ENFORCEMENT POLICIES FOR TRAFFIC LAW VIOLATIONS

The following guidelines are provided to assist officers in making decisions as to whether or not a traffic summons is warranted.

- A. Speed Violations: Should be a clearly convictable case in court. May depend on location and time of violation (congested area, school zone, etc.).
- B. Other Hazardous Violations: Consider degree of hazard, time, place, previous accident history of location.
- C. Equipment Violations: With only an emission inspection now required of vehicles, consider issuance of a summons for any equipment defect which has accident causing potential.
- D. Public Carrier/Commercial Vehicle Violations: Consider time, place, and degree of hazard. (Serious safety violations should be reported to the Commercial Vehicle Inspection Unit.)
- E. Other Non-hazardous Violations: Consider warning unless repetitive or flagrant.
- F. Multiple Violations: May cite all, if deemed necessary; normally choose most serious violation and warn on others.
- G. Newly Enacted Laws and/or Regulations: Normally, a grace period (30 days) is established during which only warnings will be given. Thereafter, officer should use discretion.
- H. Violations resulting in traffic accidents: When the investigating officer can ascertain if a driver committed violations that contributed to causing an accident, they are to take the appropriate enforcement action (citation, arrest, etc.) against that driver.

## TRAFFIC LAW ENFORCEMENT

### 4-3.10 TRAFFIC CITATIONS, ARREST REPORTS AND SUPPLEMENTAL REPORTS

- A. Accurate, timely and complete reports are fundamental to this department's efficient and effective operation.
- B. Reports by uniform personnel will be completed and submitted to a supervisor by the end of the shift.
- C. The supervisor will check each report for accuracy, completeness and legibility. Reports will be forwarded to the Records Section and traffic citations will be forwarded as follows:
  - 1. Court Copy - Recorder's Court
  - 2. Police Department Copy - Recorder's Court
  - 3. Issuing Dept. Copy - Records Section
  - 4. Violator's Copy - Violator
  - 5. Officer's Copy - Retained by officer for one (1) year from date of issuanceExceptions: In physical arrests, the first three copies will be forwarded to the Records Section with any other paperwork on the incident.
- D. Reports will be printed legibly or typed. If pen is used, it must be black ink.

### 4-3.11 ACCOUNTABILITY FOR TRAFFIC CITATIONS

All blank traffic citations will be issued to a specific officer. Citation books will be stored in designated secured areas in the various precincts. Records of the issuance of traffic citation books will be maintained by the Records Section and compared to records of completed citations issued. Officers will be expected to account for all traffic citations issued to them. Any voided, damaged or otherwise unused tickets will be marked with the officer's name and badge number and forwarded to the Records Section.

### 4-3.12 WARNING CITATIONS/COURTESY WARNINGS

Warning citations may be issued to violators, on the standard ticket form, for minor violations when the officer desires that a permanent record be made of the incident. The warning citation should contain **all** normal information except a court date. "WARNING" will be written in the area provided for the court date and the first three copies of the ticket will be forwarded to the Records Section.

Courtesy warnings may be issued for minor violations when the officer does not desire any type of permanent record. Such instances might be out-of-state violators, warnings during grace periods, etc. Courtesy warnings will be maintained in the precinct or unit commander's office for a period of at least 90 days.

### 4-3.13 STOPPING AND APPROACHING TRAFFIC VIOLATORS

One of the most dangerous actions initiated by a police officer is to approach a motor vehicle pursuant to a traffic stop. The following steps are intended to provide maximum safety for the officer, the violator, and other users of the roadway. Varying conditions such as weather, traffic volume, road design or the urgency to stop the violator (DUI) may dictate adjusting or altering the recommended procedure. These procedures are to be followed when possible, and are presented from the perspective that ideal conditions exist.

- A. When the officer has positioned the patrol vehicle behind the violator to begin the stopping procedure, the officer should note the license number of the vehicle on a note pad; to be left inside the patrol vehicle.
- B. The officer should be thoroughly familiar with the area and anticipate the appropriate location to stop the violator. Consideration should be given to a location with ample space and appropriate lighting; every effort should be made to avoid stops on hills, curves, intersections, private drives and business locations which have limited parking.
- C. When the officer has positioned the police vehicle behind the violator, the officer will notify the Communications Center of the location, license number and the number of occupants of the vehicle prior to exiting the police vehicle.
- D. The officer should signal the violator to stop. This signal should be with the blue light, hand signals, sounding the horn, and if necessary, the siren.
- E. The violator should be signaled and directed to the right side of the roadway.
- F. On multi-lane roadways, the officer should insure the safety of the violator during lane changes by gradually changing from lane to lane with the violator.
- G. Should the violator stop abruptly in the wrong lane or in another undesirable location, they should be promptly directed to move to a safer location. Officers should use the public address system to instruct violators to move to a safer location if this equipment is available. If the patrol vehicle is not so equipped

and gestures are insufficient to bring understanding, the officer should quickly exit from the patrol vehicle and give verbal instructions to the violator.

- H. Once the violator has stopped in an appropriate location, the officer should position the police vehicle approximately one-half to one car length behind and two feet outside and to the left of the violator's vehicle.
- I. The officer should exit from the police vehicle and be continuously alert for any suspicious movement or actions on the part of the violator or other occupants in the violator's vehicle.
- J. The officer should approach from the rear of the violator's car, looking into the rear seat area, and stop at a point to the rear of the trailing edge of the left front door. This position should be maintained if there are only occupants in the front seat of the vehicle. From this position, the officer can communicate with the violator, keeping them in a slightly awkward position, and at the same time keep all occupants of the vehicle in view.
- K. In those cases where the violator's car has occupants in both the front and rear seats, the officer should approach to a point near the leading edge of the left front door, being especially alert for any unusual actions on the part of the occupants and choosing a path so the door cannot be used as a weapon against the officer. From this position, the officer can communicate with the violator and keep all occupants in view.
- L. In those traffic stops made by two officer patrol vehicles, the passenger officer should be responsible for all radio communications, writing all notes and messages relayed to or from the Communications Center and, during the traffic stop, 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 violator's vehicle on the same side of the car.
- M. At night, the procedure is basically the same with the additional necessity of exercising caution in selecting an appropriate place for the traffic stop, signaling the violator, and positioning the police vehicle. After the stop, the headlights should be on low beam for the safety of oncoming traffic, and emergency lights should be in use on the patrol vehicle, unless the stop is off the roadway and emergency lights are not needed for safety purposes.

#### **4-3.14 STOPPING A KNOWN OR SUSPECTED FELON**

A. When a vehicle driven by a known or suspected felon is located, the officer will notify the Communications Center immediately. The officer will inform Communications of the location, thorough description of the vehicle and a description of the occupants.

B. The officer will keep the suspect vehicle in view and request sufficient assistance in making the stop. The officer will keep support units informed of the location and direction of travel to facilitate their approach with minimal use of emergency equipment.

C. The suspect vehicle will not be stopped unless absolutely necessary until adequate support is available and in position. The following procedures will be used in effecting the stop:

- 1. The officer will plan to stop the suspect vehicle in a location, which provides minimal danger to other citizens.
- 2. When conditions are appropriate and support units available, the officer will move into position to the rear of the suspect vehicle.
- 3. The officer will signal the violator to stop, utilizing all emergency equipment to warn other traffic.
- 4. The violator will be stopped on the extreme right side of the road.
- 5. When the suspect vehicle begins to stop, the officer will turn off the siren and activate the public address system.
- 6. The officer will position the police vehicle so that it provides maximum protection and cover.
- 7. The officer will exit the police vehicle quickly, but remain behind the door and accessible to the public address system microphone.
- 8. The officer in command will direct each occupant, utilizing the public address system, to remove himself from the vehicle individually, according to specific directions, and into the appropriate search position.
- 9. If a public address system is not available, the officer in command will give voice commands. If they are not heard, or ignored by the suspect, the officer will wait for a backup unit prior to approaching the vehicle.
- 10. The support officer will cover the arresting officer and remain on the curbside of the vehicle until all occupants have exited and are in the search position.
- 11. Extreme caution will be exercised by officers not to get within each other's line of fire.
- 12. When all occupants have been removed from the vehicle, the support officer should move to a position to cover the arresting officer while the persons are searched.

## TRAFFIC LAW ENFORCEMENT

### 4-3.15 SPEED MEASURING DEVICES

A. The DeKalb County Police Department will only utilize speed-measuring devices, which meet or exceed the performance specifications established by the Georgia Department of Public Safety. (O.C.G.A. 40-14-1)

B. The department will utilize speed-measuring devices in high or potentially high accident locations when speed is a factor; in areas where speed limit violations are prevalent; in response to citizen complaints concerning speeding motorists; and to conduct traffic volume and speed percentile studies.

C. All speed measuring device operators will complete a course of instruction and must be properly certified prior to engaging in speed enforcement activities according to current State law. (O.C.G.A. 35-8-12)

D. The Commanding Officer of the Tactical Unit will establish procedures to:

1. Ensure programmed maintenance, testing and calibration of speed measuring devices;
2. Ensure that adequate maintenance, calibration and operational record systems (suitable for introduction as evidence in court) are developed and maintained;
3. Ensure that speed-measuring devices receive proper care and upkeep;
4. Ensure that operators receive proper certification, periodic in-service training and re-certification.

E. Radar/ Laser Procedures

The precise method for using a Radar or Laser unit and the enforcement of those laws applying to speed will vary in accordance with the type of Radar or Laser equipment used. Generally, the following procedures are applicable.

1. The radar unit must be properly installed and connected to the appropriate power supply. The laser unit's battery or auxiliary power must be installed.
2. The effective range of the particular radar or laser unit must be thoroughly understood by the operator so visual observations can support the speed-readings.
3. The radar unit will be properly calibrated to insure accuracy in checking speed. Prior to use at each location, this calibration will be confirmed. Most manufacturers recommend specific methods of checking calibration, and these will be followed without exception. The laser will be tested prior to its use at an area that has been accurately measured to a distance given by the manufacturer for verifying calibration. One test will be performed at the beginning of the tour-of-duty and again at the end of the tour.
4. A calibration check of the radar will be made upon arrival at the selected location of the speed check, and subsequently before departure from any location or anytime the police vehicle is moved from the original point of calibration check. If operating at a location for an extended period, periodic checks will be made utilizing the manufacturer's recommended and approved methods.

### 4-3.16 DUI ENFORCEMENT

Driving under the influence has been interpreted by various courts to mean that the ability to operate a motor vehicle is reduced or impaired by the consumption of alcoholic beverages or other drugs. The mere fact that a driver has the odor of alcohol on his/her breath is not sufficient cause for arrest. The violation is when the driver's ability is impaired.

The arrest of a person for driving while intoxicated differs significantly from other traffic law violations. For instance, implied consent statutes and legislation, which define intoxication in terms of blood alcohol levels, have been enacted. These statutes include provisions affecting an officer's authority.

### 4-3.17 DUI ENFORCEMENT PROCEDURES (See STAR Team 4-16.9)

### 4-3.18 ACCIDENT INVESTIGATION - POLICY AND PURPOSE

The DeKalb County Police Department performs a variety of traffic accident investigation functions including providing emergency service to the injured, protecting the accident scene, conducting accident investigations and follow-ups, preparing reports and taking proper enforcement action relative to incidents. The purpose of accident investigation is to properly determine the causative factors involved in an automobile crash and utilize these factors to develop enforcement that will reduce the incidence of accidents.

The purpose of this subsection is to establish general guidelines for the DeKalb County Police Departments traffic accident reporting and investigation practices.

#### A. DEFINITIONS

##### 1) Traffic Accident Reporting

Basic data collection intended to identify and classify a traffic accident and the persons, property,

time/location, and planned movements involved along with possible contributing factors such as traffic law violations.

2) Traffic Accident Investigation

Collection of factual information identifying and describing people, roads and property involved; describing the results of the accident in relation to marks on the road, debris, damage to vehicles/objects, final positions of vehicles and bodies; collection and organization of evidence for study and interpretation to tell how the accident happened.

B. ACCIDENT REPORT AND GENERAL INVESTIGATION

- 1) A police officer will be assigned, respond to, and prepare a report of accidents involving any of the following:
  - a) Death or injury;
  - b) Property damage;
  - c) Hit and run;
  - d) Impairment due to alcohol or drugs;
  - e) Hazardous materials;
  - f) Damage to public vehicles or property;
  - g) Major traffic congestion as a result of the accident;
  - h) Damage to vehicles to the extent that towing is required.
- 2) In a particularly serious accident involving severe injuries (near death), fatalities or complex accidents, it may be necessary to summon expert or technical assistance from the Traffic Specialist Unit. Such assistance will be requested through a supervisor.
- 3) Accident scene responsibilities of the first officer at the scene:
  - a) Administering emergency medical care (basic life support measures) pending arrival of Emergency Medical Service (EMS);
  - b) Summoning additional help as required (officers, rescue, tow truck, etc.);
  - c) Protecting accident scene and separating disputants, if any;
  - d) Identifying and dealing with fire hazards and/or hazardous materials;
  - e) Preserving short-lived evidence (broken parts, skid marks, etc.);
  - f) Establishing a safe traffic pattern around scene;
  - g) Locating witnesses and recording accident information.
  - h) Determining any impairment of drivers due to alcohol, drugs, or other chemical substances.
- 4) The officer assigned to the territory in which an accident occurs shall normally be responsible for the investigation of any accident that occurs during his/her tour of duty.
- 5) The Traffic Specialist Unit, once requested to conduct the investigation by a supervisor, will be in complete charge of the investigation, the on-scene units will not alter the accident scene or move any evidence until the Traffic Specialist Unit arrives. The uniform officer will complete the Georgia Uniform Motor Vehicle Accident Report, and any other Incident Reports required. The officer receiving the call or officer(s) designated will assist the Traffic Specialist and will not make any charges (citations or physical arrest) without prior approval of the Traffic Specialist in charge of the investigation.
- 6) Accidents involving only property damage may be reported over the telephone to the Precinct Screening Officer. The employee taking the telephonic report will obtain all the information necessary to complete the accident report. The narrative portion of the report should reflect that the report was taken over the telephone and no investigation was made at the scene.
- 7) In case of accidents that occur on private property, accident reports need not be filled out if it is a property-damage-only accident and the property damage does not exceed the statutory dollar amount set by current State Law. If damage appears to be less than that amount, and the citizen requests a report, it will be the policy of the Police Department to make the requested report.
- 8) The accident investigation equipment and emergency medical supplies required in every patrol vehicle include (in addition to the standard patrol vehicle emergency equipment):
  - a) Fire extinguisher;
  - b) An emergency medical kit, including all contents specified on the list enclosed in the kit.
  - c) Surgical gloves and airway;
  - d) In addition, each officer will have in their personal possession a sufficient supply of proper forms necessary in completing accident reports and investigations, a reflective traffic vest and a flashlight if the officer is on duty during hours of darkness.
- 9) Vehicles assigned to the Traffic Specialist Unit will contain accident investigation kits containing:

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- a) Clipboard
- b) 2-100 foot measuring tapes
- c) 1-measuring wheel
- d) Lumberman's crayon
- e) Spray paint
- f) Tape recorder
- g) 12 foot tape

**10)** Enforcement action will be taken whenever believed appropriate by the investigating officer, when that officer has detected a violation of a traffic law and when evidence exists to satisfy all the elements of that particular violation. **(exception - when a Traffic Specialist is requested, TSU will determine appropriate action)**

### C. AT SCENE STABILIZATION ACTIVITIES

- 1) Upon the receipt of a report of a motor vehicle accident that requires the services of a police officer, the officer assigned will proceed as expeditiously as possible to the scene. The police vehicle should not be parked at the scene in a manner that will endanger pedestrians, motorists or citizens. The officer should consider using the police vehicle as a shield to protect the scene as well as the officer.
- 2) If during periods of reduced visibility or darkness, the officer shall put on reflective safety vest prior to leaving the vehicle.
- 3) In case of injuries, persons trapped in vehicles, etc., the DeKalb Emergency Medical Service (EMS) should be notified.
- 4) In case of danger of fire from leaking ruptured gas tanks or where there is any sign of hazardous materials having been transported, the DeKalb Fire/Rescue Services will be notified.
- 5) All police vehicles are equipped with a copy of the current Emergency Response Guidebook, which permits rapid identification of placards for hazardous materials and gives information concerning the nature of the hazard, emergency procedures, evacuation disasters, etc. Any police officer arriving at the scene of such an accident and seeing hazardous materials placards should immediately request Fire/Rescue Services. The DeKalb Fire Chief will assume control of any scene involving hazardous materials and police officers will provide support as required. Any investigation of the accident will only occur after such has been approved by the Fire Chief or his designee.
- 6) Normal traffic flow should be established as soon as possible after injuries are cared for. If there is a dispute between parties, they are to be separated. If vehicles cannot be driven or pushed from the roadway (or the scene is being held for the arrival of TSU) and are creating a hazard, the officer will manually direct traffic around the scene or call for sufficient personnel to handle traffic direction. If the scene will not be cleared for an extended period, H.E.R.O. Units will be called to deliver barricades, traffic cones, etc., to the scene.
- 7) Any property belonging to accident victims will be protected from theft or pilferage and, if victims are not present, will be inventoried and turned into the Property and Evidence Section along with a property sheet. When officers encounter currency, it should be immediately counted in front of witnesses and noted within the report.

### D. ACCIDENT REPORTS AND RECORDS

- 1) A Georgia Uniform Motor Vehicle Accident Report will be completed on all accidents that occur on public property or which involve DeKalb County government-owned vehicles within the unincorporated area of DeKalb County. Public property is defined, for the purpose of accident reports, as any highway, roadway, street or public parking lot maintained by the state, county or city.
- 2) In the event of an accident that occurs on private property, a Georgia Uniform Motor Vehicle Private Property Accident Report will be completed if it meets any of the normal reporting criteria (death, personal injury, property damage in excess of the statutory limit set by current State Law or at a citizen's request).
- 3) Detailed instructions for preparation of the Georgia Uniform Motor Vehicle Accident Report are contained in the Instruction Manual - DPS 523A and available from the Training Section.
- 4) Coding of the Georgia Uniform Motor Vehicle Accident Report is standardized as well as mandated by the Georgia Department of Public Safety.

### 4-3.19 PARKING ENFORCEMENT ACTIVITIES

A. Whenever an officer finds a motor vehicle, which has been abandoned or left unattended on a public street, road, highway, expressway or other public property, they will be authorized immediately to cause that motor vehicle to be impounded when such motor vehicle **poses a threat to public health or public safety**. This will be done pursuant to O.C.G.A. 40-11-3.

B. Whenever an officer finds a motor vehicle which has been abandoned or left unattended on the expressway system (I-20, I-85, I-285, I-675 or the Stone Mountain Freeway) and such vehicle is not a threat to public health or safety, the vehicle may only be impounded after a period of eight hours has expired. Once an abandoned or unattended vehicle, that is not a hazard, has been identified by a peace officer, the officer should immediately "red tag" the vehicle and the eight-hour period will begin to run at that time. This will be done pursuant to O.C.G.A. 40-6-206. A vehicle that falls under this criteria may be impounded, regardless of the time involved, if the officer observes evidence of a theft, etc. from that vehicle. It will be impounded for safekeeping until an owner can be contacted.

C. Whenever an officer finds a motor vehicle which has been abandoned or left unattended on any public street, road, highway or other public property (other than expressway system) and the motor vehicle does not pose a threat to public health or safety, the officer must allow a period of at least five days to expire before causing such motor vehicle to be impounded. The five-day period should begin once the vehicle has been "red-tagged". In this situation, the officer must reasonably believe that the person who left such motor vehicle unattended does not intend to return and remove the vehicle. This will be done pursuant to O.C.G.A. 40-11-3. A vehicle that falls under this criteria may be impounded, regardless of the time involved, if the officer observes evidence of a theft, etc. from that vehicle. It will be impounded for safekeeping until an owner can be contacted.

D. Section 17-62 of the DeKalb County Code allows peace officers to impound a vehicle that is parked, in any place within the unincorporated limits of DeKalb County, where parking is not permitted at that particular place and/or time, pursuant to local ordinance.

E. Once a decision has been made by an officer to impound a vehicle pursuant to this section, the officer must include pertinent information in the report and include the state law or local ordinance relied on for the impound, and if the vehicle had been previously "red tagged", this warning (red tag) will accompany the report.

F. Abandoned vehicles shall not be impounded from private property unless:

- 1) The vehicle is worked in connection with a crime;
- 2) Emergency conditions - the vehicle constitutes an immediate danger to life and/or property.

G. Particular emphasis will be placed on improper parking in handicapped spaces and fire lanes. Parking tickets may be written for these offenses on both public and private property. A warning ticket should be issued when handicapped spaces are not marked with an erected sign that would obviously be visible to anyone parking in the space.

In addition to enforcement of handicapped parking regulations by Department personnel, the Chief of Police has authorized handicapped persons to enforce handicapped parking after having met the following conditions:

- 1) The applicant must apply for a permit from the Department and carry the permit at all times while engaged in parking enforcement.
- 2) The applicant must undergo a background check conducted by Internal Affairs.
- 3) The applicant must successfully complete a training seminar conducted by the Department.
- 4) Upon certification, handicapped enforcement personnel must:
  - a) Enforce only handicapped parking violations;
  - b) Return completed tickets to the nearest precinct in a timely manner;
  - c) Not carry any firearms while enforcing parking regulations.

#### **4-3.20 TRAFFIC DIRECTION AND CONTROL**

The DeKalb Police Department will carry out its responsibility for traffic direction and control, by providing and managing appropriate personnel and alternate resources adequate to deal with the need for traffic direction and control.

In order to establish uniform procedures for the provision of traffic direction and control, the following policies will be adhered to:

##### **A. HIGH VISIBILITY CLOTHING**

All officers will wear the issued high-visibility reflective vest when working traffic.

##### **B. TRAFFIC CONTROL AT FIRE SCENES**

- 1) Officers engaged in traffic direction and control services at fire scenes will ensure access to and egress from the scene by the Fire/Rescue Services and other emergency vehicles.
- 2) 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 fire operations may be towed as needed.

##### **C. TRAFFIC CONTROL DURING ADVERSE ROAD AND WEATHER CONDITIONS**

- 1) The Watch Commander will request dispatchers to notify the local radio stations, public works and the Fire/Rescue Services of adverse road conditions that will affect the motoring public.

## TRAFFIC LAW ENFORCEMENT

- 2) Departmental personnel will provide traffic direction and control services at the scene of all downed power lines, broken gas or water mains or construction sites when the situation unnecessarily endangers the safe movement of traffic through the area.
- 3) The Watch Commander may close a street if, in his/her opinion, the surface conditions and terrain create an unusually hazardous condition. The commander should request assistance from the proper agency in alleviating the problem and request public service radio announcements be made in reference to the closure.
- 4) Anytime that an Interstate or Highway is closed the Department of Transportation (D.O.T.) must be notified.

### D. ESCORTS

- 1) Funeral escorts are not normally provided by the Police Department. However, on those occasions when a funeral is expected to be so large as to exceed the capability of private escort services, the Department will provide the necessary service after approval by the Chief of Police. Funeral directors will be required to give at least 24 hours advanced notice and provide specific times in order to reduce officer idle or waiting time.
- 2) Requests to escort oversize vehicles or vehicles with dangerous or hazardous materials must be approved by the Chief of Police.
- 3) Officers encountering motorists with medical emergencies have several options; they can summon EMS, let the motorists proceed with caution, or escort the vehicle with caution. Officers are not to permit citizens to drive in a manner contrary to law, as these are not authorized emergency vehicles. The officer must ensure the safety of the patient, driver, passengers, officer, and all other users of the roadways.

### E. SPECIAL EVENT

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.

- 1) Upon learning of a special event, the Chief of Police will designate certain personnel to ensure the preparation/implementation of a special traffic plan which addresses:
  - a) Ingress and egress of vehicles and pedestrians;
  - b) Provisions for parking;
  - c) Spectator control;
  - d) Public transportation;
  - e) Assignment of point control duties and reliefs;
  - f) Alternate traffic routing;
  - g) Temporary traffic controls and parking prohibitions;
  - h) Emergency vehicle access;
  - i) Appropriate area for media coverage.
- 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 emergency vehicles on emergency runs. Police officers may facilitate the movement of other emergency vehicles by assisting with traffic control at key intersections.

### F. TRAFFIC CONTROL DEVICES

- 1) Temporary traffic control devices such as cones, barricades, etc., may be obtained from the Public Works Department, Roads and Drainage Division for special events or emergency situations. The precinct watch commander 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 situation 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, Traffic Engineering Division will be called to the scene. Officers will not manually operate such devices unless prior approval is granted by Traffic Engineering.

### G. SAFETY-CHECK ROADBLOCKS

Safety Check Roadblocks have been determined by the courts at both the state and federal level to be a valid enforcement tool for the purpose of checking driver's licenses, insurance cards, vehicle registrations and vehicle safety. The following procedures will be followed at all roadblocks:

- 1) The actual determination of when, where and how a roadblock is to be set up will be made by supervisory personnel and have the prior **written** authorization of the precinct commander.
- 2) The on-duty Watch Commander in each precinct will be knowledgeable of all safety-check roadblocks and will make certain that a superior officer of the rank of lieutenant or above is present at all times.
- 3) The safety factors listed below will be adhered to when conducting safety-check roadblocks.

- a) All safety-check roadblocks will have necessary warning lights or signs to indicate to oncoming motorists there is a problem ahead. The location will determine the necessary lighting. At least one marked uniform vehicle with operating top lights will be present at all times.
- b) No officer will work the roadblock without wearing a reflective traffic safety vest and have a flashlight in good working order.
- c) No safety-check roadblock will be held on or near any hillcrest, curve or other area where the roadblock cannot be seen for a reasonable distance.
- d) No safety-check roadblock will be held during times of peak traffic flow which would tend to cause an unreasonable delay of the motoring public to such an extent as to affect the normal work day or normal business use of the main arteries.
- e) Safety-check roadblocks should be held during normal, non-peak traffic times and, if the roadblock begins to impede the normal flow, the roadblock should be temporarily discontinued as necessary for the safe and efficient movement of traffic.
- f) Vehicles will be checked in a systematic manner, such as every vehicle, every 5th vehicle, etc. Vehicles will not be checked based on the appearance of the vehicle, driver or occupants.
- g) No safety-check roadblock will be held on any expressway system.
- h) Citizens stopped in the roadblock will be met only by uniform officers. Officers will be courteous and considerate, taking into consideration that some may be annoyed by the inconvenience, however brief. Every care will be taken to minimize the inconvenience to the general motoring public and to reduce to an absolute minimum any intrusion upon the rights of our citizens.

#### H. D.U.I. ROADBLOCKS

Roadblocks for purpose of apprehending D.U.I.s or other non-regulatory enforcement must meet guidelines in addition to those mentioned above.

- 1) A roadblock will only be used when a specific need or public concern can be documented. For instance, a D.U.I. roadblock could only be established at locations which can be shown to have a higher than normal incidence of D.U.I. arrests or a higher D.U.I. accident rate.
- 2) Precinct Commanders authorizing roadblocks for the purpose of D.U.I. enforcement will document the need and supporting data for a roadblock at a specific location. Subsequent enforcement data (i.e., number of arrests, tickets) will be maintained and stored with the authorization at the precinct. This information will be maintained for a period of one year.
- 3) When a driver is suspected of being under the influence, an approved mechanical or chemical device will be employed whenever possible to measure the level of alcohol consumption. Prior to a decision to arrest, a thorough field sobriety test will be administered and documented, existing conditions permitting.

The Uniform Division Commander will be notified in advance of the establishment of any roadblock for the purposes defined in "G" and "H" above.

#### I. ROADBLOCKS IN FRESH PURSUITS

See Section 4-2 (Operation of Police Vehicles)

#### J. CRITICAL INCIDENT ROADBLOCKS

- 1) The on-duty Watch Commander must determine if roadblocks/checkpoints will be used to assist in the apprehension of suspects in critical incidents.
- 2) Each precinct will be responsible for developing a list of roadblock/checkpoints and a map, which clearly indicates these locations. Each superior officer will have in their possession this list so that directing the assignment of personnel can be achieved as quickly as possible.

## TRAFFIC LAW ENFORCEMENT

### 4-3.21 MANUAL DIRECTION OF TRAFFIC

A. Visibility - Officers will wear their reflective jacket or reflective vest when directing traffic. During adverse weather conditions, officers shall wear 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.

B. 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 that person is aware or it can be reasonable 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.

C. 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.

D. Right Turns - Right turning drivers usually effect their turns without the necessity 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, either the same procedure may be followed utilizing the left arm extended or the extended left forearm may be raised to a vertical position from the elbow while closing the fingers so that the remaining extended thumb points in the direction of the driver's intended turns,

E. Left Turns - Left turning drivers should not be directed to effect their movement while the officer is also directing oncoming traffic to proceed. Therefore, the officer should either direct opposing vehicles to start while avoiding left gestures directed at turning drivers, which will lead 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 oncoming 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.

### 4-3.22 SIGNALLING AIDS

A. The whistle is used to get the attention of drivers and pedestrians. It is used as follows:

- 1) One long blast with a STOP signal.
- 2) Two short blasts with the GO signal.
- 3) Several short blast to get the attention of a driver or pedestrian who does not respond to a given signal.

B. 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, and 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.

C. 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 antagonism toward those who do not understand or who do not wish to obey the officer's directions.

D. The flashlight can be used to halt traffic. To stop traffic slowly swing the beam of the light across the path of oncoming traffic. The beam from the flashlight strikes the pavement as an elongated spot of light. After the driver has stopped, arm Signals may be given in the usual manner, the vehicle's headlights providing illumination. This procedure is to be used in conjunction with all relevant existing departmental policies, procedures, rules and regulations

#### **4-3.23 TRAFFIC DIRECTION AT ACCIDENT SCENES**

A. 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 report.

B. In serious accidents requiring a thorough investigation, the scene may need protection for an extended period. In these cases, investigating officer shall follow these procedures:

- 1) Summon sufficient manpower to handle traffic direction responsibilities.
- 2) Utilize sufficient equipment to protect the scene (barricades, traffic cones, etc.).
- 3) Detour traffic as necessary.
- 4) Give priority attention to collecting the information necessary at the scene to facilitate restoring normal flow of traffic.
- 5) Restore the scene to a safe condition (replace signs, etc.).
- 6) Continue traffic direction duties until traffic flow is normal.

#### **4-3.24 TRAFFIC ENGINEERING**

A. The primary responsibility for traffic engineering in DeKalb County rests with the Traffic Engineering Division of the Public Works Department, however, all officers will take an active interest assisting that division in carrying out their duties by:

- 1) Accurately reporting traffic accident data on accident reports and including information which will be of assistance in resolving traffic engineering problems;
- 2) Reporting any observed problems which can be corrected by Traffic Engineering, such as malfunctioning traffic signals, signs down, improper light timing, etc. Notification of these immediate problems will be through the Communications Division to Traffic Engineering.
- 3) Reporting, in writing through the Traffic Specialist Unit, any roadway design conditions which may contribute to traffic accidents and should be studied for possible correction. This will include conditions observed by an officer or reported by a citizen to the officer.

B. The Traffic Engineering Division and County Data center will provide the Police Department with:

- 1) Periodic summaries of traffic accident locations, including time, weather and causative factors.
- 2) Traffic surveys, studies and counts in response complaints, law changes, traffic pattern changes, etc., referred by department personnel.
- 3) Assistance in analysis of traffic accident data in conjunction with department personnel and the Special Services Division.
- 4) Will participate in local and regional transportation planning agencies and will, in conjunction with the Commander of the Special Services Division, transmit department proposals, recommendations and information to those agencies.

#### **4-3.25 AUDIO/VIDEO RECORDING EQUIPMENT PROCEDURES**

##### **A. APPLICATION**

The routine use of mobile audio/video recording equipment in patrol vehicles is for collecting evidence that could be subsequently used in the prosecution of those who violate the law.

##### **B. INSTALLATION**

Unless provided by the vendor, installation and maintenance of audio/video equipment will be coordinated through the Uniform Division Commander's Office.

##### **C. GENERAL USE**

## TRAFFIC LAW ENFORCEMENT

- 1) Officers assigned to vehicles containing audio/video recording equipment will be responsible for inspecting the equipment for deviations in operating condition, appearance and suitability for its intended use. Any problems encountered will be reported immediately to the officer's supervisor.
  - 2) The video recorders will be set to record on the slowest possible speed to make the fullest use of recording tapes. Time and date stamping of the tape will be enabled at all times.
  - 3) Officers will record traffic stops, particularly those believed to involve individuals operating motor vehicles under the influence of alcohol/drugs, pursuits and accident scenes when practical. Officers will also record other events, situations and circumstances, including but not limited to, armed encounters, acts of physical violence, felonious conduct and crime scenes.
  - 4) Officers will **NOT** stop the use of audio/video recording equipment solely at the request of a violator or participant in a public safety incident. Recording will be stopped only at the discretion of the officer or upon the order of a superior officer.
  - 5) Officers will inform those who ask that audio/video recording equipment are in use.
- D. IDENTIFICATION, USE AND STORAGE OF TAPES
- 1) Officers will use only new or reconditioned videotapes. Tapes will not be rewound and used again.
  - 2) Each tape will be used until the tape is full or until a significant event occurs that was recorded on the tape. Officers coming on duty will not rewind tapes.
  - 3) Once a tape contains a significant event that can be used as evidence of a crime, as a training aid for other officers or to refute a possible complaint, the officer will stop using that tape. That video or audiotape is now evidentiary in nature, and all procedures related to Property and Evidence apply. The tape will be labeled with the officer's name, badge number, date and time of the incident and turned into the Property and Evidence Section on a Property Sheet.
  - 4) Each vehicle equipped with audio/video equipment will have one tape in the camera and two additional tapes assigned to the vehicle. These will be used to replace tapes containing significant events that occur during a shift or tapes that become full. It will be the officer's responsibility to replace any tapes used before going off duty.
  - 5) Once the Property and Evidence Unit is advised by the officer that a tape is no longer needed, the tape will be erased and reconditioned for reuse.

\*S.T.A.R. Team tape guidelines are listed in SSD chapter

### E. NOTATION OF SIGNIFICANT EVENTS

Officers who record events for which they later write a report will include in the report that a video recording was made of the event and where the tape will be stored. If the times listed on the report differ in any way from the time the recording was made, the officer should include the time of the recording to simplify location of the event on the tape. When any officer makes an arrest for D.U.I. or any other offense in which recorded evidence exists, he will make a copy of the Field Case Report and forward the copy to the Uniform Division Commander's Office. The report will indicate that the event was recorded and the tape was turned into the Property and Evidence Unit.

### F. TRANSMITTAL, TRANSFER OR TRANSPORTATION OF RECORDED TAPES

- 1) All audio/visual recordings made with departmental equipment and supplies will remain the property of the DeKalb County Police Department and may only be used as outlined below.
  - 2) Recorded events may be duplicated or released to the following:
    - a) District Attorney's Office/Solicitor's Office - upon the request of prosecutors or other authorized court officials.
    - b) DeKalb County Superior, State, Juvenile, Magistrate or Recorder's Courts - upon the request of any judge or authorized court official.
    - c) DeKalb County Police Training Section - upon the request of the Section Commander for use in police training.
    - d) DeKalb County Police supervisory personnel - with any legitimate investigative or supervisory need.
  - e) Any other individual or organization with a demonstrated need –upon the approval of the Chief of Police. In no case will an incident pending prosecution in any court be released without the approval of the prosecutor assigned to the case.
  - f) Officers who want a copy of a tape they recorded may make a duplicate copy of the tape using precinct recorders before sending the tape to the Property Room or Special Services Division. Officers will supply their own tapes for the copy and no departmental tapes will be used. Officers will not release copies in their possession to any individual outside the department.
- 3) Requests for duplication and transfer of tapes will be handled as follows:

- a) Tapes that contain evidence of a crime will be handled as any other evidence using the Departmental Property Sheet.
- b) Requests for duplicate copies of recorded events will be forwarded to the Chief of Police for approval. Upon approval, the request will be forwarded to the Special Services Division. The Special Services Division will be responsible for checking the tape out of the Property Room, duplicating the specific incident from the tape, delivering or mailing the duplicate to the requesting party and returning the original tape to the Property Room.
- c) Any requests coming into the department from non-governmental sources must be on company or agency letterhead, signed by an authorized agent of the organization and accompanied by a check or money order for \$100.00 to cover the costs of duplication.

#### **4-3.26 ASSISTANCE TO HIGHWAY USERS**

Members of the department will make every effort to assist highway users in need of information, directions or mechanical assistance. To that end, the following procedures will apply:

- A. Requests for information, directions or assistance will be handled as a normal function of member's duties. In those instances where the information or location is unknown, a request will be made to another officer or the Communications Division for the information.
- B. Personnel who observe motorists stranded on the highways will either lend assistance or, if en route to a call or otherwise committed, will notify the Communications Division to dispatch an available unit and a H.E.R.O. unit if needed. Officers must ensure motorists are directed to or taken to a place of safety.
- C. In lending assistance, officers are authorized to transport stranded citizens to nearby service facilities or a telephone to summons aid. Transports out of the officer's assigned territory will first be cleared with a supervisor.
- D. In cases of mechanical failure, if the citizen cannot obtain aid from private resources in a reasonable amount of time and the vehicle is a traffic hazard; a County contract wrecker service will be called to remove the vehicle to the wrecker service or a repair facility. The officer will remain with any vehicle, which presents a traffic hazard until it is removed from the roadway. A H.E.R.O. unit may be contacted for assistance.
- E. If the incident is the result of a fire or medical emergency, the officer will summons assistance through the Communications Division and remain at the scene until it is cleared. The safety of those motorists involved is of paramount importance.

#### **4-3.27 PEDESTRIANS, BICYCLES AND OFF-ROAD VEHICLES**

Violations of traffic laws related to pedestrians, bicycles and off-road vehicles often receive a low priority in the overall enforcement of traffic laws. This is often due to the perceived seriousness of the violations, the age of the violators or difficulty in apprehending the violator.

It will be the policy of this department to enforce these traffic laws in a manner similar to any other traffic violation and to take a pro-active role in the prevention, education and investigation of incidents involving these violations.

#### **4-3.28 REQUESTS FOR RE-EXAMINATION OF DRIVERS**

Any officer having reason to believe that a person is not physically or mentally qualified to be a licensed driver should send that person's name, address and DOB to the Georgia Department of Public Safety. (Ga. Code 40-5-34c)

The request for re-examination will be in letter form to the Driver's License Advisory Board. Physical or mental defects must be described in specific detail. The letter must be signed by the initiating officer and the officer's supervisor.

#### **4-3.29 REPOSSESSION OF VEHICLES**

- A. The purpose of this section is to establish the DeKalb County Police procedure concerning action to be taken by officers when called upon to preserve the peace during repossession of vehicles.
- B. Law enforcement personnel authorized to repossess personal property are: Sheriffs, Marshals, and/or their lawful deputies.
- C. Persons authorized to repossess personal property must have in their possession a Writ of Possession.
- D. When an officer of this Department is called upon to preserve the peace during the repossession of a vehicle, the officer is to ascertain that the person attempting to repossess the vehicle is authorized to do so.
- E. If the officer finds that the person attempting to repossess the vehicle is authorized, the officer shall allow the vehicle to be repossessed and preserve the peace while it is being done.

## TRAFFIC LAW ENFORCEMENT

F. If the officer finds that the person attempting to repossess the vehicle is not authorized, the officer shall:

- 1) Advise the person attempting to repossess the vehicle that under Georgia Law: Code Title 44-14-262, he is not authorized to take possession of the vehicle.
- 2) When on private property the officer will further advise the person attempting to repossess the vehicle, that in order to preserve the peace, he must leave without taking possession of the vehicle and obtain legal process through court action, any further action at this time may result in the arrest of the person attempting to improperly repossess the vehicle.
- 3) When on public property, the officer will advise the person attempting to repossess the vehicle, that under O.C.G.A . 44-14-230 and 44-14-231 he is not authorized to take possession of the vehicle and that said person should obtain legal process through court action, and any further attempt at this time to take possession of the vehicle may result in the arrest of the person attempting to improperly repossess the vehicle.

G. The officer must not become involved in any civil dispute between the parties; either the person attempting to repossess the vehicle is authorized or is not authorized, but the officer must preserve the peace.

# PRISONER SECURITY

## 4-4 PURPOSE AND SCOPE

The safety and security of persons who are in police custody is a constant requirement with great responsibilities attached. The purpose of this policy is to structure the handling, transportation and holding of persons who are in custody and to establish responsibility for the safety and security of those in custody, the general public and DeKalb County employees who may come into contact with those in custody.

When handling persons in custody, the officers involved should remember that each situation is different. The use of an officer's discretion, the thoughtful consideration of what is right and appropriate, in accordance with departmental policy is an essential part of effective law enforcement. When complying with these directives, officers should consider many factors. These factors include but are not limited to:

- A. The physical condition of the person in custody;
- B. The seriousness of the offense for which the person is in custody;
- C. The age and sex of the person in custody;
- D. The disposition toward violence displayed by the person in custody;
- E. The urgency of the situation or the presence of a crowd;
- F. The number of persons in custody.

### 4-4.1 PREPARING FOR PRISONER TRANSPORTS

At the beginning of each tour of duty, every officer who may become responsible for the transport of any prisoner must inspect all approved equipment and vehicles for safety and function.

Each officer will be responsible for having on his person all normally issued equipment and having that equipment in good operational order. This equipment will include but not be limited to the following: Issued communication device(s), issued firearm and issued restraint device(s). In the event that any personal equipment is found to be in poor condition or is not available for use, the deficiency will be reported to the officer's supervisor and the deficiency will be corrected before the officer is made available for assignment.

All vehicles used to transport any persons in custody will be thoroughly searched prior to being operated as well as prior to and after each transport situation. After the vehicle is searched prior to being operated, the vehicle operator will also conduct a visual safety and equipment inspection.

In the event that any damage is noted, any contraband or weapons are found or any deficiency is noted in the vehicle, the operator will immediately notify their supervisor.

Prior to the time at which the vehicle will no longer be used by the operator, it will be the responsibility of the operator to properly fuel and search the unit. The operator will also replace any expended equipment or supplies and check the oil level of the vehicle. If the vehicle is not operating properly, the operator will be responsible for having the vehicle turned in for maintenance. No operator will leave a vehicle available for another DeKalb Police employee to drive that is in an unsafe condition or that contains any weapon or contraband.

### 4-4.2 STANDARD PRISONER TRANSPORTATION

For standard prisoner transportation, the following procedure will be followed:

- A. Before taking custody of the prisoner, the transporting officer will ascertain that the prisoner has been, as well as conditions permit, properly identified and that all necessary documents accompany the prisoner. Those documents may include but are not limited to the following: Arrest Information Sheet (Jail Docket), any applicable warrants, citations, and computer verification printouts. If positive identification of the prisoner cannot be made prior to the transporting officer taking custody, the Book-In Unit technician and jail personnel will be immediately notified of such for appropriate action. Under no circumstances will an arrestee be released unless positive identification has been established.
- B. The physical condition of the prisoner will be checked and medical attention will be provided before transport should it be necessary.
- C. All prisoners will be thoroughly searched before being secured and placed in the transport vehicle.

## PRISONER SECURITY

- D. All prisoners will be secured with approved restraints in accordance with stated policy. Officers will not utilize any unauthorized restraining devices, regardless of the physical or mental condition of the prisoner.
- E. All prisoners will be transported in a marked patrol vehicle equipped with a security screen or other barrier designed to separate the officer(s) from the persons being transported and which has had the door handles and window cranks removed or made inoperative. If the security barrier has any portion that is moveable, that portion will be closed and locked.
- F. Any extra weapons or tools that could be used as weapons by a prisoner will be appropriately secured in the trunk or as far from the prisoner area of the vehicle as possible.
- G. The transport vehicle operator will be responsible for having each passenger use the vehicle safety restraints (seatbelts) as far as circumstance permits.
- H. The prisoner will be placed behind the security barrier in such a manner so that the prisoner's actions may be observed by the officer(s).
- I. The interior of the transport vehicle will be lighted to facilitate viewing of the prisoner unless safety concerns dictate otherwise.
- J. Normally, a maximum of two (2) nonviolent prisoners will be transported at anytime and these prisoners will be secured together with the left hand of one prisoner secured to the right hand of the other.
- K. An adult and a juvenile will not be transported in the same vehicle unless the adult: is a relative of the juvenile; the adult was with the juvenile; was involved in the incident leading to the arrest; and is non-threatening to the juvenile. Whenever possible, juveniles will be transported separately.
- L. Female and male prisoners will be transported separately unless they were arrested in relation to the same incident and are non-combative.
- M. When walking a prisoner from one location to another, the officer will walk behind the prisoner and off to the side so that the officer's gun will be on the side away from the prisoner. The officer will be close enough to the prisoner to maintain control and prevent attack or escape.
- N. The transporting officer will notify Communications at the beginning of the transport as to the number and sex of the prisoners and destination.
- O. The officer will take the safest, most direct route to the final destination.
- P. The officer will be especially watchful of the prisoner at all stops that traffic signals or conditions require.
- Q. No side trips or unauthorized stops will be permitted. Should an emergency arise in the path of the transport, the officer will contact their supervisor for advice before taking action that would halt the transport. Life threatening emergencies will take priority over transportation situations (see 4-4.6).
- R. No person other than officers and prisoners will be permitted in a police vehicle without prior approval of a supervisor.
- S. Should any non-prisoner be approved to be in the transport vehicle, all baggage, purses and packages will be removed from that person and that person will be subject to search. Should that person create an emotional or violent environment in the vehicle, that person will not be transported.
- T. If the prisoner is to be turned over to an agency outside DeKalb County jurisdiction, the transport officer is required to submit a signed receipt for the prisoner to a supervisor no later than the end of that tour of duty. A report stating the reason for turning over the prisoner will be completed including the agency and name of the person who received the prisoner (the report prepared by the transporting officer may be used as the receipt). The receipt and report will be forwarded to the Records Section upon approval.
- U. Normally, a prisoner will not be allowed to communicate with anyone other than Police employees after being taken into custody by the transporting officer. If, in the opinion of the transporting officer, it becomes necessary that the prisoner be allowed to communicate with another, the following guidelines should be used:
  - 1. The prisoner must be nonviolent.
  - 2. The prisoner must be seated in the rear of the transport vehicle.
  - 3. Communications will be made with only one person at a time in the vicinity of the transport vehicle.
  - 4. The communication will either be made through the protective screen or through an open door to the prisoner holding area with the officer standing between the communicating parties at all times in such a manner so as to prevent contact between the two and to prevent escape.
  - 5. Communications will be halted immediately if the prisoner becomes violent, over-emotional, attempts to escape or attempts to injure himself.
  - 6. Once the transport vehicle leaves the original location of pickup, no communications will be allowed with outside parties unless an overriding emergency arises.

7. If the prisoner requests to communicate in private with legal counsel, this activity should be accomplished at a proper holding facility as field conditions and prisoner security do not provide conditions for this activity.

#### **4-4.3 COMPLETING A PRISONER TRANSPORT**

Upon arrival at the final destination, the transporting officer will:

- A. Notify Communications of arrival at the destination;
- B. Turn off the transport vehicle, remove the prisoner and lock the transport vehicle;
- C. Prior to entering any area where other prisoners are present, the transporting officer will secure his weapon in a provided locker, will lock his weapon in the trunk of his patrol car or will surrender his weapon under the procedure used at the destination;
- D. Leave the prisoner handcuffed until inside a secured area;
- E. The prisoner will be searched again;
- F. If the destination normally requires that prisoners be placed in a holding cell, this function will be completed.
- G. The transporting officer will deliver the necessary documents that accompany a prisoner and will await acknowledgment and signature from booking or intake personnel that the prisoner has been accepted for holding or processing;

**\*NOTE\*** If a felony prisoner is delivered to DeKalb Book-in, it is the policy of the DeKalb Police Department that the transporting officer will remain at Book-in until the prisoner is processed and then the transporting officer will accompany the felony prisoner to the jail booking area.

- H. Any necessary information regarding the prisoner, including identifying scars, marks, tattoos, police I.D. numbers and notations of violent, suicidal or escape potential will be noted in the documentation that accompanies the prisoner.
- I. The transport vehicle will be searched before going back into service.

#### **4-4.4 COURTESY TRANSPORTATION SITUATIONS**

- A. When transporting a non-prisoner, the individual will be subject to standard searching procedures before being allowed to enter the transport vehicle. The subject may refuse the search; however, the courtesy transport will not take place unless the individual submits to searching procedures.
- B. No person will be allowed in the front seat of the transport vehicle or in front of the security barrier without prior approval of a supervisor.
- C. Communications will be advised of the starting location, the final destination, reason for transport, the number and sex of those being transported and if any are juveniles at the beginning of the transport.
- D. If anyone being transported is a female or a juvenile, the odometer reading will be given at the beginning and at the end of the courtesy transport. Communications will respond with the time in both instances. Should Communications fail to respond properly, the information will be restated until a proper response is received.
- E. Communications will be notified at the time the transport officer is available for service.
- F. It is emphasized that all due care will be taken in the operation of the transport vehicle and the safest, most direct route will be taken.

#### **4-4.5 TRANSPORTING INJURED NON-PRISONERS**

In most circumstances, an officer will summon Emergency Medical Services to transport any injured person that may be encountered. If a situation arises in which it becomes necessary for an officer to transport an injured person, the patient will be stabilized as much as possible. If possible, the patient will be placed in the rear of the vehicle with another party to tend the patient.

#### **4-4.6 EMERGENCY SITUATIONS**

- A. No provision of this policy will prevent an officer from taking appropriate action in a life threatening emergency that may occur during any transport.
- B. It is emphasized that all due care should be taken to safeguard the well being of anyone being transported as well as to prevent the escape of those in custody before leaving the transport vehicle unattended. The precautions to be considered include, but are not limited to, the following:
  1. Lock the transport vehicle;
  2. Park the transport vehicle in a safe location, preferably off the roadway;

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3. Use appropriate emergency lighting to avoid exposing the transport vehicle to traffic hazards and to facilitate location by other emergency vehicles;
4. Remove the keys from the transport vehicle once it is safely parked out of traffic;
5. Illuminate the interior of the transport vehicle to facilitate viewing of the prisoner;
6. Summon assistance immediately;
7. Return to the transport vehicle as soon as assistance arrives; and
8. Resume the transport as soon as possible.

### **4-4.7 PRISONER TRANSPORT FOR INVESTIGATIVE PURPOSES (NON-SCREENED VEHICLES)**

Prisoners will only be transported in non-screened vehicles when such transportation is made necessary by investigative need; otherwise, a vehicle with a screen will be used. When an investigative need arises, the following will be followed;

- A) There will be at least two officers during any such transportation and radio dispatch will be advised.
- B) The prisoner will be restrained by handcuffs, a waist restraint belt and leg shackles.
- C) No more than one prisoner will be transported in a non-screened vehicle at any time.
- D) All doors of the transport vehicle will be locked at all times when the vehicle is in transit.
- E) The prisoner will be seat belted in the rear seat of the vehicle.
- F) The second officer will be seated in the rear with their weapon side away from the prisoner.
- G) The second officer will monitor the prisoner at all times.

### **4-4.8 NON-STANDARD PRISONER TRANSPORTATIONS**

#### **A. PRISONERS OF THE OPPOSITE SEX**

Female prisoners will be handled in the same manner as male prisoners with the following exceptions:

1. A female prisoner will be searched by a female officer if circumstances permit.
2. If it is not practical or possible for a female officer to search a female prisoner, the male officer will search the outer garments of the female prisoner. The officer will check any items in the prisoner's pockets. The officer will remove any items carried by the prisoner such as a purse. These items will be searched and will be transported in an area secure from the prisoner.
3. If the prisoner is charged with a violent crime or is behaving violently or is believed to be armed, the prisoner will be searched thoroughly in compliance with policy with a witness present if possible.
4. Prior to leaving the location at which the prisoner was taken into custody, the transporting officer will give the mileage shown on the transport vehicle odometer. Upon arrival at the final destination, the officer will give the ending mileage. In each instance, Communications will respond with a reading of the time. If Communications does not respond with the time, the officer will restate the transport information and will request a time reading from Communications.

#### **B. JUVENILE PRISONERS**

Juvenile prisoners will be handled in the same manner as adult female prisoners with the following exceptions:

1. Handcuffing a juvenile prisoner will be the option of the transporting officer if the juvenile is charged with a non-violent crime and is under the age of sixteen.
2. Searches of juvenile prisoners should be made in the presence of a witness if circumstances permit and by officers of the same sex as the prisoner if possible.
3. Searches of juvenile prisoners should be as limited as possible but sufficient so as to provide the location of any weapons or large contraband.
4. Prior to questioning a juvenile prisoner, a Special Victim's Unit detective, an officer of the Juvenile Court, a parent or guardian should be present for the reading of Miranda Rights and questioning if the juvenile is charged with a felony or will be asked about the facts of the crime under investigation.
5. At all times when handling a juvenile prisoner, the transporting officer should take appropriate action to identify and be in the presence of witnesses as much as is practical so as to avoid accusations of improper conduct.

#### **C. HANDICAPPED AND PHYSICALLY IMPAIRED PRISONERS**

When handling handicapped or physically impaired individuals who are in custody, extra care must be exercised by the transporting officer. Therefore, exceptions to standard transport policy may be made.

Physically impaired prisoners are those prisoners that have an obvious physical disability or impairment. It is the duty of the transporting officer to treat these individuals with appropriate restraint of action while providing for security and safe transport.

The transporting officer will determine if a physically impaired prisoner who uses supporting devices (crutches, canes, walkers, etc.) is of such a disposition so as to use the device as a weapon. Normally, the physically impaired prisoner will not be restrained and will be allowed to use supporting devices to move to and from the transporting vehicle. During transport, supporting devices will normally be removed from the prisoner and placed either in the trunk or an area of the vehicle other than the prisoner security area.

If a physically impaired prisoner is violent, supporting devices will be removed from that individual. If the prisoner is not ambulatory without the devices, that individual will be assisted to and from the transport vehicle by the transporting officer who will take care to ensure that the prisoner will not have the opportunity to gain access to the officer's weapon and will not escape. It may become necessary to restrain a violent, non-ambulatory prisoner and transport that individual in an ambulance to a holding facility. In such a case, the officer should follow the policy (See 4-4.8 D) for ambulance transports of mentally impaired prisoners.

**D. MENTALLY IMPAIRED INDIVIDUALS**

1. Prior to taking custody of a mentally impaired individual, the transporting officer must make certain that they are fully informed in detail as to the following:
  - a. The type of mental disorder and exact type of abnormal behavior displayed by the individual.
  - b. Detailed knowledge of any words, statements or actions that might trigger any abnormal behavior.
  - c. The disposition toward violence that may suddenly be displayed toward the officer or toward the individual himself.
  - d. The name, relationship and location of any person perceived as a threat by the individual; and, why that other person is perceived as a threat.
  - e. The name and location of previously visited mental health care facility.
  - f. The type, location and last time known to have taken any medications (take a sample or the prescription bottle if available).
  - g. The relative ability of the individual to communicate coherently and follow instructions.
  - h. Any real or imagined physical injuries.
  - i. The circumstances why the individual came into police custody.
  - j. Anything that might have in the past soothed the individual.
  - k. The name of any police officer that may have had contact with the individual in the past and any information that may have been gained from that encounter.

Information of the type outlined can govern the transporting officer in the treatment of mentally impaired individuals and reduce the chances for violence.

2. Proper documentation must be present and examined in detail for compliance with existing law prior to any transport. In the absence of proper documentation, the transporting officer must make absolutely certain that the situation complies with the requirements of the Georgia Mental Health Act before taking the individual into custody.
3. Restraining Mentally Impaired Individuals  
The transporting officer must take care and the time to make certain that the method of restraint chosen is appropriate to any potential conditions that may be presented by the individual. Many forms of mental impairment can cause behavior that varies widely and instantaneously. The transporting officer must know the extent to which the abnormal behavior may become violent, produce loss of muscle control, cause a desire for the individual to injure himself or cause convulsive behavior. The officer must then provide appropriate restraint to minimize the chance for injury to the individual, DeKalb Police employees and the public.
4. Transporting Mentally Impaired Individuals  
When deciding what type of restraint is appropriate, the officer should consider what type of transport vehicle would be most appropriate. In most cases, the transport vehicle will be a marked patrol car, a police prisoner transport van or an ambulance.

**a. Marked Patrol Cars**

- 1) If a marked patrol car is the vehicle of choice, the person in custody should be restrained with issued handcuffs behind the back in such a manner that the individual is able to sit up in the rear of the car.
- 2) Should leg restraints be required, only leg shackles, "Flex-cuff" or other approved leg restraints will be used.

\*NOTE\* Removing any "Flex-cuff" type product presents a hazard of cutting the wearer; therefore, "Flex-cuff" restraints will be removed only with approved cutting tools such as bolt cutters or

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heavy metal cutters. Due to the potential of losing control of the cutting device and injuring the wearer, a knife will not be used to remove "Flex-cuff" type products.

3) No individual will be restrained in such a manner so as to choke or restrict breathing at anytime.

4) Except in extreme circumstances, no individual will be restrained in such a manner so that his legs and hands will be pulled up behind his back or in such a manner that it will be necessary for the individual to be transported in the prone position in a patrol car. Supervisory approval will be necessary before such a transport will be allowed.

5) Should further restraint be necessary in a patrol car, an additional police officer will be placed in the rear seat with the restrained individual. The additional officer should unload his weapon safe and give it to the transporting officer before getting in the rear with the individual.

b. Police Prisoner Transport Vans

1) When transporting a mentally impaired individual in a police van or wagon, the individual will normally be restrained in the same manner as in a patrol car.

2) Should it become necessary to transport an individual in a prone position, that individual should be placed in a comfortable position on the floor of the prisoner holding area with an attendant to prevent injury.

3) No officer will ride in the rear of a prisoner transport van with a loaded weapon.

c. Transports In Ambulances

1) If a mentally impaired individual requires medical attention, is catatonic or needs to be totally immobilized for any reason, the individual should be restrained to a stretcher and transported in an ambulance. This will include those who are restrained in a straight jacket.

2) The individual should be restrained in such a manner that breathing is not impaired and only to the minimum extent that will prevent the danger of injury to himself or others.

When a mentally impaired individual is transported in this manner, a police officer should ride in the ambulance with the individual and a police officer should follow the ambulance in a police vehicle.

3) All transportations of mentally impaired individuals will be made in compliance with the communication notification rules for the transport of female and juvenile prisoners.

4) Upon arrival at a mental health facility, the transporting officer will not enter any secure area in possession of a firearm and should use standard procedures for delivering a prisoner to a holding facility.

### 4-4.9 EXTRADITIONS AND LONG TERM PRISONER TRANSPORTATIONS

Normally, extraditions will be handled by the company presently under contract by DeKalb County to provide such services.

In the event it becomes necessary for officers of the Police Department to transport prisoners over long distances, standard transportation procedures will be followed with the following exceptions and additions:

- A. For long term transportations, the prisoner will be restrained by the use of a prisoner restraint belt with wrist restraints and leg shackles.
- B. If meals and rest stops are to be permitted, these stops will be of minimum duration and at random intervals and locations.
- C. During any stops, the prisoner will be accompanied at all times by at least one officer.
- D. No long term transportation will be conducted without at least two officers as transporting officers.
- E. If the prisoner is allowed to use the restroom during any stop, an officer will examine the facility for security and potential escape routes prior to the entry of the prisoner. If necessary, one hand will be released from the restraint while the other hand remains restrained. The leg shackles will also remain in place. At least one officer of the same sex as the prisoner will remain with the prisoner and keep the prisoner in view at all times. The second officer will provide security against escape from a location which will be determined by the conditions.
- F. If meals are permitted, precautions similar to those described for restroom stops will be followed. It is recommended that, if practical, the prisoner be fed in the vehicle while the vehicle is stopped.

- G. If aircraft transportation becomes necessary, federal regulations will be followed. In addition, the prisoner will be further restrained by being handcuffed to one of the transporting officers (especially when moving in crowded areas). The prisoner will be seated away from the aisle. The prisoner will not be seated next to any emergency exit of the aircraft.
- H. If using any public carrier, the prisoner and officers should be seated as early as possible and before other passengers. The transporting officers should select a location as remote as possible from other passengers.
- I. Officers are reminded that long term transportations are extremely dangerous and present great opportunity for escape since these situations usually involve the most wanted and dangerous prisoners. All precautions should be taken and the officers must remain alert at all times.

#### **4-4.10 PRISONER SEARCHES**

When any prisoner comes into the custody of an officer, that person will be, as thoroughly as conditions permit, searched for any contraband or weapons.

- A. As in all situations, certain factors must be considered by the officer taking the person into custody when deciding the extent to which a search will be conducted. These factors include but are not limited to:
  - 1. The sex and age of the person in custody;
  - 2. The sex of the officer making the search;
  - 3. The crime with which the person in custody is charged;
  - 4. The disposition toward violence displayed by the person in custody;
  - 5. The urgency of the situation or the presence of a crowd;
  - 6. The conditions present in the area in which the person is being taken into custody;
  - 7. The physical condition of the person in custody;
- B. Factors that will not be considered are as follows:
  - 1. The statement of another officer that the person in custody has already been searched;
  - 2. The fact that the person in custody has been in custody of another law enforcement officer or been incarcerated in a holding facility;
  - 3. The fact that the officer taking the person into custody has watched that person being searched by another.
- C. It is the policy of the DeKalb County Police Department that the use of "strip searches" is inappropriate in all but the most extreme circumstances. If there is a perceived overriding need for a "strip search" to occur, a supervisor will approve and supervise the circumstances of such a search. This type of search is most appropriately conducted by the Sheriff's Office as that agency possesses appropriate facilities and trained personnel. If such a search is to take place using Police personnel, the following conditions will exist:
  - 1. The search will be conducted in a room sheltered from outside view.
  - 2. The searching officer will be the same sex as the person being searched.
  - 3. There will be at least one witness of the same sex in the room during the search.
  - 4. A superior officer with a minimum rank of Lieutenant 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.
  - 5. Surgical gloves will be worn by the searching officer along with other appropriate health care equipment.
  - 6. JUVENILES WILL NOT BE SUBJECT TO STRIP SEARCHES WITHOUT PRIOR APPROVAL OF THE JUVENILE COURT OR ITS OFFICERS.

#### **4-4.11 GUIDELINES FOR PRISONER SEARCHES**

The purpose of a prisoner search is to provide for the detection of weapons, contraband or any items which might be used to aid an escape. Each officer that takes custody of a prisoner is required to complete a prisoner search which is as thorough as circumstances permit. It is required that all items in the possession of a prisoner be thoroughly examined. Any item which is contraband or which can be used as a weapon will be removed from the prisoner and disposition of the property will be made in accordance with applicable policy. Any handbag, luggage, pack, duffle bag or other container in the possession of a prisoner will be removed, thoroughly searched and retained by the officer during prisoner transportation. It is the policy of the Police Department that all prisoner searches and prisoner restraining will be accomplished as humanely as possible with the safety of the prisoner, the public and the police officer under consideration at all times. Any use of force beyond the absolute minimum required in searching and restraining of prisoners is strictly prohibited.

- A. TYPES OF SEARCHES

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Since prisoners are taken into custody under varied conditions, the type of search selected by the officer must be appropriate for the existing situation. In this section, four types of approved searches will be briefly discussed. The four types of approved searches are wall searches, kneeling searches, prone and multi-suspect searches.

For a detailed description in the application of a particular type of prisoner search, refer to the Peace Officer Standards and Training (P.O.S.T.) Council approved lesson plan on the subject currently in use by the DeKalb County Police Department Training Section.

### 1. WALL SEARCHES

In a wall search, the prisoner is placed in a position in which the body is extended at an angle between a vertical object such as a wall or tree and a horizontal object with the hands placed, palms open, on the vertical object. The prisoner should have the arms and legs spread apart as wide as possible with as much weight as possible supported by the vertical object.

### 2. KNEELING SEARCHES

In the kneeling search, the prisoner is to kneel with arms extended to the sides with palms open and the legs crossed at the ankles. Once it appears that no weapons are in the prisoner's hands, the prisoner will place the hands behind the back and cross them at the wrist. The kneeling search is generally used when a suitable vertical object is not available for a wall search.

### 3. PRONE SEARCHES

A prone search should be used when the situation calls for maximum security while searching. The subject should lay face down with his head turned away from the officer. The subject should spread his legs as far apart as possible. The subject should place his hands behind his back, crossed at the wrist with the palms open and facing up.

### 4. MULTI-SUSPECT SEARCHES

There are two types of multi-suspect searches: Those with a guard officer and those without. Anytime there are more prisoners than police officers, a multi-suspect search is recommended.

The multi-suspect search without a guard officer is not actually a search. When there is a situation in which the number of prisoners is far greater than the number of officers present and the officer(s) feel that it is prudent to wait for backup officers before searching the prisoners, the prisoners may either be laid side by side as in a prone search or placed in a cross body stack. A cross body stack is not recommended unless the situation is volatile or attempted escape is probable.

The multi-suspect search with a guard officer is used when the number of officers present creates sufficient safety for a search of the prisoners to be performed. In this type of search, a guard officer will be stationed at a location at least ten feet away from the closest suspect. The searching officers should approach from the prisoners' side away from the guard officer. Care will be taken at all times that the searching officers will not move between the prisoners and the guard. The suspects will be laid side by side at a safe distance apart during these searches.

### B. GENERAL PRISONER SEARCH PROCEDURE

1. The prisoner should normally turn with his back to the officer.
2. The officer should remain a safe distance from the prisoner while the prisoner assumes the proper position.
3. The officer should remember to be in a position to prevent escape at all times.
4. The officer should closely observe the suspect before approaching to see that the suspect's hands are open and clear and to look for any unusual bulges in the suspect's clothing that might be a weapon or contraband.
5. If the suspect is holding anything, the suspect should be instructed to place or drop the item while facing away from the officer and to step back from the item.
6. After the prisoner has assumed the proper position, the officer should approach cautiously from the rear if possible.
7. The officer should place appropriate restraint devices on the prisoner before the search commences to ensure the safety of the prisoner, the officer and the public.
8. While searching the suspect, the officer should gain a hold to control the prisoner's movements.
9. The officer should attempt, at all times, to keep his head and body behind the body of the suspect to lessen the chance of attack.
10. The prisoner will have appropriate restraint devices applied prior to being placed in the transport vehicle unless specified otherwise elsewhere in this section.

#### 4-4.12 RESTRAINT DEVICES

The purpose of restraint devices in prisoner transport situations is to reduce the chance of attack by the prisoner and to reduce the chances for escape. Restraint devices will not be used as weapons and will not be applied in such a manner as to cause unnecessary injury to any prisoner. Only those restraint devices that are approved by the Police Department will be used by any officer.

The restraint devices that are approved for use by officers are issue type handcuffs, leg shackles, prisoner restraint belts, flex-cuffs, nylon leg restraints issued or approved by the Training Division, straight jackets and medical restraints for use on injured, ill, mentally or physically impaired prisoners. Any restraint devices in the possession of any officer that is not issued by the Department will be submitted for inspection and approval prior to use.

Devices such as rope, cord, plastic tubing and other items not normally issued for use as approved restraints will not be carried or used for prisoner restraint purposes. Prisoners will not be restrained to any object (such as an automobile) or in such a manner or condition that the prisoner's safety is placed at unnecessary risk. No prisoner will be restrained in such a manner as to restrict breathing or cause choking.

Normally, restraining devices issued by the Department have the capability of being double locked. This feature prevents the restraint devices from "cinching" or becoming tighter on the prisoner. To prevent unnecessary injury to prisoners, restraint devices so equipped will be double locked.

#### 4-4.13 ESCAPES

It is the responsibility of each officer who takes custody of any prisoner to take all prudent and reasonable action to prevent the escape of the prisoner.

A. In the event of an escape, the officer's immediate actions should be governed by existing conditions. An officer in an escape situation must consider many factors before action. These factors include, but are not limited to, the following:

1. The presence of a crowd.  
The chasing of an escaped prisoner through a hostile crowd may present a greater potential for violence by agitating the crowd than allowing the prisoner to continue flight.
2. The identity of the prisoner.  
If the prisoner has been satisfactorily identified and his home address is known for example, it may be more prudent to await assistance and capture the prisoner at a later time than to pursue the prisoner into a hazardous situation without backup.
3. The seriousness of the charges pending on the prisoner.
4. The threat that the prisoner may present to innocent persons he might encounter.
5. The past history of the prisoner.
6. The safety of the prisoner, the public and other law enforcement personnel.

B. Unless extraordinary conditions exist, the following procedure will be followed upon the escape of a prisoner.

1. Communications will be immediately notified with the following information, if available.
  - a. The fact that a prisoner has escaped.
  - b. A complete description of the escapee including whether the prisoner was wearing restraints.
  - c. Notification as to whether the escapee is or is not armed.
  - d. The direction and mode of travel.
  - e. Time lapse since the escape.
  - f. Any probable destination.
  - g. The crime with which the escapee was last charged.
  - h. The escapee's potential for violence.
  - i. Location and time lapse since the escapee was last seen.
  - j. A request for needed equipment and manpower and the location at which the items would be most effective.
2. The closest supervisor should be notified and should take control of the situation until higher authority arrives.
3. All radio communications will be made on the primary radio frequency or channel in use by patrol units in the geographical area in which the escape has occurred until and/or unless otherwise directed by the supervisor in charge of the situation.
4. The supervisor in charge will direct the disbursement of equipment and personnel in order to contain the escapee and block escape routes.

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5. In the event a foot search is required in wooded or other dangerous areas, no officer will enter such areas alone without first obtaining permission from the supervisor in charge.
6. No officer will leave an assigned location without the permission of the supervisor in charge.
7. Emergency radio operation procedures will be followed unless and/or until otherwise directed by the supervisor in charge.
8. Any further notifications will be determined by standard police and Communications Division guidelines.
9. Upon completion of the situation, a report regarding the escape and other pertinent circumstances will be completed by the end of that tour of duty.
10. A review of the escape incident will be conducted by the involved officer's supervisor and a written report will be completed by that supervisor and submitted to the next step in the chain-of-command for consideration.
11. If an escape occurs outside DeKalb County, the actions of the transporting officer will be governed by the procedures and laws in force in that jurisdiction. As soon as is practical, the transporting officer will notify their supervisor and appropriate reports and reviews will be completed.

### **4-4.14 MEDICAL FACILITIES**

Prisoners that are transported to medical facilities will be transported in compliance with procedures that are applicable to the prisoner's physical injury, illness, mental or physical impairment as described in this section. Unless otherwise directed by the health care provider, the prisoner will be appropriately restrained and in view of the transporting officer at all times.

A. If a prisoner is admitted to a healthcare facility, the transporting officer's supervisor will be notified. In the case of a misdemeanor, the supervisor may consider the following actions dependent on the seriousness of the situation in which the prisoner was involved, the availability of manpower, the situation surrounding the injuries to the prisoner, the seriousness of the injuries and the anticipated length of stay in the facility.

1. The prisoner may be released at the scene on a notice to appear in court. (exceptions to this are domestic violence and special conditions of bond situations)
2. The officer may be advised to wait for further information (the length of the wait not to exceed sufficient time for the officer to return to his workplace and/or be relieved before the end of the shift.)
3. The officer may be advised to remain with the prisoner if the need is great. This will not be normal procedure if the crime charged to the prisoner is minor. It will be the responsibility of the supervisor to allow for relief of the transporting officer before the end of the shift, to notify the supervisor on the following shift of the situation and to notify their superior of the situation. The transporting officer will notify their supervisor when a relief officer has not arrived at a time sufficient before the end of the shift to allow the transporting officer to report to their workplace by the end of the shift.

A report will be completed detailing the reasons why the prisoner was transported to the medical facility and the circumstances surrounding any illness or injury. The report will also contain the names of all officers involved with the prisoner, the name and location of the medical facility to which the prisoner was transported and any pertinent facts surrounding the incident.

B. In the case of a prisoner who is charged with a felony and who is admitted to a healthcare facility, the supervisor may authorize, dependent on the situation:

1. Assign a police officer to remain with the prisoner for expected short term or extremely serious situations.
2. Assign a police officer to remain with the prisoner until the Sheriff's Office can be notified and appropriate relief security can be provided by the Sheriff's Office.

### **4-4.15 COURTROOM SECURITY**

The presiding judge retains authority for all activity in the court. Courtroom security is the primary responsibility of the Sheriff's Office in DeKalb County. Any police officer in a court within DeKalb County will abide by the orders of the presiding judge and the Sheriff's policy in force in regard to prisoner handling in that court. In the absence of the Sheriff's deputy in court, the primary responsibility for prisoner security will fall to the police officer at the direction and with the permission of the presiding judge.

If a prisoner presents a safety hazard or escape risk, the police officer should notify the judge and the Sheriff's deputy in charge. The police officer may recommend that the prisoner be appropriately restrained; however, the judge may accept or reject the recommendation and the officer will comply. Further, police officers will not be armed in court without the approval of the presiding judge.

**4-4.16 Interview Rooms**

The Police Department often needs to interview persons before and sometimes after they are arrested. This policy is intended to provide for the regulation and use of Interview Rooms located in the Criminal Investigation Division; and to provide for the health and safety of detainees in those areas.

**Management and Administration of Interview Rooms**

The authorization for use of the Interview Rooms will come under the ultimate control of the Criminal Investigation Division Commander.

The responsibility for supervision and accountability of detainees placed in an interview room will ultimately be with the officer or detective that placed the detainee in the room. However, an officer can request that a detective assume responsibility for the detainee once the officer has completed their paperwork and a copy has been given to the detective.

All persons placed in the interview room will be kept in the interview room only under the following conditions:

1. Male and female detainees will be separated and placed in different rooms.
2. Each room will hold only one detainee.
3. Detainees will be allowed supervised access to water, restrooms or other needs. Two detectives/officers will escort all prisoners to the restroom or for water in order to prevent escape. The restroom will be searched prior to allowing a detainee use of the facility and after the detainee has vacated the restroom. Detainees should be instructed not to flush until the detective/officer checks the location.
4. Detainees will not be secured to any object not designed for such purpose, such as tables or chairs.
5. All items that could possibly be used as a weapon or could cause damage to the facility will be removed and secured.
6. All officers will be required to have their portable radio with them while they are in the interview room.
7. Officers shall not carry any weapon into the interview room. Weapons should be properly secured.
8. A search of the detainee and the interview room will be conducted prior to placing the detainee in the room and after the detainee has been removed from the room.
9. Detainees will not remain in an interview room for any amount of time in excess of two (2) hours without approval of a supervisor.
10. The number of people present while conducting an interview should be kept to a minimum. Typically, this should be no more than two detectives/officers and the person being interviewed. Ultimately it will be up to the supervisor, on a case by case basis, to make the decision as to who may be present.

Supervisors shall have the responsibility of checking that fire extinguishers and first aid supplies are available, accessible and in proper working order. Additionally, supervisors shall inspect the interview rooms when reporting for duty and at the end of their tour to ensure no detainees are left unattended and no safety hazards exist, such as inoperable fire/smoke alarms, proper lighting and ventilation and cleanliness.

All personnel will receive periodic roll-call training in the proper use, operation, inspection and management of Interview Rooms.

## LEGAL PROCESS

### 4-5.1 PURPOSE

The DeKalb County Police Department is mandated by the Federal and State Constitution and State statutes to serve and/or execute legal process in support of the judicial function. The functioning of the courts is affected by the prompt service of court documents. Thus, the effectiveness and image of the judicial system are dependent, in part, upon the effective and timely service of court documents. Inadequate record keeping and/or inappropriate procedures regarding the service of legal processes may subject the department to litigation and civil liability.

This section addresses areas of departmental procedure and discretion in the executing and recording of the legal process functions. This policy is designed to insure sufficiency of information, accuracy, timeliness, and accessibility in the delivery of legal process services.

Because the law relating to legal process is subject to change at any time, officers will be responsible for making themselves "up-to-date" relating to the field of arrest, and search and seizure.

This section deals with the legal process and contains basic information. Officers who are assigned to divisions or units where there is more involvement with arrests, and search and seizures, may be required to further their knowledge relating to this field.

### 4-5.2 TYPES OF LEGAL PROCESS

#### CRIMINAL PROCESS

Criminal process is defined as those services performed by law enforcement officers that are sanctioned by the courts and by the law, which supports the judicial function relating to criminal matters. These services may include executing arrest warrants, search warrants and affidavits, administrative warrants, or any other type of service ordered by the courts which directly results from a criminal matter.

#### CIVIL PROCESS

Civil process is defined as those services performed by law enforcement officers that are sanctioned by the courts and by the law which supports the judicial function relating to civil matters.

It will be the policy of this department that employees will not perform the task of serving civil process documents. The responsibility for performing this task will lie with the DeKalb Sheriff's Department.

### 4-5.3 EXECUTION OF CRIMINAL PROCESS

#### CRIMINAL ARREST WARRANTS

Law enforcement officers within the DeKalb County Police Department will have the authority, pursuant to state law, to arrest an individual pursuant to a valid criminal arrest warrant. Even though the laws of Georgia provide for "citizen's arrest" to be made by citizens, criminal arrest warrants may not be executed by citizens or civilian departmental employees.

#### SEARCH WARRANTS/AFFIDAVITS

Only law enforcement officers within the DeKalb County Police Department will search a person, property, or premises pursuant to a valid search warrant.

#### INSPECTION SEARCH WARRANTS/AFFIDAVITS AND OTHER TYPES OF SERVICES

Inspection search warrants/affidavits (or Administrative search warrants) maybe executed by any employee serving in an investigative capacity, approved by the Chief of Police. Any other type of service ordered by the courts which directly results from a criminal matter will only be executed by law enforcement officers within the department. Inspection search warrants will be defined later in this section.

### 4-5.4 PROPERTY RECEIVED THROUGH LEGAL PROCESS

Any time property comes into the possession of a law enforcement officer who has executed an arrest or search, or through orders by the courts, the officer will be responsible for that property and will immediately place said property in the Property and Evidence Section when applicable. For further information concerning departmental procedures for receiving, handling, storing, releasing, and disposing of property, refer to the Property and Evidence Section within the Employee Manual.

## **LEGAL PROCESS**

### **4-5.5 RECEIPT OF FUNDS/PROPERTY THROUGH COURT ORDERS**

Whenever the DeKalb County Police Department is awarded funds/property such as monies, property, vehicles, or other tangible items by the courts pursuant to a criminal matter (i.e. violation of the R.I.C.O. statutes), the Division to receive these funds/property will be responsible for the receipt, use, disbursement and accounting of said funds/property.

The Division receiving these funds/property will maintain a current log book which accounts for all funds/property, and will be subject at any time to be audited by the County Internal Audit Division or any other approved auditing agency.

Whenever the Department receives any funds/property pursuant to any court order, only departmental law enforcement officers will seize and/or receive said funds/property. If any funds/property received by a departmental component are transferred to another county department, the Division receiving said funds/property will only be accountable while said funds/property were in their possession. This will be reflected by a log book.

### **4-5.6 OBTAINING AND RECORDING A WARRANT**

#### **CRIMINAL ARREST WARRANT OBTAINED AFTER AN ARREST**

Once a law enforcement officer has arrested an individual for a misdemeanor, the officer will obtain a warrant as soon as possible from the Magistrate and forward the warrant with the arrest report to the Records Section. Felony arrest warrants will be held by the officer and presented to the Magistrate at the First Appearance Hearing.

#### **CRIMINAL ARREST WARRANT OBTAINED PRIOR TO AN ARREST**

Once a law enforcement officer has obtained probable cause for the arrest of an individual, the officer should obtain a criminal arrest warrant. Once the arrest warrant is obtained, it will be the responsibility of the officer to attempt to locate the individual named on the arrest warrant in order to affect the arrest.

If any officer or investigative component accumulates multiple warrants during a day or shift, a priority system will be established so that arrest warrants for serious or dangerous offenses are served first.

Warrants that are generated or obtained as a result of an investigation will be turned over to the DeKalb Sheriff's Office if the warrant cannot be served by the end of the officer or detective's shift. Exceptions to this policy must be approved by a Lieutenant or above.

Warrants turned over to the Sheriff's Office will be in a Warrant Jacket with "Misdemeanor" or "Felony" clearly written on the jacket in red ink. The jacket will contain a completed Warrant Information Sheet, a copy of any information, photographs or other items that will assist in the identification of the subject, a listing of any attempts of service including the location, time and date, a copy of the original Incident

Report relating to the warrant and any other information the officer feels would aid in service of the warrant.

Officers or detectives may keep a copy of all items placed in a Warrant Jacket. Any copies of the original warrant will be marked "COPY" in red ink on the front of the warrant.

The DeKalb Sheriff's Office will handle all entries on G.C.I.C./N.C.I.C. for wanted persons. Any special requests regarding the entry or execution procedures should be communicated to the DSO Fugitive Unit at the time the Warrant Jacket is delivered or by telephone in an emergency or time critical situation.

Any subsequent attempts to serve an arrest warrant, which has been delivered to DSO, will be recorded on a Warrant Service Form. The form will be forwarded to DSO no later than the end of the officer or detective's shift.

Access to warrants and warrant information is available 24 hours-a-day, 7 days-a-week through DSO or G.C.I.C./N.C.I.C. DSO may be contacted by radio through the Communication Division, by mobile terminal as position #82, by telephone at 294-3804 or in person at the Jail.

Once a criminal arrest warrant has been executed by DSO, where the individual named on the warrant has been arrested, the primary officer assigned to the investigation will be notified by DSO. DSO will insure that the individual has been taken off G.C.I.C./N.C.I.C.

Any officer who serves a warrant held by DSO will be responsible for obtaining the original copy of the warrant and submitting it with the arrest report or to the Magistrate at the First Appearance Hearing.

#### **TRAFFIC WARRANTS**

The Uniform Division, Traffic Warrant Unit, will be responsible for overseeing the execution of contempt of court warrants issued by Records Court. The Traffic Warrant Officer will insure that a computer log is kept which reflects the warrant number, date warrant was issued, name of individual on warrant, race, sex, age and or date of birth if known, and the current location or disposition of the warrant, i.e., North Precinct, returned to Records Court, Served, etc.

Each Uniform Division precinct will maintain a listing (obtained from the master computer log) of the traffic warrants in their possession. This log will be updated as necessary to show the status of current warrants and will be used for audit and inventory purposes of warrants held by the precinct.

Access to traffic warrant information is available 24 hours-a-day, 7 days-a-week by radio through each precinct screening officer or on any County computer terminal (RCWI).

Each attempt at service of a traffic warrant will be recorded on a Warrant Service Form and attached to the warrant.

Warrants should normally be returned to Records Court if service cannot be made after one week.

#### **SEARCH WARRANTS/AFFIDAVITS**

Once a law enforcement officer has obtained probable cause to search a person, property or premise, and there are no exigent circumstances surrounding the search, the detective should obtain a search warrant and affidavit from the Magistrate's court or appropriate judicial officer. Once the search warrant and affidavit is obtained, it will be the responsibility of the detective who obtained the search warrant and affidavit to execute said warrant as soon as possible or practical.

Even though search warrants should be executed as soon as possible or practical, certain situations may call for a delay in the execution of said search warrants. If a delay is necessary, it will meet with the approval of the detective's supervisor and in no event will a search warrant be executed after 10 days from the date of issuance.

Once a search warrant and affidavit is obtained and is to be immediately executed, there is no need for the detective to document the warrant in a log book. However, if the search is not immediately executed or is delayed, the primary detective assigned to the search will record the required information in the C.I.D. or Intelligence warrant log and maintain the warrant itself in a centralized location within the division.

Detectives will refrain from making copies of search warrants as the potential is great for confusion if the search has already been executed. Copies will only be made in situations where the search is complete and the copy is used as an exhibit in the Investigative Supplemental, or when approved by a supervisor. All copies will be stamped "copy" in red ink on the face.

#### **4-5.7 SERVING CRIMINAL ARREST AND SEARCH WARRANTS**

##### **ARREST WARRANTS WITHIN THE UNINCORPORATED AREA OF DEKALB COUNTY**

Whenever a law enforcement officer (detective or investigator) attempts to serve a criminal arrest warrant at any location within the unincorporated area of DeKalb County, the officer should have departmental uniform officers present during the warrant execution.

##### **ARREST WARRANTS WITHIN THE INCORPORATED AREA OF DEKALB COUNTY AND OUTSIDE DEKALB COUNTY**

Whenever a law enforcement officer attempts to serve a criminal arrest warrant at any location within the incorporated area of DeKalb County or at any location outside of DeKalb County, the officer will have uniform officers from the agency responsible for law enforcement within that location present during the warrant execution.

##### **SEARCH WARRANTS WITHIN THE UNINCORPORATED AREA OF DEKALB COUNTY**

Whenever a law enforcement officer (detective or investigator) attempts to serve a search warrant at any location within the unincorporated area of DeKalb County, the officer will have departmental uniform officers present during the warrant execution. A departmental supervisor will also be present during the warrant execution.

##### **SEARCH WARRANTS WITHIN THE INCORPORATED AREA OF DEKALB COUNTY AND OUTSIDE OF DEKALB COUNTY**

Whenever a law enforcement officer attempts to serve a search warrant at any location within the incorporated area of DeKalb County or at any location outside of DeKalb County, the officer will have uniform officers from the agency responsible for law enforcement within that location present during the warrant execution. A departmental supervisor will also be present during the warrant execution.

##### **SERVING CRIMINAL ARREST AND SEARCH WARRANTS WITHOUT UNIFORM LAW ENFORCEMENT OFFICERS**

In certain situations, such as using the element of surprise in order to affect an arrest or a search, the execution of criminal arrest and search warrants may be done, periodically or on a routine basis, without the presence of uniform law enforcement officers. This practice will be an exception to the rule and will only be done after approval of a division or section commander.

## LEGAL PROCESS

### 4-5.8 GOOD FAITH

Whenever a departmental law enforcement officer executes any phase of the legal process function, that officer will do so in good faith and pursuant to all federal, state, and local laws, and in accordance with departmental procedures and policies. In situations where procedures are not clearly set out by law or policy, the officer will consult with their supervisors, prosecutors or the County Attorney.

Officers and detectives will stay abreast of current laws, ordinances and court decisions which may affect their duties on an annual basis. This information will be obtained through independent study, in-service training, legal bulletins, specialized training and roll-call training.

### 4-5.9 SEARCH AND SEIZURE GUIDELINES

To establish guidelines for the DeKalb County Police Department in controlling search and seizure of property and persons through an overview of existing laws. It shall be the policy of the Department to conduct searches of persons, places and things pursuant to established State and Federal laws governing search warrants and/or warrantless searches. Law enforcement 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.

#### GENERAL

Searches with a Search Warrant

The following is required of all search warrants and search warrant affidavits:

- a. Issuance  
The warrant must be issued by a judicial officer authorized to hold a court of inquiry. (O.C.G.A. 17-5-21) For search warrants within DeKalb County, officers shall use the DeKalb County Magistrates Court. For areas outside DeKalb County, officers shall use the appropriate judicial officer.
- b. 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 that the facts presented for establishing probable cause are true.  
Probable cause is defined as "what facts and circumstances within an officer's knowledge would lead a reasonable man to believe that an offense has been committed or is being committed and/or that a particular individual has committed or is committing the offense."
- c. 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. 17-5-23). 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.

Searches without a Warrant/Searches Incident to Arrest

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". (Chimel v. California, 395 U. S. 752; 1969).

When Authorized

A search incident to an arrest shall be authorized for the following reasons:

- For the safety of the officer.
- To secure items that might aid in an arrested individual's escape.
- To prevent the destruction of instruments or fruits of a crime.
- At or near the scene of a crime where exigent circumstances warrant. (see 3b)

Nature

A search incident to a lawful arrest must be concurrent in time and place with the arrest.

Booking or Administrative Searches

A jailhouse search of an arrested individual is justified as an administrative search.

Exigent Circumstances

#### Justification

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.

#### Exigent Circumstances Defined

Hot pursuit, a fleeing suspect, destruction of evidence, or other situations in which speed is essential to the accomplishment of lawful police action are examples of exigent circumstances.

#### STOP AND FRISK

##### Grounds for 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 criminal activity report should be filled out 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.

##### Grounds for Frisk

To lawfully frisk an individual, the law enforcement officer must have a reasonable belief that the person stopped is armed and dangerous. In the case of the self-protective search for weapons, he must be able to point to particular facts from which he reasonably inferred that the individual was armed and dangerous. 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 not a "search".

##### Nature of 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.

##### Search After 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.

#### VEHICLE STOPS

##### Significance of 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.

##### Grounds for Stop

There must be reasonable suspicion to justify an investigatory stop of an individual vehicle. Law enforcement officers do not have an unrestricted right to stop people, either pedestrians or drivers.

##### Vehicle Checkpoints

Vehicles may also be stopped at general checkpoints which serve legitimate law enforcement purposes. If the purpose of the checkpoint is legitimate, (e.g., to check drivers licenses and proof of insurance), and if an attempt to stop all vehicles and not randomly stop vehicles, and if evidence of other crimes is observed, the officer has the right to take reasonable investigative steps. (see section G below) Vehicle checkpoints shall be prohibited unless approved by a uniform watch commander.

##### Initial Intrusion

Law enforcement 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. Law enforcement officers may consider external factors such as weather, crowds, etc., prior to asking anyone to step out of their vehicle.

##### 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.

## LEGAL PROCESS

### Vehicle Searches

If a person is arrested after his vehicle is stopped, areas of the vehicle accessible to him may be searched incident to the arrest. The courts have construed this area to include the passenger compartment of the vehicle. Included in the category of vehicles are vans and recreational vehicles which are used primarily for transportation and not kept in an area which indicates that the purpose of the vehicle is for use as a residence.

### VEHICLE SEARCHES

#### 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. (Gondor v. State, 129 Ga. App. 665; 1973)

#### Standard

To search under exigent circumstances, the police officer must have probable cause to believe the vehicle contains seizable items.

#### 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)

#### Arrest of Occupant

If a person is arrested after a vehicle stop, the passenger compartment of the vehicle may be searched incident to the arrest.

### CONTAINER AND LUGGAGE SEARCHES

#### Standard

Containers generally may only be searched pursuant to a warrant based on probable cause.

#### Automobiles

A law enforcement 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)

#### 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 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).

#### Inventory

Closed containers may be opened during a personal effects inventory. (Ill. v. Lafayette, 162 U.S. 640, 33 CrL 3183; 1983)

### INVENTORY OF VEHICLES

#### Seizure of Vehicle

For an inventory of a vehicle to be valid, the police custody of the vehicle must be lawful. An inventory of a vehicle is not a search. An inventory is a departmental policy designed to insure that valuable possessions within a vehicle under police custody are accounted for. Any items illegal to possess which are found inadvertently during an inventory may be seized.

#### Justification

The inventory must be conducted only to fulfill the police care taking function of securing the contents of the vehicle.

#### Nature of Inventory

The search must be a routine part of standard police procedures for impounding vehicles, rather than a pretext for an investigatory search, and may not extend to locked luggage or other similar repositories of personal effects. It shall be standard operating procedure for DeKalb law enforcement officers to inventory all impounded vehicles.

### Booking Searches (Administrative Searches)

A custodial search of the arrestee's person may be justified as either an administrative search or as an inventory procedure. Once an officer has taken any property discovered during the search into his control, a further non-contemporaneous search is no longer an incident of the arrest.

### PLAIN VIEW DOCTRINE

In order for the Plain View Doctrine to apply:

The law enforcement officer must be at a location where he has a legal right to be;

- The discovery of seized items must be inadvertent;
- The seized items must appear on their face to be incriminating;
- The items seized must be plainly visible to the law enforcement officer.

### ABANDONMENT Act

Abandonment is a voluntary relinquishment of control of property, i.e., disposing of, denying ownership.

### Implications

Abandoned property is not protected by the Fourth Amendment. Officers may seize 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.

### CURTILAGE

#### The 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).

#### The Open Field Doctrine

The Fourth Amendment protections do not extend to the "open fields" surrounding the curtilage and the home.

### 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.

### CONSENT

#### 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.

#### Test

The voluntariness of a person's consent is measured by the totality of the circumstances.

#### 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.

#### 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.

Law enforcement officers will make every reasonable attempt to get a signed consent to search. Officers are reminded that an oral consent will be subject to the same scrutiny as a written consent.

### GREATER INTRUSION SEARCHES

#### Exterior Intrusions

## LEGAL PROCESS

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).

### Interior Intrusions

Certain intrusions into the body (e.g., stomach pumping, surgery) have been held to be violative of the Fourth Amendment (*Rochin 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, could such a procedure be allowed. However, other more common interior 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). Probable cause must exist in all cases.

### SEARCH WARRANT EXECUTIONS IN THIRD PARTY PREMISES

Absent exigent circumstances or consent by an owner or legal occupant, an arrest warrant issued to arrest 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. (*Steagald v. U.S.*, 101 S.Ct. 1642; 1981).

#### 4-5.10 EXECUTION OF SEARCH WARRANTS

##### SUPERVISORY PERSONNEL

Prior to the execution of a search warrant, an officer of supervisory rank should have reviewed the affidavit and warrant and 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 obtained by any officer should, if at all possible, be reviewed first by a supervisor prior to review and approval by a magistrate.

When appropriate, the District Attorney's Office will be consulted prior to, during and after serving search warrants for their advice, recommendation, 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 a Division Commander, 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. 16-11-64.)

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.

Following the execution of the warrant, the designated supervisor shall insure that the appropriate follow-up steps are handled expeditiously (i.e., return, inventory, arrest warrant).

##### ASSIGNED OFFICERS

All involved personnel shall conduct themselves in a professional manner by:

Restricting their actions in such manner as is consistent with the scope of the warrant;

Whenever possible, leaving property not seized in an orderly fashion (or as found) and insuring that it is not left in an unreasonable state of disorder or destroyed;

Insuring 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.

#### 4-5.11 FORCE USED TO EXECUTE A SEARCH WARRANT

An officer has a 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. 17-5-27).

Unless the search warrant contains a no-knock 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. 17-5-27).

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. 17-5-27).

Any action taken by the officer should be recorded as to each action taken prior to making a forced entry, such as:

"...knocked on door, identified myself by position and advised I held a search warrant for the within premises and no one

responded to my call and then entrance was gained". 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).  
Whenever force is used in order to gain entry into a premise or place, and any amount of damage occurs, the superior officer in charge of the search shall insure that all damage is documented and photographs taken if necessary.  
The appropriate amount of time that the officer should allow will depend on the conditions of each search.

#### **4-5.12 HOW TO OBTAIN A NO-KNOCK SEARCH WARRANT**

To gain entrance to any building or dwelling without giving notice, a search warrant must contain a no-knock provision. This provision should be in the body of the affidavit.

A no-knock 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 no-knock provision.

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).

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).

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.

#### **4-5.13 WHEN A SEARCH WARRANT CAN BE EXECUTED**

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. 17-5-26).

A search warrant must be served within ten days from 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. 17-5-25).

"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. 17-5-29).

Upon application of the search warrant, the officer shall obtain three copies. The first copy shall be left with the magistrate after the warrant is approved. The second copy shall be left pursuant to paragraph B mentioned above, and the final copy shall be returned to the Magistrate's Court upon completion of the search.

#### **4-5.14 LOCATIONS/PERSONS TO BE SEARCHED PURSUANT TO A SEARCH WARRANT**

Officers shall be limited to search in areas particularly described by the search warrant.

Officers shall also be limited to searching only for those items particularly described in the search warrant.

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.

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:

To protect himself from attack; or

To prevent the disposal or concealment of any instruments, articles, or things particularly described in the search warrant (O.C.G.A. 17-5-28).

#### **4-5.15 ARRESTS**

##### **PURPOSE/POLICY**

To establish guidelines for the serving of criminal arrest warrants and for the making of arrests by officers of the DeKalb County Police Department. It shall be the policy of the Department to serve criminal arrest warrants and to arrest the defendants listed on those warrants as well as to arrest perpetrators of crime within the Department's jurisdiction, while insuring that the rights of the accused are observed.

##### **AUTHORITY**

## LEGAL PROCESS

Officers of the DeKalb County Police Department shall have the authority to arrest for violations of County Code or violations of State Law pursuant to the Official Code of Georgia Annotated, occurring within the jurisdictional limits of DeKalb County. This authority is outlined in the Ordinances of DeKalb County as well as in the Official Code of Georgia Annotated.

### DEFINITION OF ARREST

An actual touching of a person with a hand is not essential to constitute an arrest. If the person voluntarily submits to an arrest or yields on condition of being allowed his freedom of locomotion under the discretion of the officer, the arrest is complete. (O.C.G.A. 17-4-1)

Stop and frisk is not considered to be an arrest as the latter is defined in O.C.G.A. (185) 17-4-1. Officers who see persons acting suspiciously may investigate, and where appropriate, this may include stop and frisk (Clark v. State, 131 Ga. App. 583).

### ARREST WITHOUT WARRANT

O.C.G.A. 17-4-20 sets out situations in which an officer may arrest without a warrant.

- a. When an offense is committed in the officer's presence or within his immediate knowledge;
  - b. When an offender is endeavoring to escape;
  - c. If the officer has probable cause to believe that an act of family violence has occurred; or
  - d. For other cause, there is likely to be a failure of justice for want of an officer to issue a warrant.
- Although not listed among the statutory exceptions, there is a fifth situation:
- e. To prevent the commission of a felony (when the act constituting the felony is imminent).

An officer's power to arrest without a warrant does not extend to offenses which are long past (must obtain a warrant).

A fugitive, who has no right to be at large, cannot complain if recaptured without a warrant.

An officer has no official power to arrest without a warrant beyond the boundaries of his jurisdiction (exception in hot pursuit, which is continuous and uninterrupted, although an officer may temporarily lose sight of the suspect).

### ARREST WITH A WARRANT

An arrest with a warrant is made when a criminal arrest warrant has been issued by an appropriate judicial officer of the court and the officer fulfills his responsibility by arresting the individual named in the warrant.

Criminal arrest warrants will be secured by Departmental law enforcement officers at the Magistrate's Court, Criminal Division, located in the Headquarters' building. Whenever an officer arrests an individual without a warrant, the officer shall secure the criminal arrest warrant for the charge/charges from the Magistrate's Court as soon as possible or practicable. If a situation arises where an arrest has been made by an officer and the application for the criminal arrest warrant is denied by the Magistrate Judge, the arresting officer shall immediately notify their superior and the arrested individual shall be immediately released. The officer shall then thoroughly document in an official Police Incident Report the reasons or probable cause for the arrest and that the individual was released after denial of a criminal arrest warrant by the Magistrate's Court. If this situation should occur and the charge the individual was arrested for is a felony, the officer shall immediately notify their superior and release the arrested person, and, after express approval from the officer's superior, may pursue this case further by contacting the District Attorney's Office in reference to having the case indicted. Whenever an individual is arrested by a law enforcement officer, O.C.G.A. 17-1-62 requires that if the arrest is made without a warrant as defined above, the officer shall bring the arrested person before a judicial officer within 48 hours. If the arrest is made with a warrant as defined above, the officer shall bring the arrested person before a judicial officer within 72 hours. The purpose of this is for the Magistrate's Court to conduct a First Appearance Hearing in order to read the charges, set bond, and either conduct or reschedule the preliminary hearing. DeKalb County law enforcement officers need not worry about this procedure for the arrest of individuals on misdemeanor charges, as this is handled between the Sheriff's Department and the Magistrate's Court. This procedure is applicable only to our officers, pursuant to state law, for the arrest of an individual charged with a felony. In situations where the officer has multiple offenses (felonies and misdemeanors), all the charges shall be heard together, before the Magistrate, in a First Appearance Hearing.

Notwithstanding the above provisions pertaining to the times within which the arrested individual must be brought before a Magistrate Judge for a First Appearance Hearing, IT SHALL BE THE POLICY OF THIS DEPARTMENT TO REQUIRE OUR LAW ENFORCEMENT OFFICERS TO BRING AN ARRESTED INDIVIDUAL (FELON) BEFORE THE MAGISTRATE JUDGE WITHIN 24 HOURS AFTER THE ARREST. Failure to abide by this policy may result in disciplinary action. Under extenuating circumstances, the 24 hour policy of this Department may be extended; however, if this is done, the officer shall document the reason for the extension and receive express permission from their superior officer. If the extension is used, the time requirements, set out in O.C.G.A. 17-4-62 shall apply. WHEN AN OFFICER MAKES AN ARREST ON AN EXISTING WARRANT, THAT OFFICER IS RESPONSIBLE FOR ALL HEARINGS RELATING TO BONDS AND/OR SPECIAL CONDITIONS. IF THE CASE IS TURNED OVER TO CID, IT IS THE RESPONSIBILITY OF THE DETECTIVE.

All employees attending or handling a Probable Cause or First Appearance hearing in DeKalb County Magistrate Court will be required to obtain approval from the Assistant District Attorney assigned to Magistrate Court prior to issuing a subpoena or otherwise requiring witness testimony/presence on behalf of the State. Additionally, officers and detectives are encouraged to consult with the Assistant District Attorney prior to any court hearings where additional testimony will be required to establish probable cause.

#### ALTERNATIVES TO PHYSICAL ARREST

What is reasonable in terms of appropriate police action or what constitutes probable cause varies with each situation, and different facts 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 direction may be given. 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.

Whether an individual is arrested or released with a copy of charges (citation), officers will not inhibit the individual's right of access to the courts. This is accomplished by assigning or obtaining a court date. If the case is sent to Recorder's Court, the officer will assign a court date. State and Superior Court dates are assigned by those courts and will be given to a detainee by jail personnel prior to their release.

No officer will 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.

No officer will arrest any person without a warrant when he knows that he is without reasonable cause to arrest such person.

#### LEGAL CATEGORIES OF ARREST

When an officer is presented with certain facts or a situation that calls for legal action to be taken, the officer must determine if any laws or ordinances have been violated and if so, what action to take. The following legal categories of offenses will help to clarify the appropriate action to be taken:

**FELONY:** A felony is a violation of a state law that is criminal in nature with the minimum punishment being one year imprisonment. Felony arrests may be made with a warrant, or in cases without a warrant, when the offense occurs within the officer's presence or immediate knowledge, or the officer has probable cause to believe that a felony has occurred. Once a felony arrest has been made, the officer must take the arrested person before a Magistrate within 24 hours after the arrest and obtain a warrant in cases where a warrantless felony arrest was made. Bonds for felony charges will be determined by the Magistrate and the case will ultimately be heard in Superior Court.

**MISDEMEANOR:** A misdemeanor is a violation of a state law that is criminal in nature with the maximum punishment being up to 12 months imprisonment. Misdemeanor arrests may be made with a warrant, or in cases without a warrant, when the offense occurred in the presence or the immediate knowledge of the officer. (Exceptions to this are offenses resulting from traffic accidents and related offenses, and the "Family Violence Act". These exceptions entitle the officer to make a warrantless misdemeanor arrest based on probable cause.) After a warrantless misdemeanor arrest has been made, the officer shall obtain a warrant as soon as possible and then lodge the arrested person in jail. One exception to the misdemeanor warrant requirement is that an arrest for D.U.I. requires the completion of a traffic citation in lieu of obtaining a warrant. Bonds for misdemeanor charges have been predetermined and are available at the jail and the case will ultimately be heard by the State Court.

In misdemeanor cases where the officer feels that an arrest should be made and the offense did not occur in his presence or within his immediate knowledge, the officer should locate the victim of the offense and receive an affirmative acknowledgment from that individual with regards to desiring prosecution and signing a warrant. In cases where the victim is a business or something other than an individual, an agent for that entity should express the same desire to prosecute. In cases of shoplifting, to protect the officer from false arrest charges and liability, the officer should have the agent for the entity complete a Verification of Citizen's Arrest and Request to Transport form. In all other cases the officer must make sure that someone affirmatively desires prosecution and will follow the officer to the Magistrate's Court to obtain a warrant. In situations where a Magistrate is not available, the prosecutor should be given information about the offender and instructed to obtain a warrant from the Magistrate once one is available. In the event that an officer places an individual into lawful custody where a victim or agent is to obtain a warrant, and the victim or agent declines prosecution prior to obtaining a warrant, the officer should immediately release the individual and complete an Arrest/Release Report. As long as the officer acted in good faith, he will be relieved of any liability.

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**LOCAL ORDINANCE:** A local ordinance violation is a violation of the DeKalb County Code and is heard in the County Recorder's Court. The maximum punishment for a local ordinance violation is 30 days imprisonment and/or a fine up to \$1000.00. In determining the appropriate procedure to follow, the officer must first decide whether to "cite" the offender and release with a copy of charges or "arrest" the offender.

Issuing an ordinance citation and releasing. An officer may elect to make a local ordinance case where the offender is released at the scene with a copy of charges to appear at Recorder's Court. In these cases, the officer must either have observed the offense occur or have probable cause that the offense occurred. In cases where only probable cause exists, the officer must locate someone who observed the violation occur and subpoena that individual to court.

Issuing an ordinance citation and lodging in jail. When an officer elects to make a local ordinance case where the offender is taken into custody and lodged into jail based on the County ordinance violation, the courts have determined that this is a warrantless arrest. For County ordinance violations, a warrantless arrest is legal if an offense is committed in an officer's presence or within his immediate knowledge. (An example of immediate knowledge would be hearing a gun discharged and immediately turning to observe someone holding a smoking gun.) An officer may not arrest someone based on a County ordinance violation and lodge them into jail unless the offense occurred in their presence or within their immediate knowledge.

Even though an officer has the right to make a County ordinance violation arrest that occurred in their presence for any offense in Chapter 16 of the DeKalb County Code, the officer should be aware of existing departmental policy regarding which Chapter 16 offenses may be used in conjunction with an arrest and which may not. (Loitering for Sex, Loitering for Drugs, Public Intoxication, and Disorderly Conduct are approved for lodging the defendant in jail.)

Whenever an officer makes an arrest based on a County ordinance, the officer will set a court date within a reasonable time for Recorder's Court and the court time will be written on the ordinance citation. Officers should not set a court date in accordance with Recorder's Court guidelines. A copy of the citation with the court date will be given to the arrested individual.

### FORCE USED TO EXECUTE AN ARREST

An officer has a right to use that force necessary and reasonable to arrest an individual where probable cause has been attained.

Whenever force is used to effect an arrest and the force used causes any injury to the arrestee or any damage to any property, the incident shall be fully documented and photographs shall be taken.

### OBTAINING AN ARREST WARRANT

All arrest warrants shall be obtained from a Magistrate. If the officer is the prosecutor, the officer shall swear or affirm under oath that probable cause exists to arrest the individual. The arrest warrant shall contain the following:

A warrant number designated by the Magistrate.

The name of the individual to be arrested. If a name is not known, then a detailed description shall be included (John/Jane Doe Warrant). If an arrest warrant is obtained and the individual is known and has not been arrested, the officer shall include on the warrant the arrestee's full name, last known address, height, weight, age, and date of birth, Social Security number and driver's license number, FBI, SID, or PID number, physical characteristics if unusual and vehicle, if known. Name of the criminal offense violated and the O.C.G.A. Section number.

Probable cause for the arrest.

The officer's or prosecutor's signature.

Magistrate's signature.

### INITIAL CONTACT WITH AN INDIVIDUAL TO BE ARRESTED

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:

- Actually knows the person making an arrest is an officer;
- sees the officer's uniform or badge;
- is apprehended while committing a crime;
- is pursued from the scene of a crime;
- is told by the officer that he is making an arrest and why.

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 identified as an officer, the assumption that the arrest is unlawful is made at the peril of the person who resists.

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 to accomplish the arrest, but not any more.

**4-5.16 IMMUNITY FROM ARREST****GENERAL INFORMATION**

The term immunity is commonly and erroneously understood to refer to the special protections afforded to all employees of foreign governments who are present in the United States as official representatives of their home governments. Currently in the United States about 118,000 persons are entitled to some degree of special privilege under international law, i.e., the Vienna Convention on Diplomatic Relations. Some of these persons are members of Diplomatic Missions, others are assigned to Consular Posts, and still others are employees of International Organizations or members of National Missions to such International Organizations. For each of these categories of persons, particular rules apply and, even within these categories, different degrees of immunity may be accorded to different classes of persons. Although the majority of these persons are assigned to Washington, D. C. and New York City, a considerable number are assigned to Atlanta (excluding Ambassadors). Moreover, nearly all of these persons are free to travel around the country either on official business or for pleasure.

**Staffs of Diplomatic Missions**

Three categories of persons are entitled to privileges and immunities under international law. The first of these, staffs of Diplomatic Missions, are composed of Diplomatic Agents, administrative, technical, and service staff. Diplomatic Missions are the principal communication link between the country which sends them and the host country. Diplomatic Agents and family members forming part of the household enjoy the highest degree of immunity and privileges. These include complete immunity from the criminal jurisdiction of the host state and from prosecution no matter how serious the offense. This high degree of immunity and privilege from the criminal jurisdiction is shared by members of the Diplomatic Agents' administrative and technical staff and their immediate families, with the only distinction being with regard to immunity from civil jurisdiction. Service staff members have only official act immunity which in practical terms is simply an affirmative defense to be raised by an accused staff member before a U. S. Court with subject matter jurisdiction over the alleged crime. If such court, in full light of all the relevant facts, determines that the action complained of is an official act, only at that point does international law preclude the further exercise of jurisdiction by the U. S. Court. Because the judicial determination in a case of this type is very much dependent on the facts surrounding the incident, a full and complete report may be critical in permitting the court to make a just decision. The families of service staff members enjoy no privileges or immunities.

**Members of Consular Posts**

The second category consists of members of Consular Posts which is composed of Consular Officers, Consular employees, service staff and Honorary Consuls. Consulates are distinct from Diplomatic Missions in that they do not have the principle role of providing communication between the two countries but rather perform a variety of functions of principle interest to their respective sending countries (e.g., issuance of travel documents and generally promoting the commerce of the sending country). The current treaty regime recognized a hierarchy within the staff of the Consular Posts but, since the privileges and immunities are few, there is not a great deal of practical difference in the degree of immunity afforded the various general categories of persons. Generally, members of Consular Posts have only official act immunity as explained above with respect to both criminal and civil matters. It is essential to know that no law enforcement officer is expected or authorized to determine whether a given set of circumstances constitutes an official act. Rather, this is an issue which may only be resolved as a matter of law by the host country court with subject matter jurisdiction over the alleged crime; however, international law holds that consular members may only be arrested pending trial provided that the underlying offense is a felony and that the arrest is made pursuant to a decision by a competent judicial authority, (e.g., a warrant issued by an appropriate court). Hence, the degree of the offense will usually dictate the course of action to be taken. Finally, without a special bilateral agreement to the contrary, neither the service staff nor family members of consular members in general enjoy personal inviolability. The only exception here, beyond that afforded by any bilateral agreement, involves an immunity enjoyed by service staff from any obligation to provide evidence as a witness with respect to official acts.

**International Organization Personnel**

The final general category of individuals to which privileges and immunity extend consists of International Organization Personnel and National Missions to such organizations. The nations concerned here have concluded treaties embodying grants of privileges and immunities, agreeing that the important purposes of their envoys may only be accomplished if these measures are afforded. The vast majority of International Organization Personnel have only official act immunity. In certain cases, however, the most senior executives of such organizations have been accorded privileges and immunities equal to those afforded Diplomatic Agents. The assignment of International Organizations is differentiated generally on the basis of the functions performed. Pursuant to international law, the most senior representatives in these Missions of International Organizations have privileges and immunities equivalent to those afforded Diplomatic Agents. The remainder of the staffs of these Missions have only official act immunity.

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### TRAFFIC ENFORCEMENT

Stopping a foreign official and issuing a citation does not constitute an arrest or detention and is permissible, although signature of the citation by such an individual may not be required. Accordingly, an officer should never hesitate to follow normal procedures to intervene in a situation involving a traffic violation which he or she has observed even if immunity ultimately bars any further action at the scene. Sobriety tests may be offered in accordance with ordinary procedure but may not be required or compelled. If the officer judges the individual to be intoxicated, the officer should not permit the individual to continue to drive since the primary concern here should be the safety of the public and the intoxicated driver. Under such circumstances a number of options are available: the officer could summon a friend of the driver, if appropriate; call a taxi; or the officer could provide transportation. In any event, the officer involved with the incident should fully document the facts of the incident, the identity of the individual, and a written report of the incident should be forwarded to the Department of State.

### IDENTIFICATION OF PERSONS ENTITLED TO PRIVILEGE AND IMMUNITY

The only authoritative identity document providing an accurate indication of the status of the holder is the identity card issued by the Department of State, Protocol Office. There are three types of identification cards: Diplomatic (blue border for diplomats), Official (green border for employees), and Consular (red border for consular personnel). Identification cards contain a photograph of the bearer along with the bearer's name, title, mission, city and state or country, date of birth, identification number, expiration date, and a U. S. Department of State seal. A brief description of the bearer's immunity will be printed on the reverse side.

While this form of identification is generally to be relied upon, departmental personnel are nonetheless urged to seek immediate verification as indicated below in connection with any traffic or criminal incident or any other case where they have reason to doubt the validity of the card. Additionally, officers should be alert to the fact that newly arrived members of diplomatic and consular staffs may not yet have these official identity documents and should be prepared to coordinate with the U. S. Department of State for verification if confronted with such a situation.

#### PROCEDURE

Should any officer of this Department have grounds to arrest a person who claims immunity, he or she must proceed by coordinating with the State Department of the United States utilizing the following procedure:

Whether the case involves an ordinance violation, a misdemeanor or a felony, the suspect may be briefly detained until his diplomatic status can be verified. Extreme patience and courtesy are called for in these situations and the use of handcuffs or other restraints should be avoided, if possible.

The ranking officer who is on duty at the time should be notified. The officer will, during regular business hours, attempt to contact a staff advisor in the Chief's Office. The State Department should be contacted as soon as possible so that the individual's status can be determined. If a departmental staff advisor cannot be reached, the ranking officer will make the necessary communication.

The telephone numbers are:

Business Hours	
202) 647-1404	Staffs of Diplomatic Missions
202) 647-1664	Members of Consular Posts
202) 647-1406	International Organizations
212) 415-4131	United Nations Personnel
After Hours	
202) 647-2412	All Inquiries
212) 415-4444	United Nations Personnel

If the State Department does not verify the diplomatic status of the suspect, the suspect should be processed routinely. If the suspect's immunity is confirmed, the suspect should be handled in accordance with the instructions provided by the State Department personnel.

### 4-5.17 LAW ENFORCEMENT VERBAL CONTACT

Every day, in every phase of law enforcement, officers, while performing their duties and responsibilities will come into verbal contact with individuals. This verbal contact shall be in the form of either an:

Interview - An interview is the free and willing exchange of information between the interviewer (officer) and the interviewee. This type of verbal exchange may occur at accident scenes, interviewing witnesses, or responding to general calls for information.

Interrogation - An interrogation is an exchange in which the subject is unwilling to exchange information with the interviewer or is being questioned about his involvement in a crime or criminal activity.

The Fifth Amendment to the U. S. Constitution states that persons shall not be compelled in any criminal case to be a witness against themselves. With this in mind, any individual suspected of committing a crime or interviewed/interrogated concerning their involvement in any crime shall be advised of their constitutional rights pursuant to *Miranda v. Arizona*, 86 S.Ct. 1062; 1966. *Miranda* states that before an in-custody interrogation/interview of a suspect in a criminal case, the suspect must be warned of his right to consult with counsel and to have counsel present during questioning and must be advised that if he cannot afford a lawyer, one will be appointed to represent him. If the accused indicates he wants an attorney, the interrogation/interview must cease until the attorney is present. The burden is on the government (officer) to show that the accused knowingly and intelligently waived his right to counsel. The failure of an accused to ask for counsel does not constitute a waiver.

In-custody interrogation/interviews refers to those contacts involving individuals who are either under arrest at any Department facility where their movement to come and go as they feel is restricted or although not physically detained are at any location where a law enforcement officer creates a coercive atmosphere.

Once a suspect or accused has been advised of his "Miranda Warnings" and has invoked his right to have counsel present during custodial interrogations/interviews, the suspect or accused shall not be subject to further interrogation/interviews until counsel has been made available or he has himself initiated further communications, exchanges, or conversations (*Edwards v. Arizona*, 101 S.Ct. 1880; 1981). Once again, the burden is on the officer to prove a voluntary waiver by the suspect or accused.

In summary, if an individual is taken into custody and questioned about a criminal matter, he must be advised of his constitutional rights pursuant to *Miranda*. If an individual is questioned with a view toward obtaining statements concerning that individual's criminal involvement, even though not in custody, counsel must be permitted where indicated.

#### **4-5.18 IMPOUNDING OF VEHICLES UPON ARREST**

Vehicles will be impounded on all misdemeanor and felony arrests when:

The operator is physically or mentally incapable of operating the vehicle; and,

The operator refuses to release the vehicle to a person of his own choosing who is present and who is properly qualified and physically capable of operating the vehicle and has agreed to do so; or,

The vehicle's condition would not permit it to be operated without being in violation of county ordinance or state law; or,

The driver or owner of a vehicle is arrested and has parked the vehicle on private property other than his own, is without permission to leave the vehicle, and no qualified person, as described in 2, above, is available; the arresting officer has the authority to remove said vehicle for impoundment and safe keeping, or

Any vehicle left on the roadway and presenting a traffic hazard.

NOTE: The officer must make this determination based on the circumstances.

O.C.G.A. 10-11-2, relating to the impoundment of vehicles sets out a procedure for wrecker services to contact local law enforcement agencies within seventy two (72) hours after an impound to seek the identity and address of the last known registered owner of the impounded vehicle. Impounds occur only when someone takes custody of a vehicle, without the owner's / driver's permission and said vehicle is taken to the impounding wrecker service's storage lot. An impound is distinguished as being either a police impound or a private impound. A police impound occurs when a law enforcement officer takes custody of a vehicle and causes it to be removed by one of the County's contract wrecker services. Reasons for police impounds may be for abandoned vehicles, the arrest of the driver of a vehicle, or the vehicle is evidence in a criminal investigation. Vehicles that are removed at the owner's/driver's request or are removed because they are not driveable due to an accident are not considered impounds even though they may be removed by one of the County's contract wrecker services. Private impounds occur whenever any wrecker service contracts with a private or public enterprise to remove vehicles from private property at the property owner's request. There is no law enforcement involvement with private impounds unless there is the occurrence of criminal activity. Examples of private impounds would be Brown & Brown or Joe's Service Station impounding a vehicle from a shopping center or an apartment complex pursuant to an agreement between the wrecker service and the owner of the parking area where the vehicle was impounded.

In order to comply with O.C.G.A. 40-11-2, the following policy is hereby established: Whenever a police impound occurs, the officer in charge of the impound may release registration information concerning the impounded vehicle to the wrecker driver if requested and if the time and circumstances allow.

Whenever a private impound occurs, O.C.G.A. 40-11-2(b) requires the wrecker service removing the vehicle to contact the local law enforcement agency to determine the registered owner of the vehicle.

Therefore, whenever a wrecker service conducts a police or private impound and the identity of the owner of the vehicle is not known, the wrecker service shall comply with the following procedure: The wrecker service shall complete an Impound Registration Form furnished by the Communications Division and leave this form with the Records Section of

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the Support Services Division. This form shall be typed and complete as to all requested information. Members of the Communications Division will periodically retrieve from the Records Section; all requests submitted and will obtain, through NCIC/GCIC, information concerning the name and address of the last known registered owner of said vehicle. If the vehicle by tag or by VIN is not on file, then the form will so indicate. If the vehicle and/or tag is reported stolen, then the appropriate CID personnel shall be notified. Upon obtaining the registration, a printout shall be attached to a copy of the form and left to be picked up or mailed to the requesting wrecker service. The original Impound Registration Form shall be retained and filed within the Communication Division.

Members of this Department shall not provide wrecker services with vehicle registration information except as provided above through the procedures set out for Communications. The only other exception to this policy is for law enforcement officers to release this information at the scene of a police impound and where it is permissible to do so if time and circumstances allow.

### **4-5.19 INSPECTION SEARCH WARRANTS/AFFIDAVITS**

DeKalb Police employees designated by the Chief of Police may obtain and execute Inspection Search Warrants (or Administrative Search Warrants) pursuant to departmental business and local ordinance.

The purpose for Inspection Search Warrants is to obtain judicial permission in order to conduct an inspection of property. The purpose of the inspection is to ascertain if the property is unsafe, hazardous or in violation of any local ordinance.

All employees entitled to obtain Inspection Search Warrants shall exhaust all other methods of inspecting the property prior to the issuance of such warrants, i.e., attempt to obtain consent from the owner or legal occupant.

Once it is determined that an Inspection Search Warrant and Affidavit are required, the following procedure shall be adhered to:

Probable cause must be documented on the affidavit that a violation of state law or local ordinance has occurred.

The source, date, and type of all previous complaints concerning the property must be documented.

All previous steps taken to gain entry in order to inspect, the number of times attempted, the name of anyone encountered, refusal of consent and resistance met and all other pertinent information concerning previous attempts.

Consult with a supervisor and obtain that supervisor's approval.

Attempt to obtain warrant through the DeKalb County Recorder's Court. (In that Inspection Search Warrants are provided for by local ordinance, a Recorder's Court Judge may issue the warrant.)

Inspection Search Warrants shall only be issued for property located within the Department's jurisdiction.

Will have a supervisor present during the execution of the warrant and will have a police uniformed officer present.

The search/inspection shall be completed as soon as possible and without unnecessary delay.

In inspection searches, property will normally not be seized. Only the taking of photographs shall be allowed.

Departmental employees in charge of the inspection search shall list each photograph taken and what was photographed so as to be used as evidence on the Inventory Sheet.

A copy of the Inventory Sheet and a copy of the Inspection Search Warrant along with the return of service must be left with the owner and/or legal occupant of the premise, or if no one is there, copies must be left in a conspicuous place.

Copies of the affidavit shall not be left at the location. Affidavits should only be in the possession of the issuing judge and the officer/employee obtaining such warrants.

Once the search/inspection is complete, the original Inventory Sheet and Inspection Search Warrant must be returned to the issuing judge as soon as possible.

Employees responsible shall maintain a copy of all documents for their file.

Even though the forms and process for obtaining and serving Inspection Search Warrants and Affidavits are very similar to Criminal Search Warrants and Affidavits, they are different in that a Criminal Search Warrant and Affidavit are considered an investigative tool in pursuing a criminal matter, whereas Inspection Search Warrants and Affidavits are considered an investigative aid in pursuing an administrative matter on a local basis. Inspection Search Warrants and Affidavits will be clearly marked as such.

### **4-5.20 BIAS BASED PROFILING**

DeKalb County Police Department officers, members and employees are required to conduct themselves with the highest professional integrity and ethics as they reflect directly upon the department. Bias based profiling is the selection of individuals based solely on a common trait of a group. This includes, but is not limited to, race, ethnicity, gender, sexual orientation, religion, socio-economic status, age, cultural group, or any other identifiable group.

Bias based profiling, or the practice of stopping, detaining, or searching a person, or asset seizure and forfeiture based solely on their race, ethnicity, gender, sexual orientation, religion, socio-economic status, age, cultural group, or any other identifiable group is not acceptable and shall be strictly prohibited.

Sworn personnel shall ensure all investigatory detentions, traffic contacts; field contacts, arrests, searches and asset seizures and forfeitures are based upon the standard of reasonable articulable suspicion or probable cause as required by the Fourth Amendment to the U.S. Constitution and state law.

Race, ethnicity, gender, sexual orientation, religion, socio-economic status, age, cultural group, or any other identifiable group are not, in and of themselves, sufficient to constitute a reasonable and articulable suspicion that an offense has been or is being committed and does not justify the detention of an individual or group, or the investigatory stop of a motor vehicle.

#### GATHERING STATISTICAL INFORMATION

The database installed on the Department server will allow us to analyze multiple aspects of our traffic enforcement activity. Each precinct will have the ability to enter citations and courtesy warnings into the system simultaneously, which will then be available for review by designated personnel. Commanders will designate certain personnel for data entry only, and other supervisory personnel for the more restrictive access to reports already entered in the system.

- A. Officers shall be required to add certain information when completing a citation or warning:
  - 1. Race shall be entered along with the sex in the "sex" field. For the purposes of this database, officers will use the categories of Black, White, Hispanic, Indian and Asian.
  - 2. Beat information must also be listed on each citation on the top-center area of the citation or warning. Only the main beat will be necessary.
  - 3. It is important that each street be spelled out completely. Streets with directional abbreviations will begin with the first letter of the directional prefix, (i.e. "E" for East Ponce de Leon Avenue) followed by the remainder.
- B. The STAR Team commander will furnish each precinct with totals at the end of each month.

#### SUPERVISOR RESPONSIBILITIES

All supervisors will ensure that their personnel are familiar with the policy and support its provisions. Additionally, supervisors will receive all citizen complaints or allegations of profiling on the part of individual officers, units or the division and forward such information for further inquiry or review to the Internal Affairs Unit.

#### TRAINING RESPONSIBILITIES

The DeKalb County Police Department Training Section will ensure that this enforcement profiling policy is appropriately addressed in relevant departmental training programs: Recruit Training, In-Service Training, Roll Call Training and Legal Updates. The training will be conducted during recruit academy training and then as required based on department needs, for regular employees. Topics will include a review of departmental policy and legal aspects including statutory provisions including Title 42 U.S.C. 1983, Title 42, U.S.C. Section 14141 and current case law.

#### VIOLATIONS

Violation of this policy, by act or omission, may subject the employee to disciplinary action up to and including termination.

#### ADMINISTRATIVE REVIEW

An administrative review of the Department's practices relative to biased base profiling shall be completed annually by Internal Affairs and shall include all documented citizen concerns related to issues of race, ethnicity, gender, sexual orientation, religion, socio-economic status, age, cultural group, or any other identifiable group. The review will encompass all aspects of communications with citizens including, but not limited to complaints, incident reports and citizen contact forms.

#### **4-5.21 DEALING WITH THE MENTALLY ILL**

##### **PURPOSE:**

This policy is intended to address the varying role officers play in their encounters with people with mental illnesses.

## LEGAL PROCESS

### **POLICY:**

It is the policy of the DeKalb County Police Department to ensure a consistently high level of service is provided to all community members. Agency personnel shall afford people who have mental illnesses the same rights, dignity and access to police and other government and community services as are provided to all citizens.

### **DISCUSSION:**

As first responders and law enforcers, police officers may encounter victims, witnesses or suspects who have mental illnesses; they may be called upon to help people obtain psychiatric attention or other needed services. Helping people with mental illnesses and their families obtain the services of mental health organizations, hospitals, clinics, and shelter care facilities has increasingly become a prominent role for police officers.

No single policy or procedure can address all of the situations in which officers, communications personnel and other Agency personnel may be required to provide assistance to persons who have mental illnesses. This policy is intended to address the most common types of interactions with people who have mental illnesses.

While many people with mental illness control symptoms successfully with the use of medications, others who do not have access to mental health services, fail to take their medications, or do not recognize that they are ill can experience psychiatric difficulties.

Officers and other personnel must be prepared to deal with situations involving persons who have mental illnesses and know how to respond to these situations in an appropriate and sensitive manner.

### **DEFINITIONS:**

**Mental Illness** – Any of various conditions characterized by impairment of an individual's normal cognitive, emotional, or behavioral functioning, and caused by social, psychological, biochemical, genetic, or other factors, such as infection or head trauma

### **PROCEDURES:**

#### **1. Mental Health Indicators**

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. It is sometimes misdiagnosed and misunderstood.

Some signs to look for are:

1. Big changes in behavior.
2. Strange loss in memory.
3. Belief that people are plotting against him.
4. Grand ideas about himself, especially in the presence of others.
5. Talks to himself, especially in the presence of others.
6. Hears voices.
7. Sees visions, smells strange odors, has peculiar tastes.
8. Thinks people are watching or talking about him; is very sensitive to the remarks of others.
9. Has bodily ailments that are impossible, even when nothing is physically wrong.
10. Extremely frightened, jumpy.

Affective disorders or extreme disturbances of mood, either elation or deep depression, are usually labeled manic-depressive psychosis. Once diagnosed, those who suffer from such extreme mood swings can be treated with medication.

During a manic state, the person is humorous, optimistic, and carefree. He lives in the present and says what comes to mind. He may become involved in activities that are dangerous or foolish. The manic attacks are usually shorter in duration than the depression state.

Depression can be characterized by:

1. Weight loss or weight gain (while not on a diet)
2. Sleep difficulty or sleeping too much
3. Loss of energy, fatigability, or tiredness
4. Psychomotor agitation or retardation (not restlessness)
5. Loss of interest or pleasure in usual activities or decrease in sexual desire
6. Feelings of self-reproach or excessive or inappropriate guilt
7. Complaints or evidence of diminished ability to think or concentrate such as slow thinking or indecisiveness
8. Recurrent thoughts of death, suicide or any suicidal behavior

This form of depression differs from normal depression because of the severity and duration of the behavior, the appropriateness of the depression in relation to its cause, and the level at which it interferes with one's life.

In its most severe state, depression can lead to suicide. For every successful suicide, it is estimated that there may be from 10-20 attempts. People commit suicide for many reasons including letting others know they need help and hoping to embarrass someone or punish someone.

A person may be suffering from schizophrenia if he has disordered thinking, delusions, hallucinations, social withdrawal and/or bizarre behavior. Other symptoms to look for are:

1. Identity confusion
2. Difficulty in distinguishing fantasies from real life
3. Social withdrawal
4. Inappropriate moods
5. Thinking and behavior dominated by wishes, fears, and fantasies
6. Inability to realize or denial that one's behavior is abnormal

Symptoms related to neurosis include acute anxiety, irrational fears, obsessive thoughts, feelings of unreality and over concern with the state of one's health. The neurotic has been described as his own worst enemy. The neurotic is aware of his sick behavior but is helpless to do anything about it. A good example of a person exhibiting neurotic behavior would be a person suffering from some form of phobia, such as claustrophobia. The person might even be aware of his problem but unable to help himself.

## **2. Situation Assessment**

A. When making observations, personnel should note as many cues as possible, put the cues into the context of the situation, and be mindful of environmental and cultural factors. The degree to which these symptoms exist varies from person to person according to the type and severity of the mental illness. Many of these symptoms represent internal, emotional states that are not readily observable from a distance, but are noticeable in conversation with the individual. The officer responding to the scene is not expected to diagnose a mental illness, but to decide on the appropriate response to the individual and situation. Recognizing that symptoms may indicate mental illness will help officers decide on an appropriate response and disposition.

B. Obtaining relevant information from family members, friends or others at the scene who know the individual and his or her history, or seeking advice from mental health professionals, can also assist officers in taking the appropriate action. Officers on the scene will also have to determine the severity of the behavior, the potential for change in the behavior, and the potential for danger presented by the individual to themselves or to others.

C. When responding to a call that involves a person who has, or exhibits, symptoms of mental illness, officers should obtain as much information as possible to assess and stabilize the situation. In particular, officers should gather information regarding the nature of the problem, behavior and/or events that may have precipitated the person's behavior and particularly the presence of weapons.

## **3. Approach and Interaction**

A) The following specific guidelines detail how to approach and interact with a person who may have mental illnesses and who may be a crime victim, witness or suspect. These guidelines should be followed in all contacts, whether

## LEGAL PROCESS

on the street or during more formal interviews and interrogations. Officers, while protecting their own safety, the safety of the person with mental illnesses and others at the scene should:

1. remain calm and avoid overreacting
2. continually assess the situation for danger; maintain adequate distance from subject
3. be helpful and professional; keeping in mind that the mentally ill person in a crisis situation is generally afraid
4. provide or obtain on-scene emergency aid when treatment of an injury is urgent
5. check for and follow procedures indicated on medical alert bracelets or necklaces
6. indicate a willingness to understand and help
7. speak simply and briefly, and move slowly
8. remove distractions, upsetting influences and disruptive people from the scene
9. understand that a rational discussion may not take place
10. recognize that the person may be overwhelmed by sensations, thoughts, frightening beliefs, sounds ("voices") or the environment
11. be friendly, patient, accepting and encouraging, but remain firm and professional
12. be aware that their uniform, gun, handcuffs and baton may frighten the person with mental illnesses, attempt to reassure him or her that no harm is intended
13. recognize and acknowledge that a person's delusional or hallucinatory experience is real to him or her
14. announce actions before initiating them
15. gather information from family or bystanders
16. if the person is experiencing a psychiatric crisis, attempt to have a local mental health professional respond to the scene

B) While each incident will be different, when dealing with a person who may have mental illnesses, officers should be aware that their own actions may have an adverse effect on the situation. Actions that officers should generally avoid include:

1. moving suddenly, giving rapid orders or shouting
2. forcing discussion or giving multiple choices that increase confusion
3. direct, continuous eye contact
4. touching the person (unless essential to safety)
5. crowding the person or moving into his or her zone of comfort
6. expressing anger, impatience or irritation
7. assuming that a person who does not respond cannot hear
8. using inflammatory language, such as "mental" or "mental subject"
9. whispering, laughing or joking as it will increase suspicion and potential for violence
10. joining the behavior such as challenging delusional or hallucinatory statements; and misleading the person to believe that officers on the scene think or feel the way the person does

C) Once sufficient information has been collected about the nature of the situation, and the situation has been stabilized, there is a range of options officers should consider when selecting an appropriate disposition. These options include the following:

1. obtain medical attention if he or she is injured or abused.
2. outright release.
3. release to care of family, caregiver or mental health provider.
4. refer to substance abuse services.
5. assist in arranging voluntary admission to a mental health facility, if requested.
6. transport for psychiatric evaluation at the hospital emergency room, if the person's behavior meets the criteria for this action.
7. arrest, if a crime has been committed.

D) Officers should remember that having a mental illness is not a crime. No individual should be arrested for behavioral manifestations of mental illness that are not criminal in nature. Taking a person who has a mental illness into custody can occur only when:

1. the individual has committed a crime
2. a person has threatened or attempted suicide or to inflict serious bodily harm on such person, or the person has threatened or attempted homicide or other violent behavior, or the person has placed others in reasonable fear of violent behavior and serious physical harm to them, or there is a substantial likelihood that such harm will occur unless the person is placed under involuntary treatment, then the person poses a "substantial likelihood of serious harm" for purposes of this title
3. Authority of licensed psychologist or other mental health professional.

4. Public Resources

Communications will have available the telephone numbers to access the appropriate mental health resources that are available to officers for mentally ill individuals and their families at all times. Officers should obtain the number for assistance when encountering mentally challenged individuals.

5. Training:

A. In order to prepare personnel who, during the course of their duties may have to deal with persons with mental illnesses, entry level personnel shall be provided training on dealing with the Mentally Ill.

B. In an effort to stay current on new regulations and statues covering persons with mental illness the department will provide refresher training at least every three years.

## USE OF FORCE

### 4-6 PURPOSE and SCOPE

It is the mission of the DeKalb County Police Department to promote order, protect the public, and deliver the optimum police services through an effective, efficient and professional response in partnership with the entire community.

In fulfilling the Department's mission, its officers have been delegated the ultimate responsibility to protect life and property and apprehend criminal offenders. The apprehension of criminal offenders and protection must at all times be subservient to the protection of life. The officer's responsibility for protecting life must include the officer's own life.

It is the responsibility of every member of the department to keep our standards at an adequate level to provide protection and service to the community while at the same time keeping ourselves as safe as possible.

The value of human life is immeasurable. One of the department's core value statements is the preservation of life. Officers should use that force which is minimal and reasonable to effect control of a non-compliant subject given the totality of the circumstances.

Any employee that is present and observing another employee using force that is clearly beyond that which is objectively reasonable under the circumstances shall intercede to prevent the use of such excessive force. The employee shall then promptly report such incident to a supervisor as soon as possible.

Litigation resulting from a shooting by a police officer will usually require the Department to prove the individual officer was properly trained in all aspects of the use of force, up to and including the use of firearms. This type of requirement demands that the Department take a pro-active approach to defending itself long before litigation is filed.

The purpose of this policy is to structure the use of force, including deadly force, by members of the DeKalb County Police Department and to provide a framework whereby the law enforcement duties can be properly and lawfully discharged by police officers. Since police officers have 24-hour/7 day-a-week law enforcement powers, this policy will be adhered to concerning off-duty conduct as well as on-duty conduct. This policy also applies to all other employees who may encounter situations with the public where a degree of force is required in order to carry out and complete their job responsibilities.

This policy is for departmental use only and does not apply in any criminal or civil proceeding. The departmental policy shall not be construed as a creation of a higher-level standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this policy will form the basis for departmental administrative sanctions only. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

### 4-6.1 USE of FORCE

Georgia Statutory Law, under Criminal Code Section 16-3-21 (Use of Force), justifies the threat or use of force. Ga. O.C.G.A. 16-3-21 reads:

*"A person is justified in threatening or using force against another when and to the extent that he reasonably believes that such threat of force is necessary to defend himself or a third person against such others' imminent use of unlawful force; however, a person is justified in using force which is intended or likely to cause death or great bodily harm only if he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or a third person, or the commission of a forcible felony".*

Officers are often confronted with situations where control must be exercised to affect arrests and to protect the public safety. Control may be achieved through advice, warnings, and persuasion or by the use of necessary force.

Necessary Force is the use of a reasonable amount of force to achieve a legitimate police objective. Reasonable refers to belief that is supported by facts or circumstances. Force may be used by a police officer in the performance of police duties:

- A. When necessary to preserve the peace, prevent commission of offenses, or prevent suicide or self inflicted injury
- B. When preventing or interrupting a crime or attempted crime against property
- C. When making lawful arrests and searches, overcoming resistance to such arrests and searches, and preventing escapes from custody

## USE OF FORCE

- D. When in self-defense, or defense of another against unlawful violence to that person.

The amount and degree of force which may be employed are based upon, but not limited to, the following factors:

- A. The nature of the offense
- B. The behavior of the subject against whom the force is to be used
- C. Action by third parties who may be present
- D. Physical conditions and tactical considerations
- E. The possibility of creating an unreasonable risk of injury or death to innocent persons
- F. The feasibility or availability of alternative actions

At times necessary force will include the use of certain tactics or equipment by the officer or specialty team, such as:

- A. Verbal Skills and Empty Hands
- B. Physical Strength and Compliance Techniques
- C. Soft or Hard Hand Techniques
- D. Handcuffs
- E. Oleoresin Capsicum (OC)
- F. ASP Baton
- G. Electronic Control Devices (ECDs)
- H. Patrol-rifles
- I. Chemical Munitions
- J. Specialty Impact Munitions
- K. Distraction Devices
- L. Approved Weapon and Ammunition

The use of any unauthorized weapon is prohibited unless very unusual, severe, and justifiable circumstances prevail.

In every community, the proper utilization of force is crucial to the definition, design, and delivery of effective police services. We must recognize that the fate of our function directly impacts the lives of those we have sworn to serve and protect. Officers with the DeKalb County Police Department will be trained in the use of the Federal Integrated Force Management model. This Use of Force Continuum model is a concept used in incident handling that simultaneously recognizes the level of subject resistance encountered and the level of control and force required for the situation. This concept does not direct an officer on how much control and/or force to use in a particular incident, but gives the officer direction in dealing with changing situations that might dictate the escalation or de-escalation of the amount and degree of force to be used.

The Integrated Force Management program shifts force focus and function from a pattern of confusion, towards a process of consolidation and coordination, consistent with contemporary management procedures and principles.

It is important to note that this Use of Force Continuum is to be used as a general guide and officers must always factor in objective reasonableness in determining the appropriate level of control and force to be utilized.

Any use of force by an officer must be examined from two perspectives: Resistance (Subject) and Control or Force (Officer). Both control and resistance can be in the form of verbal directives or physical action.

**Resistance:** A subject's non-compliance to the officer. The amount and type of resistance varies based on a number of factors.

**Control:** The force an officer uses to influence or neutralize a non-compliant subject. Officers are justified in using physical control methods in the following situations:

1. To protect the officer or another from injury or death.
2. To effect the lawful detention or arrest of a non-compliant subject.
3. To stop potentially dangerous and unlawful behavior.
4. To protect a subject from self-injury.

The DeKalb County Police Department uses broad standards to measure the justification of an officer's use of force.

The control methods used were initiated by a subject's resistance, and  
The level of control used was necessary and reasonable considering the subject's resistance.

**A Show of Control:** A display of tactical advantage to persuade the subject to comply with verbal commands. This can be implemented to influence a subject to make positive decisions.

*A Show of Control:*

- Reduces reaction time;
- Serves as a visual warning of potential use and imparts to a subject that resistance is futile;
- Adds intermediate steps to the Use of Force Continuum; and
- Can be recalled or de-escalated to lower forms of control.

**A Use of Control** is an action that can result in tissue damage to a subject and when employed cannot be recalled.

Officers must always be alert and attentive to changing situation which may dictate the escalation or de-escalation of control and/or force to be utilized. Officers should never abandon verbal communications when seeking compliance.

**Use of Deadly Force:**

If a situation does occur which dictates the use of deadly force, the decision to take another person's life is the most serious decision a police officer can ever be called upon to make. Officers should take great strides in attempting to de-escalate an incident and avoid using deadly force whenever possible.

The protection and preservation of human life is a primary goal of this department; therefore, officers have a responsibility to use only the amount and degree of force necessary and reasonable to protect and preserve life.

**Deadly force is defined as that force which is intended to cause death or great bodily harm or which creates some specified degree of risk that a reasonable and prudent person would consider likely to cause death or great bodily harm.**

According to Georgia State Law, O.C.G.A. 16-3-21, deadly force may be used if:

- A. There is clear and sufficient reason to believe that the person against whom the force is used is about to kill or grievously injure the officer
- B. There is clear and sufficient reason to believe that the person against whom the force is used is about to kill or grievously injure another person
- C. There is clear and sufficient reason to believe that the force must be used to prevent the commission of a forcible felony

Great bodily harm has been generally defined to mean harm that is likely to maim or permanently disable.

O.C.G.A. 17-4-20 (b) addresses the use of deadly force for arrest by peace officers by stating "...*peace officers...may use deadly force to apprehend a suspected felon only when the officer reasonably believes that the suspect possesses a deadly weapon or any object, device, or instrument which, when used offensively against a person, is likely to or actually does result in serious bodily 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 that the suspect has committed a crime involving the infliction or threatened infliction of serious physical harm...*"

To reasonably believe is the determination of whether or not the officer's decisions and actions are in fact reasonable and is most commonly decided on the basis of the "reasonable officer doctrine," which is a basic standard of our legal system. In common terms it means that if an officer of common judgment and ordinary prudence, experiencing the same facts and circumstances experienced by the officer, would come to the same general conclusion that the officer reached, and then it is a reasonable belief.

Forcible Felony, as defined in Ga. O.C.G.A. 16-1-3, means, "*any felony which involves the use or threat of physical force or violence against any person*". From this definition, it is obvious that many crimes that could be technically classified as "forcible felonies" would not be life threatening enough to justify the use of deadly force to prevent them. It should be noted that Section 16-3-21 does not give the police officer any more authority in using deadly force than any other citizen in the State of Georgia. The law says, "*a person is...justified in threatening or using force,*" which means that any person may use deadly force under the given circumstances. Although the courts commonly recognize that officers are frequently

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involved in the justifiable use of deadly force, technically the law provides no additional authority or latitude to the circumstances under which deadly force may be used by a police officer.

It will be the policy of this Department **NOT to use deadly force in order to prevent the escape of a fleeing felon, unless that suspect continues to pose an immediate danger or serious threat to innocent persons.**

If someone is fleeing or attempting to flee (felon or not; convicted or not), the officer will be allowed to use reasonable force to prevent the escape. The fact that someone is escaping or attempting to escape is not justification in itself to use deadly force. It is important to note again that reasonable grounds must exist to justify the use of deadly force, and again the reasonable officer doctrine is the standard of justification.

Once the officer has determined that the use of deadly force is reasonable, the Department's policy is shoot to stop. An officer shall not discharge a weapon to kill, but rather to stop and incapacitate an assailant from completing a potentially deadly act as described in this policy. For maximum stopping effectiveness and minimal danger to innocent bystanders, the officer should shoot at "center mass," unless extreme circumstances cause for an elevated shot to immediately stop the suspect. Appropriate first aid is to be rendered whenever possible after any use of force (either rendered by the officer, or summoning EMS, etc.).

*Self-defense and imminent threat shall be the only policy guideline for employing deadly force.* The discharge of a firearm is an irreversible action and officers should ensure that their actions do not unreasonably precipitate the use of deadly force by placing themselves or others unnecessarily in jeopardy by engaging in actions that are inconsistent with the officer's training and/or Departmental policies and guidelines.

In all situations, justification for the use of deadly force must be limited to the facts reasonably apparent to the officer at the time the officer decides to use the force.

These considerations are provided to aid officers who decide to utilize deadly force:

1. other methods available to effect an arrest or apprehension
2. whether the suspect is in plain view
3. the need for extreme caution at night as darkness may inhibit vision
4. danger posed to bystanders by the discharge of the firearm, regardless of whether they are in plain view or concealed, such as in a building
5. the direction of fire
6. moving to cover, repositioning and/or waiting for additional responding units to gain and maintain a superior tactical advantage
7. the possibility of collateral injury or death.

Officers should not take undue risks that could result in death or serious bodily injury. Whenever possible, officers should attempt to defuse and stabilize the situation by using communication skills and/or waiting for additional responding officers. Officers are never required to take unreasonable risks and may opt to disengage or withdraw if such action can be safely accomplished without further endangering themselves, other officers or the public. Officers should always be prepared to constantly re-evaluate any situation and de-escalate or escalate as needed or required.

Any threat used to justify the use of deadly force must be immediate and there must be no other possible remedy. Speculation as to what the suspect may or may not do if allowed to escape is not sufficient reason for the use of deadly force.

Deadly force will be used with great restraint, as a last resort, and only when the level of resistance warrants the use of deadly force. The DeKalb County Police Department places a greater value on human life than on the protection of property; therefore, the use of deadly force is not allowed to protect property interests.

No distinction shall be made relative to the age of the intended subject of deadly force.

Officers must make every attempt to identify and isolate a specific subject and then "shoot to stop."

Officers **will not** discharge a firearm as a warning shot.

Officers who are authorized can deploy with patrol rifles when they have reason to believe the suspect(s) is (are):

1. Wearing body armor
2. Armed with firepower that is superior to their sidearm

3. Armed and situated at a distance or fortified position with a tactically superior position requiring accuracy at a greater range
4. When an armed confrontation is imminent or when the officer is engaged in activities that have a high probability that the suspect(s) may be armed and dangerous, such as armed robberies in progress or active shooter situations, or
5. With prior authorization from a supervisor in situations where the tactical environment is such that a rifle would be the most effective way to prevent the death or serious physical injury to officers or the public.

Officers are prohibited from discharging firearms when it appears likely that an innocent person may be injured. Officers **will not** discharge a firearm at or from a moving vehicle except as the ultimate measure of self-defense or defense of another when the suspect is using deadly force. Any threat used to justify the use of deadly force must be immediate and there must be no other possible remedy. Speculation as to what the suspect may or may not do if allowed to escape is not sufficient reason for the use of deadly force. This policy is intended to be concordant with OCGA Title 17, Chapter 4, Article 2, Section 17-4-20 (b) and (d).

Every time a firearm is discharged (accidentally or not) it is that officer's duty to report the incident to a superior officer(s), who will then report it to Internal Affairs. In addition, officers must also report to the firing range for re-qualification and weapons inspection by a member of the range staff. Officers will not have to re-qualify for shooting an injured animal unless otherwise directed to do so by Internal Affairs. Only Range staff or Internal Affairs are authorized to provide replacement ammunition following a weapon discharge event. Exceptions to this policy are when the weapon is fired during qualification or other training exercises.

Excessive force and brutality on individuals by any member of this Department will not be permitted. When an officer is affecting an arrest, reasonable force may be used as previously mentioned. The use of any piece of equipment, whether county issue or not, (i.e., flashlight, handcuffs, ASP baton, etc) will be used for their intended purposes only and not as a method for inflicting injury except in cases where the officer must defend himself against deadly force or great bodily harm. The use of any type of neck restraint or choke hold is prohibited.

When a person is arrested or placed into custody and resistance by that person has ceased, the officer shall immediately reduce their level of force to control techniques. It shall be the responsibility of the officer to take appropriate behavior or physical contact with the individual. It shall be the responsibility of the officer to take appropriate action without any unnecessary use of force.

Pursuant to Section 519 of Public Law 101-104, the 1990 HUD Appropriations Act, officers are, in addition to the prohibitions previously mentioned, specifically prohibited from using excessive force against any individual engaged in a nonviolent civil rights demonstration.

Officers who are working off-duty jobs and are involved in situations, which require a degree of force, shall report the incident immediately to the area supervisor who shall complete a Use of Force report as if the incident occurred while the officer was on duty.

The killing of an animal is justified: (1) for self-defense; (2) to prevent substantial harm to the officer or another; or (3) when the animal is so badly injured that humanity requires its relief from further suffering. A seriously wounded or injured animal may be destroyed only after all attempts have been made to request assistance from an agency (humane society, animal control, game warden, etc.) responsible for the disposal of animals. The destruction of vicious animals shall be guided by the same rules set forth for self-defense and the defense and safety of others.

#### **Domesticated Animals injured in a use of force incident**

If a domesticated animal is injured during a use of force incident, the animal will be provided medical treatment to the best ability of the officer. This treatment may include;

- A) Allowing the owner, or designee, to transport the animal to a veterinarian unless the animal must remain at the scene related to a crime or investigation.
- B) If the owner cannot be located in a timely manner, DeKalb County Animal Enforcement will be called to transport the animal to a veterinarian.

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This policy applies to domesticated animals injured by Department personnel. Officers must always use caution and their best judgment when handling an injured animal.

Except for general maintenance, storage or authorized training, officers shall not draw or exhibit a firearm unless circumstances create strong reasonable cause to believe that it may be necessary to lawfully use the weapon in conformance with other sections of this policy.

### 4-6.2 OLEORESIN CAPSICUM

#### PURPOSE

The purpose of this policy is to establish guidelines for the use of oleoresin capsicum (OC) aerosol restraint spray.

#### POLICY

The department has issued OC aerosol restraint spray to provide officers and non-sworn personnel with additional use-of-force options for gaining compliance of resistant or aggressive individuals in arrest and other enforcement situations. It is the policy of this agency that personnel use OC when warranted, but only in accordance with the guidelines and procedures set forth here and in this agency's use-of-force policy.

#### PROCEDURES

##### A. AUTHORIZATION

1. All sworn personnel will be required to complete the prescribed course of instruction in the use of OC spray. Only sworn and non-sworn personnel who have completed the prescribed course of instruction on the use of OC are authorized to carry the device. Only Department issued 10% oleoresin capsicum cone spray will be carried.
2. All on-duty uniformed officers shall be equipped with the Department issued OC spray.
3. Sworn and non-sworn personnel whose normal duties/assignments may require them to make arrests or supervise arrestees shall be required to carry departmentally authorized OC while on duty.
4. Uniformed officers shall carry only departmentally authorized OC canisters in the prescribed manner on the duty belt. Non-uniformed personnel may carry OC in alternative devices as authorized by the agency.

##### B. USAGE CRITERIA

1. OC spray is considered a use of force and shall be employed in a manner consistent with this agency's use-of-force policy. OC is a force option following verbal compliance tactics and the use of physical strengths and skills (the "soft or hard hands" approach) when appropriate on the use-of force continuum.
2. OC may be used when a verbal dialogue has failed to bring about the subject's compliance and the subject has signaled his intention to actively resist the officer's efforts to make the arrest.
3. Whenever practical and reasonable, personnel should issue a verbal warning prior to using OC against a suspect.
4. An officer may use deadly force to protect himself from the use or threatened use of OC when the officer reasonably believes that deadly force will be used against him if he becomes incapacitated.
5. Once a suspect is incapacitated or restrained, use of OC is no longer justified except in extreme cases where the suspect still poses a significant threat of injury or danger to the officer(s), or has attempted or succeeded in injuring the officer(s) after being restrained.

##### C. USAGE PROCEDURES

1. Whenever possible, officers should be upwind from the suspect before using OC and should avoid entering the spray area.
2. Personnel should maintain a safe distance from the suspect of between two and 10 feet.
3. A single spray burst of between one half and one second should be directed at the suspect's eyes, nose and mouth. Additional burst(s) may be used if the initial or subsequent burst proves ineffective.
4. Use of OC should be avoided, if possible, under conditions where it may affect innocent bystanders. Caution should be taken during the use of OC in enclosed areas, business, homes, etc.

##### D. EFFECTS of OC, OFFICER RESPONSE and MEDICAL AID

1. Within several seconds of being sprayed by OC, a suspect will normally display symptoms of temporary blindness, have difficulty breathing, burning sensation in the throat, nausea, lung pain and/or impaired thought processes.
2. The effects of OC vary among individuals. Therefore, all suspects will be handcuffed as soon as possible after being sprayed. Personnel should also be prepared to employ other means to control the suspect - to include, if necessary, other force options consistent with the agency policy - if the suspect does not respond sufficiently to the spray and cannot otherwise be subdued.

3. Immediately after spraying a suspect, personnel will be alert to any indications that the individual needs medical care. This includes, but is not necessarily limited to, breathing difficulties, gagging, profuse sweating and loss of consciousness. Upon observing these or other medical problems or if the suspect requests medical assistance, the employee will immediately summon emergency medical aid.
4. Air will normally begin reducing the effects of OC spray within 15 minutes of exposure. However, once the suspect has been restrained, officers may flush the exposed area with water if the suspect request.
5. Suspects that have been sprayed will be monitored for indications of medical problems and will not be left alone while in police custody. Personnel should provide assurance to suspects who have been sprayed that the effects are temporary and encourage them to relax.
6. Assistance will be offered to any individuals accidentally exposed to OC spray who feel the effects of the agent. All such incidents will be reported as soon as possible to the officer's immediate supervisor and shall be detailed in an incident report. Non-sworn personnel will report any such incident to the nearest police supervisor.

**E. REPORTING PROCEDURES**

1. An incident report will be submitted. Accidental discharges as well as intentional uses of OC spray against an individual in an enforcement capacity will be reported to the officer's immediate supervisor as soon as possible. All uses of OC spray by non-sworn personnel will immediately be reported to the nearest police supervisor.
2. A use-of-force report will be completed following all discharges of OC spray except during testing, training, malfunction or accidental discharge.

**F. REPLACEMENT**

1. All OC spray devices will be maintained in an operational and charged state by assigned personnel. Replacements for damaged, inoperable or empty devices are the responsibility of officers to whom they are issued.
2. Unexplained depletion of OC canisters will require an investigation and written report by the officer's supervisor to the Division Commander.

**G. TRAINING**

1. The Department's OC spray training program will include comprehensive instruction of (1) Departmental policy on use of force, (2) the legal requirements, (3) effects and first aid procedures, and (4) a practical exercise including exposure.
2. All personnel will receive annual In-Service training on the use of OC. This training will include instruction of the Departmental policy on use of force.

**H. OFF-DUTY/PART TIME EMPLOYMENT**

1. All authorized part-time employment will be approved as per existing Departmental policy.
2. Officers working part-time in uniform must wear the Department issued OC Spray canisters in the prescribed manner on the duty belt.
3. Officers working part-time employment in plain clothes must carry the Department issued OC spray the alternative device as authorized by the agency.

**4-6.3 ASP BATON**

**PURPOSE**

The purpose of this policy is to establish guidelines for the use of the ASP Tactical Baton expandable defensive impact weapon.

**POLICY**

The department has issued the ASP Baton to provide officers and non-sworn personnel with additional use-of-force options for gaining compliance and control of resistant or aggressive individuals in arrest and other enforcement situations. It is the policy of this agency that personnel use the ASP Baton when warranted, but only in accordance with the guidelines and procedures set forth here and in this agency's use-of-force policy.

**PROCEDURES**

**A. AUTHORIZATION**

1. All on-duty uniform officers shall be equipped with the Department issued ASP Baton or authorized self-purchased ASP Baton unless specifically exempted by the Chief of Police. All sworn personnel will be required to complete the prescribed course of instruction in the use of the ASP Baton.
2. Only sworn and non-sworn personnel who have completed the prescribed course of instruction are authorized to carry the device. The 21" and 26" ASP Batons will be the standard authorized impact weapon issued to employees of the DeKalb County Police Department. In addition, the Airweight 21" or 26" ASP Baton may be

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carried (*after completing the prescribed training course*) at the employee's expense. The Airweight Baton is lighter in weight and more practical for carry by non-uniform personnel and those officers who desire to carry less weight on their duty belt.

Personnel who are authorized to wear plain clothes and Command/Administrative Staff not wearing the duty belt may carry the ASP P12 12" baton or the ASP P16 16" baton. These batons are designed for carry without the Sidebreak Scabbard and are purchased at the expense of the employee. Any employee in full uniform must carry the 21" or 26" baton.

3. Any officer whose normal duties/assignments may require them to make arrests or supervise arrestees shall be required to carry a departmentally authorized ASP Baton while on duty.
4. Uniformed personnel shall carry only departmentally authorized ASP Batons in the issued Sidebreak Scabbard in the prescribed manner on the duty belt. Non-uniformed personnel may carry the ASP Baton in an alternative manner as authorized by the agency.
5. "Hindi" (mushroom) or other non-ASP end caps shall not be installed on any ASP Baton, as it voids the manufacturer's warranty.

### **B. USAGE CRITERIA**

1. The ASP Baton is considered a use of force and shall be employed in a manner consistent with this agency's Use-of-Force policy. The ASP Baton is an intermediate level of force on the same level with the OC spray.
2. The ASP Baton may be used to establish lawful objectives when:
  - a) verbal dialogue has failed to bring about the subject's compliance
  - b) the use of OC spray has failed to bring about the subject's compliance or the use of OC spray is impractical in the given situation
  - c) the subject has signaled his intention to actively resist the officer's efforts to make the arrest or
  - d) in self-defense, or defense of another against unlawful violence to that person
3. Whenever practical and reasonable, employees should issue a verbal warning prior to using the ASP Baton against a suspect.
4. An officer may use deadly force to protect himself from the use or threatened use of an ASP Baton when the officer reasonably believes that deadly force will be used against him if he becomes incapacitated.
5. Once a suspect is incapacitated, controlled, or restrained, use of the ASP Baton is no longer justified except in extreme cases where the suspect still poses a significant threat of injury or danger to the officer(s), or has attempted or succeeded in injuring the officer(s) after being restrained.

### **C. USAGE PROCEDURES**

1. All action, relational factors between parties and conditions surrounding the enforcement situation comprise the totality of the situation. These include officer/subject factors and special circumstances. Each relevant condition relates to the confrontation in determining the officer's course of action.

Officer/Subject Factors may include:

- a. age
- b. gender
- c. size
- d. fitness
- e. skill level
- f. multiple officers
- g. multiple subjects

It is reasonable that a discrepancy in the age, gender, physical size, fitness, or skill level of individuals involved in the confrontation may mandate that an officer use more or less force to control the situation. In a similar manner, it would be reasonable for a single officer to use more force controlling a situation when confronted by multiple subjects.

Special Circumstances may include:

- a. close proximity to a firearm/weapon
- b. special knowledge
- c. injury or exhaustion
- d. ground position
- e. disability
- f. imminent danger

A subject in close proximity to a firearm or other weapon creates an increased danger to the officer, which must be dealt with immediately. An officer may have special knowledge of a subject's skills that would require the use of increased force. An officer who is injured, exhausted, on the ground, disabled, or is in imminent danger would be justified in escalating through the use-of-force options.

2. The ASP Tactical Baton is drawn with the weapon hand or drawn with the reaction hand (off-hand) and transferred to the weapon hand.
3. All basic strikes are delivered with the baton in the weapon hand, unless the weapon hand is incapacitated.
4. There are two modes of the ASP Baton, Open Mode and Closed Mode. The Baton Mode is determined by the distance to the threat encountered by the employee.
5. When striking a subject, the employee should target those areas of the subject, which are likely to inflict injury to the subject (i.e., center mass of arm, center mass of leg, center mass of body). These targets are the vehicles, which transport force against the employee.
6. Open Mode strikes are ideally delivered to target areas with the last three inches of the shaft or tip of the ASP Baton. Closed Mode strikes are delivered to target areas with the end cap or fist.
7. Do not target strikes to the head, neck, spine, sternum, or groin. Strikes to these areas may produce injuries that could be fatal, while not effectively terminating assailant resistance.

**D. EFFECTS of the ASP BATON, OFFICER RESPONSE, APPROPRIATE MEDICAL AID**

1. Strikes to the center mass of the extremities effectively disable an assailant's "delivery system." Strikes to the center mass of the body generate fluid shock waves. Strikes to the primary "center mass" target areas have a high potential for control and a low potential for fatal injury.
2. If the assailant moves or a strike misses its target, surrounding targets also have a high potential for control and a lesser potential for damage.
3. All suspects will be handcuffed as soon as possible after being controlled. However, personnel should also be prepared to employ other means to control the suspect – to include, if necessary, other force options consistent with agency policy – if the subject does not respond sufficiently to the strikes and cannot otherwise be subdued.
4. Immediately after employing the ASP Baton, employees should be alert to any indications that the individual needs medical care and if needed, will ensure appropriate medical aid. This includes, but is not limited to, loss of consciousness, breathing difficulties, and excessive swelling to extremities. Upon observing these or other medical problems or if the suspect requests medical assistance, the employee will immediately summon emergency medical aid.
5. Suspects on which the ASP Baton has been used will be monitored for indication of medical problems and will not be left alone while in police custody.
6. In order to minimize the stress involved in the use of force, any officer or non-sworn personnel involved in a use of force incident, which results in death or serious injury, will be placed on "administrative leave" directly upon completion of their preliminary report of the incident. This leave will be without loss of pay or benefits, pending the results of the investigation. The assignment to administrative leave will not be interpreted or indicate that the employee has acted improperly.

While on administrative leave, the employee will remain available at all times for official departmental interviews and statements regarding the incident and shall be subject to recall at any time. The employee will not discuss the incident with anyone except the District Attorney, departmental personnel assigned to the investigation, the employee's private attorney, the employee's psychologist, the employee's chosen clergy, and the employee's immediate family.

Upon returning to duty, the employee may be assigned to "administrative duty" for a period of time deemed appropriate by the employee, his psychologist, and the Chief of Police.

**E. REPORTING PROCEDURES**

1. Use of the ASP Baton against an individual in an enforcement capacity will be reported to the officer's immediate supervisor as soon as possible. If non-sworn personnel employ the baton, the incident will immediately be reported to the nearest police supervisor.
2. A use-of-force report and an incident report will be completed following all tactical uses of the ASP Baton.
3. To properly complete the Use of Force Report, it will be necessary to document and photograph the strike area on the suspect's body.
4. The Department will conduct an annual analysis of reported usage of the ASP Baton, via documented reports conducted by the Internal Affairs Department.

**F. REPLACEMENT**

1. Assigned personnel will maintain ASP Batons in an operational state. Repair or replacements for damaged or inoperable batons are the responsibility of employees to whom they are issued.
2. Qualified personnel in the Training Division will make all repairs of ASP Batons. No employee should attempt to repair his or her own baton. If repair of the baton is not possible, Training Division personnel will recommend the Supply Unit replace the ASP Baton.

**G. TRAINING**

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1. The Department's ASP Baton 8-hour certification program will include comprehensive instruction of (1) Departmental policy on use of force, (2) the legal requirements, (3) ASP baton skills, and (4) a practical exercise for proficiency.
2. Once an officer or non-sworn personnel completes the certification class, he/she must annually be re-certified to retain carry authorization.
3. Those employees failing to re-certify by December 31<sup>st</sup> of each year, will no longer be authorized to carry the ASP Baton until completion of the 2-hour certification class for ASP re-familiarization.
4. Should the officer fail to meet certification standards, the authority to carry the weapon shall be IMMEDIATELY REVOKED by the certifying authority and written notification of such revocation shall be forwarded to the officer's Commander, the Training Division, and the Chief of Police. Officers, whose authority to carry the ASP Baton has been revoked, shall be reassigned to non-uniformed administrative duty for a period of 5 days. Within the 5 day period, the officer must report to the Training Division for remedial ASP Baton training and certification. Officers who fail to achieve certification after attending remedial ASP Baton training will be recommended for termination for failing to maintain standards. A non-sworn employee who, after receiving remedial training fails to meet certification standards, will have the authority to carry the ASP Baton immediately revoked by the certifying authority and written notification of such revocation will be forwarded to the employee's Commander, the Training Division, and the Chief of Police.
5. Any employee who is absent from duty for any extended period of time and fails because of that absence to re-certify as scheduled will have 10 days to re-certify upon their return to full duty status. Responsibility for notifying the Training Division will rest with the individual employee.
6. All sworn personnel will receive annual In-Service training on the use of the ASP baton. This training will include re-certification and instruction of Departmental policy on use of force.

### H. OFF-DUTY/PART TIME EMPLOYMENT

1. All authorized part-time employment will be approved as per existing Departmental policy.
2. Officers working part-time employment in uniform must wear the Department issued ASP Baton in the issued Sidebreak Scabbard.
3. Officers working part-time employment in plain clothes must carry the Department issued ASP Baton in the alternative manner as authorized by the agency.

## 4-6.4 ELECTRONIC CONTROL DEVICES - TASERS

### PURPOSE

The purpose of this policy is to establish guidelines for the DeKalb County Police Department's use of Electronic Control Devices (ECD).

### POLICY

An ECD may be used to control resistant or aggressive individuals in arrest and other enforcement situations. It is the policy of this agency that officers use an ECD when warranted, but only in accordance with the guidelines set forth here, in training, and in the use-of-force policy. An ECD is on the same level of force as Oleoresin Capsicum in the non-deadly force category. **An ECD is a control device.**

The Taser X26 will be the standard authorized electronic control device issued to members of the DeKalb County Police Department.

It shall be the policy of the DeKalb County Police Department to resolve incidents requiring law enforcement intervention in as humane and safe a manner as reasonably possible.

### PROCEDURES

#### A. AUTHORIZATION

1. Only officers who have completed the prescribed course of instruction on the use of the ECD will be authorized to carry the device.
2. Basic certification for the use of an ECD shall consist of no less than the manufacturer's minimum recommendation.
3. Re-certification shall be conducted once a year.
4. Training topics for both the basic certification and annual re-certification should consist of, but are not limited to, the following topics:
  - a. Manufacturer's Recommendations / Maintenance
  - b. Deployment / Use / Documentation
  - c. Response to Resistance Matrix Levels and other Tactical Options
  - d. ECD Retention and Transition Drills

- e. Scenario Based Training
- f. Recognition of Symptoms: Excited Delirium, Medical Concerns, etc.
- 5. Only current Manufacturer Certified Instructors are eligible to instruct officers in the use of an ECD.
- 6. Officers whose normal duties/assignments may require them to make arrests or supervise arrestees shall carry the authorized departmental ECD.
- 7. Uniformed Supervisors/Officers shall carry only a departmental authorized ECD in the issued cross-draw holster. Non-uniformed officers may carry the ECD in alternative devices as authorized by the agency.

**B. PRIOR TO DEPLOYMENT**

- 1. An officer's response level to subject resistance should always be based upon reasonable objectiveness, and depending upon subject/officer factors such as age, size, weight, and the subject's apparent ability to physically challenge the officer or do harm to himself or others, balanced against the seriousness of the incident.
- 2. An officer's decision to deploy the ECD shall involve an arrest or custodial situation wherein the subject is escalating resistance from passive physical resistance towards active physical resistance. Passive resistance includes subjects who question an officer's commands in a non-threatening manner and persons who are participating in a non-violent public protest. The ECD shall not be used as a tool of coercion to intimidate an individual into compliance with simple requests or directives by an officer.
- 3. The primary purpose in the decision to deploy the ECD is to prevent a continuing escalation of the subject's resistance or violence and to minimize injury to both the officer(s) and subject(s).
- 4. Prior to deployment of the ECD, officers must take into consideration environmental factors which may contribute to serious injury. These factors include but are not limited to; subjects standing on or near the edge of a roof, stairwells, next to a window or body of water.
- 5. No policy or guideline can anticipate every situation that officers might face, but in general terms, the following deployment procedures are established. An ECD can be utilized under the following circumstances:
  - a. When the subject is exhibiting threatening body language associated with verbal threats or refusing to comply with the officer's instructions, and the subject has the apparent ability to physically challenge the officer. Threatening body language includes, but is not limited to:
    - 1. blading the body
    - 2. assuming a "boxer stance"
    - 3. circling or surrounding the officer
    - 4. moving the hands from open to closed, forming a fist, etc.
  - b. When a subject makes physically evasive movements to defeat an officer's attempt to control. This may be in the form of:
    - 1. bracing or tensing of the body
    - 2. attempts to kick, push, or pull away
    - 3. not allowing the officer to get close to him
  - c. When a subject makes overt, hostile, attacking movements, which may cause injury, but are not likely to cause death or great bodily harm to the officer or others.
  - d. When subject makes overt, hostile, attacking movements with or without a weapon with the intent and apparent ability to cause death or great bodily harm to the officer or others.
  - e. When lesser force options may be ineffective.
- 6. The ECD is a sensitive electronic device (similar to a cell phone) and should be treated with appropriate care. It should not be dropped or thrown around. When not in use it should remain in an approved holster and should be protected from rain.
- 7. The ECD will be turned over to any supervisor or the Internal Affairs Unit upon request to investigate the use of the ECD.
- 8. Only department issued batteries and cartridges will be used with the Taser. No changes, alterations, modifications or substitutions shall be made to the Taser. All repairs to a Taser shall be completed by an authorized vendor or armorer.
- 9. At the beginning of each shift the ECD shall be tested to ensure it is functioning properly. It is the responsibility of each officer to test the ECD prior to the shift or part time job, and to immediately report any improperly functioning ECD to their supervisor.

**IMPORTANT:** Make sure to remove the air cartridge prior to testing and replace it afterwards. Defective ECD's and cartridges should be returned to the Training Division as soon as possible and should not be used until repaired or replaced.

- 10. Personnel issued a Taser shall be issued a minimum of one spare cartridge as a backup in case of cartridge failure or the need for reapplication. The spare cartridges shall be stored and carried in a manner consistent with

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training and the cartridges replaced by the officer's division. Each division/unit/precinct will maintain an adequate supply and keep a log of the cartridge serial number, date of issue, and the name of the officer to whom cartridge was issued. Always replace the Air Cartridges by the expiration date and use expired cartridges for training purposes only.

11. The Taser shall be pointed at the ground in a safe direction with the safety on during administrative handling procedures.

### C. DEPLOYMENT

1. The ECD should be deployed at the same level of force as OC spray.
2. Prior to the deployment of the Taser the officers deploying the device have the responsibility to reasonably visually and physically confirm that the use of force tool selected is in fact the Taser and not a firearm.
3. When multiple officers are present and an ECD is to be used on a subject, **only one officer should deploy the ECD on the subject.** In the event the ECD malfunctions or both probes are not in contact with the subject, an additional officer may deploy an ECD if compliance has not been gained. Officers will communicate with each other on which officer will deploy the ECD and which officers will act to take the subject into physical custody.
4. Care should be taken that the ECD not be aimed at the neck or above, and the point of aim for front deployment of the Taser should be lower-center of mass, when possible. The Taser should be aimed at the suspect's back to reduce risk of injury; however, this may not always be possible.
5. When possible, avoid prolonged, extended, uninterrupted discharges or extensive multiple discharges. When activating the ECD the officer should use it for one cycle and stop to evaluate the situation and the subject. Use of the Taser should be combined with physical restraint techniques to minimize the total duration of the struggle and Taser use. **Every attempt should be made to take the subject into custody as quickly as possible after the initial deployment of the ECD in order to reduce the need for subsequent cycles of the ECD. Officers should transition to a different force option if multiple Taser deployments fail to gain compliance.**
6. When reasonable, the ECD should not be used near flammable liquids and fumes. Do not deploy the ECD near suspected meth labs, or after alcohol-based OC spray has been deployed.
7. The ECD will cause most everyone to fall and therefore should not be used when the risk of falling would likely result in death (e.g. on a roof or next to a swimming pool).
8. The ECD should not be used against handcuffed subjects, pregnant women, juveniles, or the elderly unless exigent circumstances exist.
9. The ECD is prohibited from being used, or threatened to be used, in questioning or interrogating a suspect. It is prohibited to use the ECD as a "prod," to awaken a person, to needlessly display the ECD, or to exhibit careless or haphazard muzzle control of the ECD.
10. An officer's decision to deploy the ECD on fleeing person(s) who are subject to arrest, should be predicated upon the totality of the circumstance and the considerations outlined above, along with distance and the difficulty in accurately deploying on a moving subject. **A subject's flight should not be the sole justification for deploying the ECD.**
11. The ECD should not be deployed on subjects in physical control of a moving motor vehicle while the engine is running, or the vehicle is in gear.
12. If practical, the officer should verbally warn the subject that they will be subjected to a 50,000 volt electrical charge if they do not comply. Officers should also give verbal warnings of "taser, taser, taser" (this term will be used as long as the department uses the Taser International's M26 or X26 Taser) to let other officers know that an ECD is being deployed. *This is to alert other officers that the ECD is being deployed so that officers do not mistake the "POP" of the ECD for a gunshot.* If possible, any officer on the scene shall broadcast a "Code ECD," via the radio channel. Dispatch shall acknowledge this broadcast and repeat the announcement (note, *the officer does not have to wait for radio to acknowledge before taking action*).
13. The ECD has a built-in 5-second timer. The electrical current will continue for the full five seconds every time the trigger is depressed. Unless special circumstances dictate the 5-second cycle should never be stopped early. If needed, pressing the trigger again can extend the cycle.
14. The Taser is an effective tool for stopping the aggressive behavior of wild or potentially dangerous animals. Reporting procedures should be followed with the completion of an incident report.
15. Often, the mere display of the Taser or the activation of the laser on the subject will gain compliance. This compliance should be noted in the incident report and on a Taser Use of Force supplemental form.

### D. AFTER DEPLOYMENT-- REPORTING and APPROPRIATE MEDICAL AID

Once the subject is subdued, restrained and in custody the arresting officer shall notify the chain of command that the subject has been subject to an ECD discharge. The officer's immediate supervisor will go to the scene. The supervisor

will photograph the subject and the probe placement before the probes are removed. After removal the supervisor will photograph any marks left on the subject by the ECD as well as the probes with the cartridge.

1. Under certain circumstances, Fire Rescue shall be summoned to evaluate and treat the victim. Police officers must provide Fire Rescue personnel with as much information as possible (i.e. history of the original incident, behavior observed, symptoms, etc.). This information would include, but not be limited to:
    - a. Probe embedded in the eyeball or inside the mouth
    - b. Unconscious even for short period
    - c. Visible seizure when ECD is NOT being discharged
    - d. Display of signs consistent with excited delirium
    - e. Obvious significant injury from fall or take-down
    - f. Person volunteers that they are having chest pain or trouble breathing
    - g. Persistent confusion or altered mental status more than one minute after application of the ECD
    - h. Victim of an ECD used by a member of the public (i.e., non-police use)
    - i. If the victim requests EMS
    - j. Any use of an ECD on a juvenile (17 years of age or younger), pregnant female or elderly person
    - k. If an officer has any doubt as to the health of the person based on:
      1. The officer's training
      2. The officer's previous use of an ECD
      3. The subject exhibits any of the conditions and/or symptoms above
      4. The subject exhibits any unusual behavior
  2. Fire Rescue will not be responsible for the removal of probes embedded in a subject. It shall be the responsibility of the officer discharging the ECD to remove the probes.
  3. Probes embedded in the neck, head, groin area or a woman's breast should only be removed by qualified medical personnel at a hospital. The officer will remove probes in any other location. Probes that have penetrated the body should be placed in "sharps" containers. These containers will be maintained in the trunk of all supervisor vehicles.
  4. Immediately after deploying the ECD, employees should be alert to any indications that the individual needs medical care and will ensure appropriate medical aid. The employee will summon emergency medical aid.
  5. The following reports will be completed after a deployment of the ECD. Incident report, Use of Force Report and an ECD Report. The Department will conduct an annual analysis of reported usage of the ECD's, via documented reports conducted by the Internal Affairs Unit.
  6. In order to minimize the stress involved in the use of any force, any officer or non-sworn personnel involved in a use of force incident, which results in death or serious injury, will be placed on "administrative leave" directly upon completion of their preliminary report of the incident. This leave will be without loss of pay or benefits, pending the results of the investigation. The assignment to administrative leave will not be interpreted or indicate that the employee has acted improperly.
  7. While on administrative leave, the employee will remain available at all times for official departmental interviews and statements regarding the incident and shall be subject to recall at any time. The employee will not discuss the incident with anyone except the District Attorney, departmental personnel assigned to the investigation, the employee's private attorney, the employee's psychologist, the employee's chosen clergy, and the employee's immediate family. Upon returning to duty, the employee may be assigned to "administrative duty" for a period of time deemed appropriate by the employee, his psychologist, and the Chief of Police.
- E. REPORTING PROTOCOL FOR ACCIDENTAL DISCHARGE**
1. If the Accidental Discharge occurs while performing a "spark check".
    - a. A police incident report, titled "Accidental Taser Discharge" will be written.
    - b. The officers supervisor will prepare a DAR.
      - i. The violation will be Duty to Read/Understand/Comply with Orders 2-2.39.
        - a. Referencing section 4-6.4 Electronic Control Devices – Tasers.
    - c. A Use of Force Report is NOT needed, unless someone is struck/injured by the taser.
  2. If the A.D. occurs during the arrest or confrontation of a suspect.
    - a. A Use of Force Report will be prepared.
    - b. The A.D. will be documented in the police incident report for the incident.
    - c. The officers supervisor will prepare a DAR.
      - i. The violation will be Neglect, Carelessness or Disregard of Common Safety Practices

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3. If the A.D. occurs through some other form of carelessness not covered above.
  - a. A police incident report, titled “Accidental Taser Discharge” will be written.
  - b. The officers supervisor will prepare a DAR.
    - i. The violation will be Neglect, Carelessness or Disregard of Common Safety Practices 20-191.9.
  - c. A Use of Force Report is NOT needed, unless someone is struck/injured by the taser.
4. In all cases the Precinct Administrative Lieutenant will issue the officer a new cartridge.
  - a. A Lost/Damaged Property Report will NOT be needed.
  - b. The officer will NOT be charged for the cartridge.

### **F. TASER TRACKING CHIP DOWNLOAD AND REVIEW**

Each Taser device is equipped with an internal tracking chip. This chip stores the time and date of the last 1500 firings of the X26 model Taser. Supervisors can retrieve information stored in the data chip by connecting to the data port on the rear of the Taser and downloading the information into the Department’s computer system.

The Taser data chip will be downloaded for investigative purposes in reference to any use of force incident, or in reference to a complaint of the use of the Taser that was not reported on a use of force report. The downloaded report will be attached to the use of force report or to any report where the Taser was alleged to have been used. Additionally, the Taser data chip should be downloaded prior to return for repair or return for any other reason.

### **G. OFF-DUTY/PART TIME EMPLOYMENT**

1. All authorized part-time employment will be approved as per existing Departmental policy.
2. Officers working part-time employment in uniform must wear the Department issued ECD in the approved holster.
3. Officers working part-time employment in plain clothes must carry the Department issued ECD in the alternative manner as authorized by the agency.

## **4-6.5 SPECIALTY LETHAL and LESS-LETHAL WEAPONS**

### **PURPOSE**

The purpose of this specific policy in the Use of Force section is to establish guidelines for the use of lethal and less-lethal systems by the S.W.A.T. Team following their deployment.

### **POLICY**

Use of Force guidelines are no different for the S.W.A.T. Team than for any other officer, with the exception that the team deploys more options as related to less-lethal systems and due to the nature of team deployment, the totality of the operation circumstances and combined information may likely be used in the determination of the need to use reasonable force to defend self and/or third person(s) against unlawful force and/or the use of force likely to cause death or great bodily harm. The use of deadly force in hostage situations will become an option only after there is clear and sufficient reason to believe that the person against whom the force is used is threatening the life of hostages, innocent civilians, or public safety officers or to prevent the commission of a forcible felony.

### **A. AUTHORIZATION**

The S.W.A.T. Team Commander has the authority to determine the force required to complete a tactical situation successfully. Force may include, but is not limited to, the use of chemical agents, direct assault or the use of selective firepower.

Less-Lethal systems include but are not limited to impact projectiles and chemical munitions, which can be fired, launched, placed or otherwise propelled for the purpose of compliance, overcoming resistance, or preventing serious injury without posing a significant potential for causing death. Authorization for use is located in this section entitled, *Authorization for Use of All Departmental Weapons*.

### **B. USAGE CRITERIA**

The approval of said systems will be for certified S.W.A.T. officers, as later listed, and will be approved by the Less-Lethal and Chemical Munitions supervisor who will forward the requested approval through the Entry Team Leader and the S.W.A.T. command staff.

All current systems and munitions will only be used by trained and certified S.W.A.T. officers, who have received appropriate training via the system manufacturer, P.O.S.T. courses and other approved chemical agents and less-lethal courses, such as the 40-hour course provided by the FBI.

Less-lethal systems and chemical munitions will be deployed according to manufacturers and tactical deployment specialist’s recommendations.

**C. RESPONSE, MEDICAL AID FOLLOWING LESS LETHAL and LETHAL USAGE**

DeKalb Fire and Rescue Department medical personnel currently support the DeKalb Police S.W.A.T. Team. This group of tactical medics has received additional training, related to supporting a tactical team for emergency medical attention. In addition, they all have completed the basic DeKalb Police S.W.A.T. course. This team provides medical support not only to the team, but also to any suspect, victim, civilian and/or other personnel as needed. This support includes medical aid and/or supportive care for less-lethal and chemical munitions.

**D. AFTER DEPLOYMENT – REPORTING and REVIEW**

A departmental Use of Force Report, Supervisor's Incident Investigation Report and necessary statements will be completed in accordance to departmental policy 4-6.6 of this chapter and 3-8.5 located in the *Internal Affairs* section of this manual. If the S.W.A.T. Team and/or any member during a S.W.A.T. operation is involved in an use of force incident, including but not limited to the following:

1. Use of lethal force, including the use of firearms
2. Use of less-lethal options, such as chemical munitions and other impact systems
3. Other use of force as applicable under policy
4. All incidents applicable to investigation

All such investigations are to be forwarded through the chain of command for review and when applicable in policy, will be reviewed by Internal Affairs.

All S.W.A.T. incidents require the completion of the DeKalb Police S.W.A.T. *After-Incident Report*. This will be forwarded for review and approval, through the S.W.A.T. chain of command. All such reports will be maintained on record.

If a S.W.A.T. officer is directly involved in a use of deadly force incident, in order to minimize the stress -- the officer will be placed on "administrative leave" directly upon completion of their preliminary report of the incident. This leave will be without loss of pay or benefits, pending the results of the investigation. The assignment to administrative leave will not be interpreted or indicate that the employee has acted improperly. While on administrative leave, the employee will remain available at all times for official departmental interviews and statements regarding the incident and shall be subject to recall at any time. The employee will not discuss the incident with anyone except the District Attorney, departmental personnel assigned to the investigation, the employee's private attorney, the employee's psychologist, the employee's chosen clergy, and the employee's immediate family. Upon returning to duty, the employee may be assigned to "administrative duty" for a period of time deemed appropriate by the employee, his psychologist, and the Chief of Police.

**E. APPROVED WEAPONS and SPECIFICATIONS**

Recognizing that the missions of the DeKalb Police S.W.A.T. Team are performed in hazardous environments and recognizing that the safety of citizens, suspects and officers is often jeopardized by these conditions, it is the intent of the team to utilize regular and special equipment and weapons, which are listed and explained, to lessen the risk of injury and/or death to all involved, during said missions.

All S.W.A.T. used firearms are approved for use through the S.W.A.T. chain of command. Approval is completed only after the weapon(s) has been inspected by a county firearms instructor and/or armorer and the officer has been trained to use and has qualified on the prescribed course for that particular system. Each weapon is recorded on the S.W.A.T. inventory and when applicable is assigned to individual officers, using the appropriate issue form. All weapon systems are to be maintained according to manufacturers' recommendations. Listed below are approved weapons, along with ammunition:

*Glock 17 9mm:*

Approved and issued ammunition; 17-round capacity

*Sig Sauer P220 .45 caliber:*

Approved and issued ammunition.

*H&K .9 mm Sub-guns:*

Federal .9 mm BPLE, 115 jacketed hollow point; 30-round capacity - single, 3-round and full-auto

*.223 cal. Tactical Rifles*

*Colt M4 Carbine, DPMS M4 Carbine, Colt Short Barrel M4 Carbine*

Federal .223 Rem. GM223M 69 grain, Sierra MatchKing BTHP; 30-round capacity - semi-auto and 3-round Burst

*12 gauge Shotguns*

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*Remington 879, Benelli Super 90*

Hornady 8 pellet 00 buck

### *Sniper/Marksman Rifles*

- Remington 700 .308 cal Rifle System; Federal .308 Win. GM308M, 168 grain, Sierra MatchKing BTHP
- Remington 700 .223 cal Rifle System; Federal .223 Rem. GM223M 69 grain, Sierra MatchKing BTHP
- .223 cal Tactical Rifle; Federal .223 Rem. GM223M 69 grain, Sierra MatchKing BTHP

### **Less-Lethal Delivery Systems and Loads and Chemical Munitions**

1. Remington 12-gauge pump shot gun (Less-Lethal Dedicated); CTS 12ga Super-Sock Cartridge
  - Less Lethal impact munitions
  - Non- chemical
  - Pain compliance
  - Maximum effective range – 30ft
2. Sage SL6 37mm Less Lethal Launcher  
Sage Deuce 37mm Less Lethal Launcher
  - Super soft tip baton – Standard Energy
    - Rubber baton impact round
    - Non-chemical
    - Pain compliance
    - Maximum effective range – 60ft
    - Minimum range – 7ft
  - CS Crush Nose Chemical Baton – Less Energy
    - Soft impact baton round
    - Contains CS (powder)
    - Can be introduced into an area / building target
    - Can be used as direct fire against persons
    - Maximum effective range – 60ft
    - Minimum range – 7ft
  - CS Smoke – long range
3. CS Barricade Penetrator – Regular Penetration
  - Used to introduce CS into an area / building target
  - Specifically designed to penetrate windows
  - Not for direct fire against persons
  - Maximum range – 80ft.
4. JAYCOR Pepperball Launcher –
  1. Powder OC Round
    - Direct Fire against a person to introduce OC
    - Pain compliance
    - Maximum effective range – 30ft
    - Minimum 5ft
  2. Liquid Filled Round
    - Direct fire against person for pain compliance only
    - Maximum effective range – 30ft
    - Minimum range – 5ft
5. CTS Baffled Grenade Smoke Canisters –
  - Smoke only
  - Used to mask movement
  - Hand delivery
6. CTS Jet-Lite Rubber Ball CS Grenade –
  - Introduce the irritant CS

- Hand delivery
- 7. CTS CS Grenade Canister –
  - Introduces the irritant CS
  - 5 times more CS smoke than the Rubber Ball Grenade
  - Hand delivery
- 8. Omni-Blast 100 Tactical Diversion Device
  - Produces bright light
  - Produces a loud sound
  - Used to distract and overwhelm the suspect's senses
  - Hand delivery
- 9. CTS OCV Aerosol Grenade

**F. TRAINING and CERTIFICATION(s)**

DeKalb County Police Training provides basic use of force training and updates. However, further training and S.W.A.T. specific issues are taught on a monthly basis and as necessary. Furthermore, all S.W.A.T. members receive a basic level S.W.A.T. course, which provides an overview of weapons and use of force issues.

The S.W.A.T. Team requires the following specific training and qualifications:

- Glock 17 9mm Pistol: Qualify Monthly on the County Prescribed Course (92.7%)
- Sig Sauer P220 .45 caliber pistol (92.7%)
- H&K 9 mm Sub-gun: Qualify on the S.W.A.T. Sub-Gun Course (80%)
- .223 Colt M4 and DPMS M4 Tactical Rifle: Qualify on the S.W.A.T. Tactical Rifle Course (80%)
- .223 Colt Short Barrel M4 Tactical Rifle: Qualify on the S.W.A.T. Rifle Course (90%)
- .223 and .308 Remington Rifles: Qualify on the S.W.A.T. Sniper Rifle Course (90%)
- 12 Gauge Shotgun: Qualify Yearly on the County Prescribed Course (70%)
- Less-Lethal Delivery: Qualify Annually on the S.W.A.T. Less-Lethal-Delivery Courses

If a S.W.A.T. member fails to qualify on a particular weapons system, that member is no longer allowed to carry that system until a passing score is achieved, within 10 days of the deadline. In the case of the 9mm or .45 caliber pistol, that member will not be allowed to participate in a tactical role at S.W.A.T. incidents, until a passing score is achieved, which will be within 10 days of the deadline. Qualification on the 9mm or .45 caliber must be completed prior to S.W.A.T. training. If a S.W.A.T. member is unable to qualify on a weapons system following remedial training, that member's status on the team will be evaluated by the team commander.

**4-6.6 USE of FORCE REPORT**

It will be the responsibility of the supervisor of any employee involved in any of the below listed incidents to complete the Use of Force Report as soon after the incident as possible. A copy of the preliminary Use of Force Report will be immediately (no later than 24 hours) forwarded to the Internal Affairs Unit to be logged as pending. The completed report, along with supporting documentation, will be submitted through the chain-of-command to the Division Assistant Chief.

After review, the Division Assistant Chief will forward the completed Use of Force Report and all supporting documentation to the Internal Affairs Unit. All Use of Force Reports should be submitted to the Internal Affairs Unit no later than 30 days after the incident unless an extension is approved in writing by the Division Assistant Chief of Police.

A Use of Force report shall be completed for incidents involving:

- A) Death, hospitalization, or medical treatment of either the officer or the suspect that occurs as a result of any arrest or confrontation
- B) The use of any chemical agent, such as OC spray
- C) The striking of a suspect with hands, feet, ASP baton or other such device
- D) The presence of blood or broken skin on the person of either the officer or suspect, that occurs as a result of an arrest or confrontation
- E) The discharge of any firearm, whether accidental or not
- F) Any visible bruises caused by an arrest or confrontation
- G) A complaint of physical injury caused by an officer, made by a suspect in the presence of any officer, that arose as a result of any arrest or confrontation
- H) The deployment of the ECD to subdue an individual

## USE OF FORCE

For any Use of Force incident not involving a response by the Internal Affairs Unit and the Criminal Investigations Division, it will be the responsibility of every officer witnessing an incident on which a Use of Force Report should be filed to complete a supplemental report. If any officer's name is listed in a Use of Force Report, it will be the responsibility of the reporting supervisor to ensure that each officer completes the supplemental report.

For any Use of Force incident involving a response by the Internal Affairs Unit and the Criminal Investigations Division, all written statements from involved employees will be obtained only by CID detectives for the incident investigation, followed by Internal Affairs detectives for the administrative investigation. Supervisors of the involved employees will be responsible for completing the Use of Force Report after collecting preliminary information at the incident location. The involved employees will not complete statements for purposes of the Use of Force Report, the original incident report, or supplemental reports.

The Use of Force Report will be reviewed at each required level of supervision to ensure compliance with the law, policies and procedures. Internal Affairs will conduct an annual analysis of all Use of Force reports.

### **4-6.7 INJURIES or COMPLAINTS of INJURIES not RELATED to ARREST**

Any injuries or complaints of injuries to a suspect, which occurred prior to the officer's arrival, in a confrontation with non-departmental personnel or were self-inflicted, will be fully described in a supplemental report by the officer.

### **4-6.8 IMMEDIATE NOTIFICATION – WEAPONS DISCHARGE AND USE OF DEADLY FORCE**

Any time an employee discharges a firearm, with the exception of training and certification, they will notify or cause to be notified the following entities:

1. Internal Affairs
2. CID – Major Crimes
3. Crime Scene Investigation
4. Chain-of-Command (including Chief of Police)
5. DeKalb District Attorney's Office
6. DeKalb Multijurisdictional Monitoring Team
7. DeKalb Medical Examiner's Office (if a fatality is involved)

### **4-6.9 DEPARTMENTAL WEAPONS and TRAINING**

The Glock 17 9mm pistol will be the standard authorized weapon issued to members of the DeKalb County Police Department. The SWAT and Bomb units will be issued the Sig Sauer P220 .45 caliber pistol. Issued ammunition will be determined by range staff and approved by the Chief of Police.

Personnel issued a Department service pistol must receive training and be certified as mandated before being authorized to carry the weapon.

Command staff, Detectives and other authorized personnel will be allowed to carry personally owned Smith and Wesson, GLOCK, Sig Sauer or Beretta while on duty. Any detective requesting to have their personal Smith and Wesson, GLOCK, Sig Sauer or Beretta as their authorized weapon will have the Firing Range Staff approve the pistol and the detective must meet certification requirements according to departmental policy. The pistol will be registered with the Department by make, model, and serial number and will be loaded only with 9mm, .40, or .45 caliber ammunition as approved by the department. All departmental firearms policies apply to authorized, personally owned weapons.

### **4-6.10 DEPARTMENTAL WEAPONS POLICY**

The policies listed below will be strictly adhered to:

- A. All on-duty officers shall be armed with the Department issued pistol unless specifically exempted by the Chief of Police.
- B. All issued Glock 17 9mm pistols must be loaded only with departmentally approved ammunition as issued by the Department. Each issued full-size weapon will contain all 17 rounds of approved ammunition; one round chambered and 16 in the magazine. All extra magazines will be loaded with 17 rounds. Approved revolvers will be fully loaded with departmentally approved ammunition. Semi-Automatic weapons will utilize the original manufactured magazines (NO AFTERMARKET EXTENSIONS MAY BE USED) and will be loaded (WEAPONS WILL NOT BE "TOPPED OFF").

- C. No officer will attempt to repair or modify a Department owned weapon. Any servicing done to a weapon by an officer will be restricted to routine cleaning. Officers are required to immediately report any malfunction or damage to any issued weapon to the Department armorer. For personally owned secondary weapons, the owner of the weapon will be responsible for its upkeep and repair.
- D. All firearms must be inspected, fired, and certified safe by the Department armorer prior to issue or authorization to carry.
- E. All firearms must be registered with the Department by make, model, and serial number and ballistic sample.
- F. Every police officer, while working in a uniform capacity, on-duty or off-duty, shall wear the duty belt with the departmental issued holster and all other required county issued uniform items/gear.
- G. The officer must meet "certification" requirements with each approved weapon. This certification will be monitored by a certified firearm instructor of the Training Section.
- H. The Department understands there will be special circumstances or assignments that may dictate the use of a smaller, more concealable firearm. Any on-duty officer who desires to carry a smaller weapon to meet the above need must make a written request, including need and type of weapon. The only acceptable weapon will be a five or six shot, two, three or four inch barreled revolver, 38 or 357 caliber. The written request will be studied for need, liability and weapon. The request must be forwarded through the chain-of-command and approved by the Chief of Police. A copy of the approval will be sent to the Division Commander and Training. If a request is accepted, then the officer must become certified with the firearm before it can be carried.
- I. The carrying or using of any unauthorized weapon and/or ammunition will result in disciplinary action by the Department and a disclaimer in any criminal or civil litigation.
- J. The only shotgun approved for use is either the Department issued Remington 870, or any personally owned 12 gauge pump-action shotgun. Presently, the only approved ammunition is the Remington 8 pellet 00 buck with reduced recoil, issued by Range personnel; all shotguns must meet certification specifications in this section.
- K. The Patrol Rifle will be the .223 caliber AR-15/M-4 design, including piston operated models that is personally owned. The rifle must be approved by the range staff. Any officer considering the purchase of a rifle to carry on patrol should consult with the range staff to ensure authorization of the particular make and model. It must have iron sights and a sling. Officers may also use approved optic sights and will have to qualify with both. If the officer makes any additions or alterations to the rifle re-qualification is mandatory before the weapon can be carried on duty. Departmental armorers will make inspections and approval of the weapons. Only departmental issued Federal TRU 55 grain Nosler Ballistic Tip ammunition will be carried.
- L. A record of approved ammunition will be kept on file at the range.

#### **SECONDARY WEAPONS/OFF-DUTY WEAPONS**

- A. Officers are encouraged, but not mandated, to carry a handgun when off duty. An officer who elects not to carry a handgun while off duty shall not be subjected to disciplinary action if an occasion should arise in which he/she could have taken action if he/she were armed. EXCEPTION: Off-duty officers, while operating a department vehicle, shall be armed with the Department issued handgun.
- B. The secondary (back-up)/off-duty handgun will not be carried in place of or as a substitute for the Department issued firearm when the officer is in uniform or working an approved job in plain clothes.
- C. Authorized secondary/off-duty weapons are:
  - 1. the Department issued pistol and ammunition
  - 2. a double action semi-automatic pistol of the following calibers: .380, 9mm, .40 or .45
  - 3. a revolver with a two or four inch barrel of the following calibers: .38 or .357
 Only Department approved, factory loaded jacketed hollow point (JHP) ammunition will be used.
- D. The Firing Range Staff must approve all weapons and the officer must meet "certification" requirements with each weapon that is approved. Officers must provide ammunition for certification with each non-issued Department approved weapon.
- E. The firearm(s) must be registered with the Department by make, model and serial number.
- F. The firearm must be loaded only with Department approved factory loaded jacketed hollow point (JHP) ammunition.

#### **4-6.11 RETIRED OFFICERS - FIREARMS CERTIFICATION**

The Law Enforcement Officers Act of 2004 designates provisions for the certification of retired police officers to carry a concealed firearm anywhere in the United States, with proper identification. In order to meet the standards of this act, the following procedure will be followed to certify DeKalb County Police Department retired officers to carry concealed firearms:

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1. This service will only be provided for officers retired in good standing from the DeKalb County Police Department.
2. The certification process and qualification will be held at the DeKalb County Outdoor Range. Retired officers requesting to take part in this process will make an appointment with the range staff prior to qualification.
3. Retired officers who wish to become certified will complete a form stating their eligibility for this program. The retired officer must present a current valid departmental retired officer identification card prior to attempting qualification. The eligibility form will be available at the outdoor range.
4. The retired officer will be required to undergo use of force training, provided by the range staff, prior to qualifying on the course of fire.
5. The retired officer's weapon(s) he wishes to qualify with will meet current DeKalb departmental requirements for a duty or secondary weapon. An approved handgun is the Department issued handgun, or a double action Semi-automatic pistol .380 ACP, 9mm, .40 S/W or 45ACP. Five or six shot, two, three or four inch (2", 3", or 4") barreled revolvers in .38 SPL or .357 magnums are also approved. The ammunition required for qualification will be provided by the retired officer. Training, range time, and targets will be provided by the department.
6. The retired officer will qualify on a course in accordance with current Georgia P.O.S.T. standards.
7. The retired officer will be allowed to attempt to qualify on the course of fire a total of three times per day. If the officer fails to qualify during these attempts, he may make additional attempts on a separate day after making arrangements with the range staff. The retired officer will be allowed practice time prior to qualification attempts, if desired.
8. After completing qualification, the retired officer will be issued a certification card by the range staff. This card is valid for one year from the date of qualification, and is only valid if carried with an official DeKalb County Police photographic identification for a retired officer when carrying a concealed weapon.
9. All records of retired officer qualifications and firearms certification forms will be kept by the Training Division.

### 4-6.13 KNIVES

Officers are permitted but not required, to carry a folding style pocketknife; the blade shall be no more than three inches. For safety purposes, the knife will be secured inside the uniform pant pocket or in a holder on the duty belt. This is a personal item and will not be issued by the county.

This will be used for emergency needs such as cutting seat belts in severe traffic accidents when the victim is trapped, unconscious, or other similar situations. Officers are not permitted to use said knife during any arrest or confrontation and said knife is not part of the use of force continuum.

Knives should also comply with Federal/State Law and Local Ordinances.

### 4-6.14 PATROL RIFLE (Personal & Departmentally Owned)

#### **Purpose:**

The purpose for the issuance of Department owned rifles to patrol officers is clearly supported by national events and often police are being outgunned during confrontations with adversaries. Many law enforcement professionals believe strongly that the traditional police sidearm, once the revolver, but now most often the semi-automatic does not provide police officers with the necessary firepower to meet and overcome the increasingly heavy firearms being employed by violent individuals and gangs.

Police Department issued .223 rifles will equip qualified officers with the needed additional firepower to respond to critical incidents where time would not allow for the deployment of a SWAT team.

#### **Training:**

Patrol rifle training will include legal, moral and ethical issues, specific rifle marksmanship, tactical deployment of a rifle, and "immediate action drills". Rifle qualifications will consist of a static marksmanship course of fire, a dynamic tactical course of fire and a written exam. All officers must successfully complete a minimum 30 hour tactical training course before being authorized to carry a personally owned rifle or a Department-issued rifle.

Course requirements may be fulfilled by successful completion of training at the DeKalb Police Training Academy, DeKalb County S.W.A.T. Training, Georgia Public Safety Training Center, or any Georgia P.O.S.T. approved patrol rifle course. Officers completing an approved course outside of DeKalb County must qualify on the DeKalb Police qualification course before final authorization is granted.

#### **Criteria of Issuance (Departmentally owned):**

Officers who are authorized to carry a patrol rifle will qualify with that weapon during the first qualification session each calendar year. Failure to qualify with the rifle will result in immediate revocation of authorization to carry. If the rifle is department owned, it will be immediately relinquished to the Precinct Weapons Custodian or Range Staff.

1. Must complete the patrol rifle application process and be approved by Division/Precinct/Section Commander and the Training Section.
2. Must successfully pass the DeKalb County Patrol Rifle class or other approved training as stated in this policy.
3. Must successfully qualify with the rifle as required by departmental policy.
4. Must attend and pass any additional training mandated by the department's Training Section for this weapon system.
5. Should hold the rank of POII up through the rank of Sergeant.
6. Officers who are promoted to the rank of Sergeant may keep their department issued rifle if they remain in the Uniform Division. When an officer or sergeant transfers out of the Uniform Division, their department issued patrol rifle will be turned into the range until it is re-issued.
7. Lieutenant's and higher who have met the qualifications to carry a patrol rifle may carry their personal patrol rifle after meeting departmental requirements.
8. Personnel who are promoted to the rank of Lieutenant will be required to turn in their departmental issued patrol rifle.

Precinct/Unit lists will be reviewed during quarterly inspections. Precinct/Section Commanders will adjust assignments of qualified patrol rifle officers to ensure maximum coverage throughout the work cycle.

#### **Storage and Care**

Officers issued patrol rifles are responsible for the condition and security of the rifles the same as with other issued equipment. The patrol rifle may be taken home at the end of the shift, but only if it is locked in a secured location (e.g. gun safe, locked cabinet, trigger lock, locked carry case) in their residence. The patrol rifle can remain locked in the trunk if the vehicle is properly secured in the garage at the residence. Officers who choose to leave their rifle at the Precinct will lock it in the designated patrol rifle locker located at the Precinct.

Officers will ensure that their rifle is properly cleaned and stored (when it is left at the precinct). The rifles will be stored in secure lockers designated for the storage of the patrol rifles at the precincts. If any problems are found with the rifle it will be the Officer's responsibility to take the rifle out of service and return it to the range staff for repair. All repairs and modifications to issued weapons will be made only by the range staff. The range staff, when requested, may repair personally owned rifles at their discretion.

Twice a year, a member of the range staff will inspect all documentation related to departmentally owned rifles and make recommendations based on their findings.

Officers failing to maintain their assigned rifle will have their authorization to carry suspended/revoked, the rifle may be reassigned, and be subject to disciplinary actions.

#### **Weapon Clearing/Check-in and Check-out**

All Officers will make their rifles (department owned and personally owned) road ready before being carried. The bullet trap at the precinct will be used after the rifle has been deployed and a round chambered or if the rifle is being stored at the precinct. For check-out, the Officer will insert the muzzle of the rifle into a bullet trap, cycle the action a minimum of three times while looking to make sure that there is not a round in the chamber, close the action, put the rifle's safety into the "on" position, and insert a magazine into the rifle. For check-in, if the rifle has been deployed and a round chambered or if the rifle is being stored at the precinct, Officers will take their rifle to the storage area and again insert the muzzle into the bullet trap, remove the magazine, cycle the action a minimum of three times while looking to make sure that there is not a round in the chamber, close the action, ensure that the safety is still on, remove the rifle from the bullet trap, do a visual inspection of the rifle, and clean if necessary. All Officers will follow the preceding steps.

Officers with issued patrol rifles that are on extended leave (vacation, military, FMLA) of 40 hours or more away from their residence will store the patrol rifle at their assigned precinct in the designated patrol rifle lockers until their return. A shift supervisor will be notified when the rifle is left and retrieved from the precinct by the officer.

#### **Magazines and Ammunition Issue**

Officers allotted a patrol rifle will be issued two magazines and 60 rounds of approved duty ammunition. This equipment will be kept and maintained as with all other departmental equipment.

Only departmental issued ammunition will be carried.

#### **Carrying the rifle on duty**

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The rifle will be carried in the rifle rack inside of the trunk compartment of the police vehicle. If the Officer's vehicle is not equipped with a rifle rack, the rifle must be carried in a lockable case secured to the vehicle within the trunk or rear most portion of the vehicle for SUV's. For example, a chain or cable through a fixed point in the trunk or floorboard to the gun case.

**All safety devices (LOCKS) on the rifle rack/case must be used. If the rifle is needed during the shift it must be safely returned to a road ready condition (safety on, no round in chamber, magazine inserted) and then secured in a rifle rack or in the case.**

### **Deployment authorized**

Officers who are authorized can deploy with patrol rifles when they have reason to believe the suspect(s) is (are):

1. Wearing body armor.
2. Armed with firepower that is superior to their sidearm.
3. Armed and situated at a distance or fortified position with a tactically superior position requiring accuracy at a greater range.
4. When an armed confrontation is imminent or when the officer is engaged in activities that have a high probability that the suspect(s) may be armed and dangerous, such as armed robberies in progress or active shooter situations, or
5. With prior authorization from a supervisor in situations where the tactical environment is such that a rifle would be the most effective way to prevent the death or serious physical injury to officers or the public.

### **Type Configuration**

Authorized patrol rifles may be personally owned or Department issued and must be:

1. .223 caliber AR-15/M-4 design, including piston operated models.
2. Must be approved by the range staff. (Any officer considering the purchase of a rifle to carry on patrol should consult with the range staff to ensure authorization of the particular make and model.)
3. Must have iron sights.
4. Must have a sling.

Additional optics may also be approved by the range staff. Additions to department owned rifles may only be done so with prior approval of range staff. If additional optics are approved the officer must qualify with the additional optics and the standard iron sites prior to carrying the rifle on duty.

### **4-6.15 OFF-DUTY/PART TIME EMPLOYMENT**

- A. All authorized part-time employment will be approved as per existing Departmental policy.
- B. Officers working part-time employment in uniform must wear the Department issued safety holster and carry the Department issued weapon and ammunition.
- C. Officers working part-time employment in plain clothes must carry the Department issued weapon in an appropriate holster.

### **4-6.16 FIREARMS TRAINING**

- A) The Department's firearms training program will include comprehensive instruction of (1) departmental policy on use of deadly force, (2) the legal requirements, (3) moral responsibility of carrying a firearm, (4) firearm safety, and (5) firearm proficiency.
- B) The firearms proficiency training will, as closely as possible, reflect those circumstances and conditions that our police officers are most likely to confront in real life deadly force situations.
- C) All aspects of the firearms training program will include the Department issued weapon, off-duty and secondary, and special approval weapons.
- D) Patrol rifle and shotgun training will include legal, moral and ethical issues; specific rifle/shotgun marksmanship, tactical deployment of a rifle/shotgun, and "immediate action drills." Rifle and shotgun qualifications will consist of a static marksmanship course of fire, a dynamic tactical course of fire and a written exam. All officers must successfully complete a minimum 30 hour tactical training course before being authorized to carry a personally owned rifle or shotgun, or a Departmental-issued shotgun. Course requirements may be fulfilled by successful completion of training at the DeKalb Police Training Academy, DeKalb County S.W.A.T. Training, Georgia Public Safety Training Center, or any Georgia P.O.S.T. approved patrol rifle/shotgun course. Personnel completing an approved course outside of DeKalb County must qualify on the DeKalb Police qualification course before final authorization is granted.

#### 4-6.17 FIREARMS CERTIFICATION

A) All officers shall be “certified” with their issued, secondary, special approval and off-duty handguns. “Certification” shall include training regarding the legal, moral, and ethical aspects of firearms use; safety in handling firearms; and proficiency in the use of firearms. This certification is to be monitored by a member of the range staff.

B) Certification or qualification for departmental approved issued sidearms will be required for all sworn officers (lieutenants and below) every six months at the indoor range. The qualifying course will be the 30 round stress course. Captains and above will continue to qualify every 12 months.

Officers may come any time of the year, when the outdoor range is open, to practice. Each officer will be allowed up to 50 rounds every other week to practice.

Officers may come any day of their qualifying month to either practice or qualify. If the officer elects to practice, they will be allowed up to 50 rounds every other week. If the officer elects to shoot the stress course in an attempt to qualify, then the officer must achieve a qualifying score of 80% or greater. If the officer fails to qualify on the first attempt, he may either immediately attempt to qualify a second time or may shoot some practice rounds and then attempt to qualify a second time. Officers will only be allowed three qualifying attempts per day. If the officer qualifies on the first, second attempt or third, he will be released to continue his assigned duties.

If an officer fails to qualify after three attempts, their authority to carry the service weapon shall be immediately revoked and verbal and written notification of this revocation shall be forwarded to their commanding officer, the Training Division, the Assistant Chief’s Office and the Office of the Chief of Police.

**Officers losing their authority to carry their service weapon shall immediately be reassigned to non-uniformed administrative duties for a period of 10 days.** The 10 day period will consist of the 10 days after the initial qualification attempts that the range is open. During this 10 day period, the officer will report to the range for remedial firearm’s training and shoot practice rounds. They will also be allowed a maximum of three attempts to qualify each day (maximum of 150 rounds for qualification/practice per day). During this time, the officer will be prohibited from working secondary law enforcement jobs. If the officer fails to obtain a qualifying score after the 10 day period, they will be recommended for termination.

If an officer obtains a qualifying score prior to the 10 day deadline, the officer will be reinstated to their previous duties and can continue to work secondary jobs. **This officer shall be required to report to the range twice a month for the next six months for remedial firearm’s training.** The range training staff will maintain a log on each officer receiving remedial firearm’s training and document their progress. If the range staff identify an officer whose shooting proficiency and qualifying scores are marginal, this officer may also be recommended to receive remedial firearm’s training. This information will be shared with the officer’s commanding officer, the Training Division, the Assistant Chief’s Office and the Office of the Chief of Police.

Officers are encouraged to maintain their firearm’s skills through practice. Certification or qualification for other departmental approved lethal weapons, such as the shotgun, .223 rifle or a secondary sidearm shall occur on an annual basis. A qualifying score and course shall be determined by the Range Master. Any officer failing to obtain a qualifying score during their annual qualification attempt shall be prohibited from carrying that weapon while on duty or while working secondary law enforcement jobs. Once a qualifying score is made and the officer has demonstrated that they are proficient with that weapon, the range personnel will approve continued use of that handgun for the officer.

Certification or qualification with specialized weapons for S.W.A.T. Team members shall be determined by the S.W.A.T. team commander. Team members shall demonstrate proficiency with each specialized weapon they are assigned. Failure to demonstrate this proficiency will prohibit that team member from continued use of the specialized weapon.

C) Any officer who is absent from duty for any extended period of time and fails because of that absence to re-qualify as scheduled will have 30 days to re-qualify upon their return to full duty status. Responsibility for notifying the Training Division will rest with the individual officer.

D) Personnel who are authorized to carry a patrol rifle, shotgun or secondary/off-duty weapon will qualify with that weapon during the first qualification session each calendar year. Failure to qualify with the weapon will result in immediate revocation of authorization to carry. If the weapon is a departmental issued weapon, it will be immediately relinquished to the Range Staff.

#### 4-6.18 FIREARMS CERTIFICATION RECORDS

## USE OF FORCE

The Department range master shall maintain a permanent certification log for every officer authorized to carry firearms. The log shall consist of the following minimum information:

- A. Officer's name
- B. Certified issued on-duty weapon make, mode, caliber and ammunition, serial number of weapon, date results of shooting test, and written test result
- C. Certified off-duty weapon (same as #B)
- D. Certified secondary weapon (same as #B)
- E. Certified special approval weapon (same as #B)
- F. Certified shotgun and/or rifle (same as #B)

### **4-6.19 PSYCHOLOGICAL DEBRIEFING**

Any officer or other departmental personnel directly involved in a critical incident, which results in death or serious injury, will be placed on administrative leave directly upon completion of their preliminary report of the incident. This leave will be without loss of pay or benefits, pending the results of the investigation. The assignment to administrative leave will not be interpreted to imply or indicate that the employee has acted improperly.

While on administrative leave, the employee will remain available at all times for official departmental interviews and statements regarding the incident and shall be subject to recall at any time. The employee will not discuss the incident with anyone except the District Attorney, departmental personnel assigned to the investigation, or the employee's private attorney, the employee's psychologist, the employee's chosen clergy and the employee's immediate family. Upon returning to duty, the employee may be assigned to "administrative duty" for a period of time deemed appropriate by the employee, his psychologist and the Chief of Police.

In all cases where any person has been injured or killed as a result of firearms discharge by a police officer, the involved officer will be required to undergo an emotional debriefing with a Department-furnished psychologist within two days of the incident. The purpose of this debriefing will be to allow the officer to express his feelings and to deal with the moral, ethical, and/or psychological aftereffects of the incident. The debriefing shall not be related to any Department investigation of the incident and nothing discussed in the debriefing will be reported to the Department. The debriefing session will remain protected by the privileged Professional Psychologist Code of Ethics.

In all cases where any person has been injured or killed as a result of firearms discharge by a police officer, the involved officer will have available the services of a Department-furnished chaplain. The purpose of this offer is to provide the officer with a source of professional consultation to aid them in dealing with the potential moral and ethical aftereffects of a shooting incident. The services shall not be related to any Department investigation of the incident and nothing discussed in the debriefing will be divulged to the Department. The consultation sessions will remain protected by the privileged relationship.

### **4-6.20 AUTHORIZATION FOR USE OF ALL DEPARTMENTAL WEAPONS**

Only employees demonstrating a proficiency in the use of all agency-authorized weapons will be approved to carry such weapons. This applies to all lethal as well as non-lethal weapons to include handguns, shotguns and other firearms, chemical agents, ECDs, impact weapons, handcuffs, or other weapons. This proficiency is demonstrated through the use of periodic training and/or qualifications.

### **4-6.21 POLICE INTERNAL REVIEW BOARD**

- A. The DeKalb County Police Department Internal Review Board is hereby established:
  - 1. to review all cases where there has been a use of deadly force by officers of the Department or the death of a person has occurred while that person was in the custody of the Department, any of its officers, staff, designees or other representatives;
  - 2. to assist the Chief of Police in holding all members of the Department strictly accountable for the awesome responsibility of protecting life and property;
  - 3. to ensure that all officers are properly trained in all aspects of the use of force, up to and including the use of firearms; and,
  - 4. for any other reason deemed necessary by the Chief of Police.
- B. The Internal Review Board will hear, on a periodic and timely basis, those cases involving the use of deadly force or in custody death, which involve DeKalb County Police Department personnel.
- C. ORGANIZATION

The DeKalb County Police Department Internal Review Board will be appointed by the Chief of Police and will be comprised of the following:

1. Chairman (the rank of Deputy Chief or above)
2. Vice Chairman (the rank of Major)
3. All other Majors within the DeKalb County Police Department.

The Internal Review Board members will represent each Division, Precinct, Section and Unit in the Department to include Uniform, Criminal Investigations, Special Operations, Interactive Community Policing, Support Services, Homeland Security, Training and Office of Professional Standards. The Chairman and Vice Chairman will have dual roles of conducting the formalities of the meetings, forming probing questions to the presenters and the members of the Board, and documenting the outcome of the presentations to the Board.

#### D. DEFINITIONS

1. Necessary Force – the use of a reasonable amount of force to achieve a legitimate police objective.
2. Deadly Force – that force which is intended to cause death or great bodily harm or which creates some specified degree of risk that a reasonable and prudent person would consider likely to cause death or great bodily harm.
3. Police Officer/Law Enforcement action – those acts that a reasonably prudent officer would take, whether on or off duty.
4. Non-police related action – those acts, taken by an off-duty officer, which a reasonably prudent person would take under similar circumstances.
5. Off duty, police related action – those acts that require an off duty officer to assume the role of a certified law enforcement in the State of Georgia, i.e., effecting an arrest, investigating a possible crime (misdemeanor or felony), etc.
6. Physical injury – obvious, apparent or reasonable complaint of injury to the limbs, organs, and/or tissue of a human being, including any unborn fetus.
7. Property damage – an event that results in obvious physical harm to property, including but not limited to real estate, motor vehicles, personal property or animals.
8. Accidental discharge – the discharge of a firearm by an officer that was not intended by the officer.
9. Violation of Department Policy – deviation from established Departmental policies, Rules, regulations or training.
10. Gross Deviation from Department policy, rules, regulations or training – wanton, willful, or reckless disregard for the established policies, rules, regulations, training or accepted practices of the DeKalb County Police Department.

#### E. CONDUCT OF THE INTERNAL REVIEW BOARD

All Internal Review Board members should be present to hear and review cases. Any absences must be approved by the Board Chair. A quorum must be present before any official findings are rendered. Meetings will be held quarterly during the year and may be called at the direction of the Chief of Police or Board Chair.

Information for review by the Board will be provided by the Internal Affairs detective who investigated the case, and his/her supervisor(s). The Board retains the right to gather additional information from other sources, such as the DeKalb County Medical Examiner's Office, etc.

It is the purpose of the Internal Review Board to review the investigations of incidents whereby an officer used deadly force or a person died while in custody of the DeKalb County Police Department. The Board will make an informed decision as to whether the use of deadly force was justified or non-justified based on the totality of the circumstances. To determine if an officer was justified in using deadly force, the Board will apply applicable parts of state and federal law regarding use of force, as well as the Department's policies on use of force and use of force training. After that determination is made, the Board will then address, from an administrative perspective, whether any policies, rules, regulations or established training mechanisms were violated and/or whether there is a need for corrective action and/or remedial training in the use of force.

The Board may also determine that other departmental policies may have been violated leading up to and/or during an incident where deadly force was used or someone died in police custody. If any other departmental policies were found to be violated, this information will be forwarded back to the officer's division for appropriate corrective action.

**The Internal Review Board will not consider any violations of state or federal law other than to make a preliminary finding of whether the officer involved was justified in using deadly force.**

After review, if the Board determines that a use of force was unjustified, the Board will then decide on the appropriate corrective or disciplinary action and make a recommendation to the Chief of Police.

## **USE OF FORCE**

### **F. REPORTS**

A copy of the Internal Review Board final report and recommendations for corrective or disciplinary action, when warranted, will be drafted and signed by the Internal Review Board Chairman and Vice Chairman, and provided to the Chief of Police.

### **G. LETTERS OF NOTIFICATION**

Upon final review, and after approval by the Chief of Police, the Chairman of the Board will draft and send a letter to all officers who were found to have been justified in their use of deadly force, or in the event of an in-custody death, there was no wrongdoing on the part of the officer(s) involved.

## SECONDARY EMPLOYMENT

### 4-7 PURPOSE AND SCOPE

The DeKalb County Police Department, as a matter of policy, takes no position on the relative merits of off-duty employment of police officers. It is, however, required by statute to regulate the activities and conduct of its employees at any time they are functioning in a law enforcement capacity.

This policy is intended to set forth the duties and responsibilities for sworn police personnel who are employed by any private or public person, firm or corporation to perform in a law enforcement capacity during their off-duty hours. Sworn, active duty police officers in good standing are the only personnel of the Department who may be authorized for employment by any public or private person, firm or corporation in a law enforcement capacity whereby they are identified or identify themselves as a DeKalb County police officer and act Under Color of Law.

Officers shall keep in mind that permission to engage in secondary employment is not an automatic entitlement, and is subject to the limitations set forth in this chapter.

### 4-7.1 PRIOR APPROVAL REQUIRED

Georgia Statutory Law, Criminal Code Section 16-10-3 (below) makes it a misdemeanor for any sworn officer to engage in off-duty employment unless such employment has been approved by the Chief of Police or his designee.

"Ga. O.C.G.A. § 16-10-3. *Receiving funds or other things of value to enforce penal laws or regulations.*

- (a) *Any officer or employee of the state or any agency thereof who receives from any private person, firm, or corporation funds or other things of value to be used in the enforcement of the penal laws or regulations of the state is guilty of a misdemeanor.*
- (b) *Any officer or employee of a political sub-division who receives from any private person, firm, or corporation funds or other things of value to be used in the enforcement of penal laws or regulations of the political subdivision of which he is an officer or employee is guilty of a misdemeanor.*
- (c) *Nothing contained within this Code section shall be deemed nor construed so as to prohibit any law enforcement officer of the state or any political subdivision thereof from being employed by private persons, firms, or corporations during his off-duty hours when such employment is approved in writing by the chief, or head, or his duly designated agent, of the law enforcement agency by which such law enforcement officer is employed."*

Any officer desiring to work a secondary job must complete a "Part-Time Employment Request" form and submit it through the chain-of-command to the Chief of Police. **This includes any and all types of employment, regardless of whether it is law enforcement related or not.** Part-time employment requests will normally be approved by the Uniform Division Commander; however, if sufficient time is not available for the normal approval procedure, the officer's supervisor may grant temporary approval and forward the request through the chain-of-command to the Chief's Office. All approved part-time employment requests will expire on December 31st of each even numbered year and will be resubmitted at that time if the job is still in progress.

### 4-7.2 PROHIBITED ACTIVITIES

Officers may not engage in, nor will permission be granted for, any activity or employment listed below.

- A. Employment for a person, firm or corporation involved in any type of "game of chance" such as carnivals, bingo parlors, etc., except when such employment is solely traffic or crowd control outside the business establishment. This shall not apply if the employing entity is a non-profit or charitable organization such as a church, fraternal group or civic organization.
  - 1. Employment for a person, firm or corporation wherein the nature of the activity creates a high probability of a conflict of interest arising out of that employment. Such employment includes, but is not limited to:
    - a. bonding companies;
    - b. private detective or security agencies;
    - c. investigative work for attorneys;
    - d. insurance companies or collection agencies;
    - e. repossession companies;
    - f. bouncer, bartender or other employee in any business licensed to sell alcoholic beverages except as allowed by section 4-7.3 of this policy.
    - g. any other type of employment where police authority or access to confidential or restricted information could be potentially used to collect money, locate individuals, seize property or merchandise, etc. for private purposes or to satisfy civil claims, or;

## SECONDARY EMPLOYMENT

- h. any other activity not specifically defined herein where, in the opinion of the command staff, there could be the possibility of a law enforcement obligation for police enforcement activity which would be in conflict with or reflect unfavorably upon the Department.
- B. Employment of any type wherein any officer receives compensation for acting as coordinator, personnel manager or supervisor of other officers. All part-time employment situations where more than one officer is employed will conform to established Departmental policy regarding supervision and chain-of-command. At all times, the ranking officer present will be responsible for general discipline and actions of the other officers.
  - 1. In situations where a number of officers are employed by the same employer, one officer may serve as the "lead officer" for purposes of scheduling only as long as he/she also works at the location. The lead officer may receive additional compensation for performing these duties but may not have any responsibility for payroll. Compliance with all local, State and Federal tax laws is the responsibility of the employer and each individual employee. No officer may work for more than one employer as lead officer.
- C. Employment of any type wherein any officer is required to accept supervision or direction from any person who is not duly authorized to exercise police authority in unincorporated DeKalb County. Officers will, within the limits of Departmental policy, attempt to comply with instructions of the employing individual; however, officers will be held strictly and solely accountable for their actions.
- D. Any employment in a law enforcement or related capacity outside DeKalb County, regardless of whether or not the officer has been deputized to enforce the laws of that jurisdiction.
- E. Employment of any type which, in the opinion of the approving authority, may:
  - 1. render the officer unavailable during an emergency;
  - 2. physically or mentally exhaust the officer to the point that their on-duty performance may be affected;
  - 3. require that any special consideration be given to scheduling of the officer's regular duty hours or off days;
  - 4. bring the department into disrepute or impair the operation or efficiency of the Department;
  - 5. present an unnecessary safety hazard to the officer.
  - 6. conflict with the Georgia Private Detectives and Security Act, OCGA Title 43 Chapter 38.
- F. Employment of any type for another police agency except to augment the other agency's force in specially approved circumstances. Employees may not wear the uniform or carry identification of any other police agency except as specifically approved by the Chief of Police.
- G. Employment in any police related activity before the officer has attained permanent status (Police Officer Senior). However, officers who have graduated from the Police Academy and successfully completed their OJT may be granted approval to work part-time in situations where they are under the constant supervision of a senior officer. The senior officer must be employed by the DeKalb County Police Department and not an outside agency.
- H. Employment of any type while the officer is being carried by the Department as Suspended, Sick, Injured, Restricted Duty or any type of Workman's Compensation status. During the period of time the officer is away from the Department for any of these reasons, all permission to work part-time jobs will be suspended. This restriction also includes any employee who is being carried on the LAR under the Family Medical Leave Act (FMLA).

### 4-7.3 SPECIAL RULES FOR BUSINESSES SELLING ALCOHOLIC BEVERAGES

- A. Employment at any bar, lounge, package store or other establishment selling alcoholic beverages either for take-out or "on-premises" consumption, will be largely restricted to policing of parking lots for the purpose of serving as a deterrent to thefts, property damage, arguments, fights, open container violations, disorderly conduct or other violations.
- B. Officers will not routinely patrol the interior of such establishments or act as a "bouncer" for the establishment. Officers will enter the lounge or bar area only to enforce the law or prevent a violation thereof. Officers may, however, station themselves at an entry door, lobby, foyer, etc., in order prevent or control any of the activities cited in paragraph "A" above.
- C. Since all bars and lounges in DeKalb County are required to sell food and nonalcoholic beverages upon the request of patrons, no officer will restrict access to the establishment due to the age of the patron, irrespective of any policy established by the management. In this regard, the officer's concern should 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 a function of the management.
- D. Under no circumstances will an officer be allowed to loiter in the lounge or bar area of such establishments before, during or after their extra job duties, nor will they socialize or fraternize with the clubs owners, employees or patrons while in uniform.
- E. Officers will be allowed to work these establishments only in full uniform with name tags and badges properly displayed.

F. Officers will not be permitted to work at any location where nudity is offered as a form of entertainment sanctioned by management.

G. Officers will not work at any location where the owner or employees have been charged with any criminal violation in connection with the operation of the business until such time as the charges have been adjudicated and the Chief of Police has determined that a resumption of employment is or is not appropriate under the circumstances.

H. Officers will not work at any location where the reputation of the business in the community is such that said employment would tend to harm public confidence in the department.

I. Officer will not accept any gifts or gratuities from the owner, management or employees of such establishments other than the salary for time worked as noted in the "Part-Time Employment Request."

J. No officer observing an undercover detective at any such establishment will approach or indicate any recognition whatsoever to the detective, or to any employee, patron or management of the establishment.

K. Under no circumstances will an officer be allowed to direct or block traffic in the roadway for the purpose of providing ingress or egress to any such establishment.

L. In order to insure the safety of officers working in or around large, alcohol-consuming crowds, it will be the responsibility of the establishment's management to provide sufficient numbers of off-duty police personnel commensurate with the following criteria:

- |                         |                       |
|-------------------------|-----------------------|
| 1. up to 400 patrons    | minimum of 1 officer  |
| 2. 400 to 800 patrons   | minimum of 2 officers |
| 3. 800 to 1200 patrons  | minimum of 3 officers |
| 4. 1200 to 1600 patrons | minimum of 4 officers |

M. All officers 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 officer should insure that not only do their actions conform to the Rules and Regulations of the Department, but also the actions of the establishment's management, employees and patrons conform with applicable state law and county ordinances.

N. Any establishment owner, manager or other employee who participates in, aids or abets any violation of this order will cause their establishment to be disallowed the benefit of employing off-duty police officers. Additionally, establishments are subject to lose this benefit for management or employee involvement in any illegal activity; failure to have proper permits; allowing the sale of alcoholic beverages to minors or intoxicated persons; or allowing a generally unruly or disorderly condition to exist, either inside or outside the establishment.

#### **4-7.4 SPECIAL RULES - APARTMENT COURTESY OFFICERS**

Off-duty employment is defined as any employment other than the employee's assignment with DeKalb County and for which the employee is compensated. Compensation means any form of payment or gift, gratuity, reimbursement, favor, reward or act of service of value to the employee, directly or indirectly, whether past, present or future.

Included in the definition of compensation is reduced rent and this type of compensation will require an extra job permit even if the apartment complex does not require performance of any duties. The compensation is being received by virtue of your employment with the DeKalb County Police Department. Employees working off-duty will not enforce employer's rules and regulations which are not law enforcement related. Included in this restriction are apartment complex regulations which are not violations of the law. Apartment security will be counted as one half (1/2) hour per day and will be counted towards the total work hours per week.

#### **4-7.5 CITIZEN REQUESTS FOR PART-TIME EMPLOYMENT OF OFFICERS**

The Department recognizes that County citizens and businesses have legitimate needs for extra police services, which cannot be rightly justified as a County expense. Where possible the Department will assist these citizens in locating officers who desire to work the jobs by posting notices or notifying officers who have expressed a desire for part-time employment. The Department will not, however, become involved in any scheduling, payroll, record keeping or other function for the employer. Officers who are approached directly by a prospective employer for part-time employment may respond and negotiate directly so long as the employment is approved in advance.

General requests for part-time police employment which are received by phone, mail or in person will be directed to the Traffic Specialist Unit, Division Administrative Officers or Precinct Administrative Officers, whichever is closer or more appropriate for the specific request. Each location responsible for coordinating part-time employment will maintain a listing of officers desiring to work part-time and will offer jobs to those officers on a rotating basis. Any officer who accepts an offered part-time job and subsequently fails to appear for the job will have their name removed from the listing for a period of six (6) months.

## SECONDARY EMPLOYMENT

### **4-7.6 LIMITS ON AMOUNT OF TIME WORKED**

No officer will be allowed to work, through any combination of regular duty and part-time employment, or on off days, more than 14 hours during any 24 hour period. Total time worked in a one week period will not exceed 76 hours. These totals INCLUDE Court Time, Jury and Witness Time, Training Time, etc.

### **4-7.7 INJURIES OCCURRING DURING PART-TIME EMPLOYMENT**

The Department approves part-time employment and sets standards for its performance to comply with State law and protect the integrity of the Department. Employee's should not assume that compliance with these statutory requirements would in any way make the County the employer of record if the employee is injured during their part-time employment. Generally, if an employee is injured while performing duties for which they were hired, the employer who was paying them at the time of injury is responsible for Workers Compensation coverage.

Employee's should carefully consider the risks before accepting part-time employment in a private contractor situation or for a private individual or firm with less than three employees who is not required to carry Workers Compensation.

### **4-7.8 IMMEDIATE REVOCATION**

Permission to engage in secondary employment activities may be immediately revoked by any supervisor for any of the aforementioned or any of the following reasons:

- A. Any change in the conditions of the original application;
- B. A strike, labor dispute, or any other change in the employer's place of business that has the potential to place the officer in a vulnerable or controversial situation;
- C. Unsatisfactory performance in the course of on-duty employment;
- D. Emergency mobilization of personnel;
- E. Any other circumstances which would warrant suspension or revocation of said extra jobs as deemed necessary by the Command Staff.

### **4-7.9 NOTIFICATION AND DOCUMENTATION OF SPECIFIC EVENTS**

Upon reporting to an extra job, the officer will notify Communications via radio that they are on an extra job. The officer shall advise Communications on the appropriate radio channel their badge number, the name and location of the job, and their starting and ending times. On duty supervisors assigned to that area are to be that officer's Chain of Command.

Officers shall handle any calls for service at that location and if assistance is needed, advise Communications of such. They are to also complete all reports and notify their Chain of Command of any events which occur while engaging in that activity of secondary employment:

- A. Any occasion where an arrest is made, or force of any kind is used;
- B. Any violation of law or serious traffic violation;
- C. Any injury to an officer, violator, or third party;
- D. Any property damage sustained as a proximate result of an officer's actions (i.e. damage to property while effecting an arrest, an auto accident while working traffic, etc.)
- E. Any complaints concerning the actions or behavior of the officer, or;
- F. Any occasion where an employer asks the officer to compromise ethics, incur legal obligations, or for any impropriety on the part of the officer or the secondary employer.

On duty supervisors are to respond to the off-duty officer's location to handle any of the above occurrences or to approve and pick up any paperwork.

### **4-7.10 SOLICITATION OF SECONDARY EMPLOYMENT**

No member of this Department shall actively pursue secondary employment from individuals or business establishments using their position with the Department unless approached first by that individual or establishment about the availability of officers for secondary employment. Employees shall avoid using their position with the Department to gain unfair advantage over other applicants in terms of reliability, etc. The employer shall make those decisions independently.

### **4-7.11 EQUIPMENT REQUIRED**

Any officer who engages in police duties at an approved part time job will have all necessary equipment with them to fulfill their responsibilities and duties as a police officer. Officers will carry the same equipment required for normal duty equipment. Officers will meet requirements based on their assignment, as indicated on the request for authorization to work either a uniform or plain clothes part time job. The minimum necessary equipment includes the officer's county issued identification, badge, firearm, handcuffs and radio.

## PHYSICAL FITNESS

### 4-8 PURPOSE AND SCOPE

The law enforcement profession places physical and mental demands on police officers, which often times exceed those placed on the average citizen. Research done by the Institute for Aerobics Research has shown that a physically fit police officer will use 42% less sick time, have 39% fewer medical problems and most importantly, live 10 years longer. The U.S. Department of Health has ranked police officers first in their rates of heart disease, diabetes and suicide. In addition, recent court decisions have shown a trend toward holding an officer and/or the department liable for a use of force necessitated by a lack of physical ability to control a situation (Parker v. District of Columbia, 850 F.2d 708 (DC Cir. 1988)). For these reasons, it is imperative that officers maintain a level of physical fitness, which will allow them to carry out their assigned duties in a safe and efficient manner.

Research has also shown that 56% of all law enforcement officers are overweight and that 86% perform little or no exercise. However, that same research has shown that fully 85% of those officers will voluntarily comply with physical fitness guidelines where they exist.

#### 4-8.1 RESPONSIBILITY FOR HEALTH CARE

The Department encourages each officer to obtain health insurance coverage under one of several plans offered by the Department. However, due to the diversity of options available under these plans, each officer must choose the plan which best meets the needs of their individual situation.

For this reason, the Department cannot specify, beyond bare minimums, a uniform health screening procedure, which will apply to every officer or be provided under each health care plan. This responsibility will remain a private matter between the officer and their physician.

#### 4-8.2 REQUIRED PHYSICALS

Physicals are required for the following personnel of the DeKalb County Police Department and new hires:

1. Police Recruits – during the hiring process must successfully pass the county physical.
2. Aerial Support Unit – All pilots must successfully complete a 2<sup>nd</sup> Class or better FAA physical.\*
3. Commercial Driver's – must first successfully pass a D.O.T physical before operating a county commercial vehicle.
4. SWAT Team Members – must successfully pass a county physical prior to being selected as a SWAT team member.
5. Fitness for Duty-as enumerated in Section 4-8.4.

Police Recruit, Commercial Driver's, SWAT members and any other required physical required by the department are provided by the County Health Department and are at no cost to the employee.

\*Cost of the FAA Physical is reimbursed to the employee. An approved FAA physician performs these physicals.

#### 4-8.3 NOTIFICATION REQUIREMENTS

An employee shall notify his/her supervisor in writing of any condition, physical or mental, which could reasonably be expected to impair his/her ability to perform the essential or non-essential duties of his/her current job classification. Such notification shall be made when the employee becomes aware of the situation if already on the job, and prior to beginning work if the situation arises while off duty.

#### 4-8.4 DETERMINATION OF FITNESS FOR DUTY

1. A determination shall be based upon observable behavior or other articulable facts, which would reasonably bring the employee's fitness for duty into question. Such factors would include but not be limited to:
  - a. Obvious physical or mental impairment;
  - b. A significant complaint or excessive number of complaints or absences;
  - c. Inappropriate behavior;
  - d. Notification of impairment or a possible impairment from the employee or his physician;
  - e. Substandard work performance which may be attributed to a physical condition or impairment.
2. Once a situation has arisen which brings an employee's fitness for duty into question, the employee's supervisor shall reduce the incident to writing. The written report shall concisely describe:

## PHYSICAL FITNESS

- a. The factors which gave rise to the evaluation;
  - b. The determination that was made;
  - c. A justification for the decision;
3. In the event of a threshold determination that the employee is not fit for duty, an employee occupying a sworn position or any position may for good cause be immediately placed on administrative leave with pay by the Division Commander or the Acting Division Commander pending a medical determination of the employee's physical or mental fitness for duty.
4. In the event of a threshold determination that the employee is not fit for duty, or in circumstances where a determination cannot be accurately rendered; the employee will be referred to the County Physician for a Fitness for Duty evaluation free of charge to the employee. The decision of the County physician shall be determinative and shall be reported on a "Fitness for Duty Affidavit"

### **4-8.5 EXTRA DEPARTMENTAL EMPLOYMENT**

Sworn personnel, while in a restricted duty assignment or on administrative leave, shall not engage in extra-departmental employment which is in any way dependent upon their being able to exercise the duties and responsibilities of a Peace Officer.

### **4-8.6 AMERICANS WITH DISABILITIES ACT, FAMILY AND MEDICAL LEAVE ACT, OR APPLICABLE LAW**

This policy shall be interpreted, modified, and/or implemented consistent with the requirements of the Americans with Disabilities Act, the Family and Medical Leave Act, or other applicable law.

### **4-8.7 VOLUNTARY PHYSICAL FITNESS PROGRAM PURPOSE AND SCOPE**

The DeKalb Police Department recognizes several benefits associated with having a fit and healthy employee. Fitness relates to the ability of officers to perform essential functions of the job, it minimizes the risk of excessive force situations, and it minimizes the known health risks associated with law enforcement. A healthy officer relates to total physical wellness, both on and off duty.

Fitness tests and standards must be job related and scientifically valid. According to the Cooper Institute for Aerobics and Research, several law enforcement studies show there are 20-30 critical physical tasks that are job related. These tasks are necessary to perform essential functions of the job. There are several physical fitness components that can predict performing tasks associated with law enforcement.

It is the policy of the DeKalb County Police Department to promote healthy and fit employees. The goal of this policy is to outline the criteria in which an officer's health and fitness level are monitored and how an employee can obtain and maintain an optimal level of health and fitness through the voluntary fitness program

The voluntary fitness program is designed to create awareness in the individual of his/her physical capabilities that relate to the physical demands of police work, and to provide the means and incentives in order to improve their physical and/or mental well being.

## PROCEDURE

- A. Any sworn or civilian member of the DeKalb County Police Department may participate on a voluntary basis.
- B. The voluntary physical fitness program will be administered by the Training Division. Records and results of the testing will be maintained by the Training Division.
- C. All employees are responsible for determining their fitness to participate in the testing procedure. If an officer chooses to participate in the voluntary fitness program, the Training Division will test the officer once a year. The testing will be offered several times during the year, and will be scheduled by the Training Division. It is the participant's responsibility to schedule a test date as offered by the Training Division.
- D. All personnel forty years of age and over will be required to produce a medical waiver allowing them to participate in the program. This waiver may be obtained from the Training Division.
- E. Prior to the start of testing, all participants will be required to complete a release of liability waiver.
- F. All employees are responsible for determining their fitness and ability to participate in the testing procedure.
- G. If a participant does not pass all phases of the testing, designated members of the Training Division will assist in devising a fitness program, if requested. The participant will be eligible to re-take the test during the next scheduled testing date or at a later testing date, enrollment space permitting. The participant must take and pass all phases of the testing during the second attempt. If the participant does not pass the second attempt, he/she will not be eligible to participate in the voluntary program for a period of one year from the date he/she fails the second testing procedure.
- H. Employees who successfully pass all phases of the fitness testing will be awarded a fitness award ribbon to wear on their uniform and a certificate of completion from the Training Division. A copy of the certificate will be forwarded to the employee's precinct/division to be placed in their file for evaluation purposes. All precincts/divisions will receive notification of those employees who participated in the voluntary fitness program, whether or not they successfully passed all phases of the testing. Employees must participate in the voluntary fitness program each year to be eligible to continue to have possession of the fitness award ribbon. Precincts and Divisions will be advised of those personnel no longer participating, and the ribbon will be returned to the Training Division.
- I. Participants must pass all phases of the testing to be eligible for a fitness award. Each participant will be allowed only one attempt to pass each phase of the testing on a testing date. Retests on the same date will not be permitted.
- J. There will be four health and fitness areas each participant will tested on, along with one optional test.
  1. 1.5 mile run
    - a. The participant will run a distance of a mile and a half on an indoor or outdoor track, with the result a measurement of the time from start to finish.
    - b. This test is a measurement of the cardiovascular system (aerobic capacity) under stress for a prolonged period of time. This is related to a task where a police officer may run after a suspect for a prolonged period of time and still have energy in reserve to perform additional tasks as needed.
  2. Push-ups
    - a. The test consists of lying face down on the floor in the front leaning rest position, with both hands on the ground, approximately shoulder-width apart. The back will be straight, and the feet Approximately eight inches apart. The body will be lowered by bending the elbows until the upper arms are parallel to the ground, and then raised by pushing up. The head and back will be kept straight, and the arms fully extended in the upright position. The test will be conducted by a cadence count ("down-up, one") until the participant can no longer maintain form or keep pace with the cadence count. The result will be the number of push-ups completed with correct form by the participant.
    - b. This test measures the muscular strength and endurance of the upper body. This is related to any task involving pushing with the upper body.
  3. One-minute sit-up test.
    - a. The participant will lie on the floor with knees bent, feet flat on the floor, hands either laced behind the head or held against the ears. Without pulling on the neck, the participant will sit up until the elbows touch the knees, and return to a full lying position. This is one repetition. The participant will complete as many sit-ups as possible in one minute with correct form.
    - b. This test is a measurement of abdominal and core strength/endurance. This is related to any use of force situation, lower back health, and good posture.
  4. Sit and Reach

## PHYSICAL FITNESS

- a. This test consists of sitting on the floor with the legs extended and the feet flat against a box. A yardstick is attached to the top of the box, with the 15" mark at the edge of the box, and the 36" mark facing away from the participant. The participant will place one hand on top of the other, and slowly reach forward as far as possible and hold the position momentarily on top of the yardstick, with the distance reached on the yardstick as the result. The best of three trials will be the result.
  - b. This test is a measurement of the flexibility of the lower back and leg area, which is important in any task involving range of motion-reaching, bending over, etc.
- K. Weight/percent body fat (optional)
1. Using an electronic device or calipers, the participant's weight and body fat composition will be measured by a state certified Health and Wellness Instructor, EMT or Personal Trainer. The results will be provided to the participant for informational purposes only.
  2. This tests the participant's body composition and is extremely important for the overall health and wellness of each individual. Maintaining an optimal weight and body fat percentage is related to a number of health factors, including heart disease, diabetes and elevated blood pressure.

## ASSESSMENT STANDARDS

The following standards as established by the Cooper Institute for Aerobics Research will be used to measure testing results, and are based upon age and gender. The minimum passing score is based upon a result designated as "good" by the Cooper Institute. Employees attaining "Good" standards will be awarded a silver fitness award ribbon. Employees attaining "Superior" standards will be awarded a gold fitness award ribbon, along with their name being engraved on a plaque in the Training Division. These standards are subject to future revision at any time.

**“Good” Assessment Standards**

**Females**

<b>Age Groups</b>	<b>Push-Ups</b>	<b>Sit-ups</b>	<b>Sit-and-reach</b>	<b>1.5 Mile Run</b>
<b>20-29</b>	<b>&gt; 20</b>	<b>&gt;37</b>	<b>&gt;19</b>	<b>&lt; 14:25</b>
<b>30-39</b>	<b>&gt; 14</b>	<b>&gt;28</b>	<b>&gt;19</b>	<b>&lt; 15:09</b>
<b>40-49</b>	<b>&gt;11</b>	<b>&gt;23</b>	<b>&gt;18</b>	<b>&lt;16:59</b>
<b>50-59</b>	<b>&gt;6</b>	<b>&gt;19</b>	<b>&gt;17</b>	<b>&lt;16:59</b>
<b>60 and over</b>	<b>&gt;3</b>	<b>&gt;10</b>	<b>&gt;14</b>	<b>&lt;18:45</b>

**Males**

<b>Age Groups</b>	<b>Push-Ups</b>	<b>Sit-ups</b>	<b>Sit-and-Reach</b>	<b>1.5 Mile Run</b>
<b>20-29</b>	<b>&gt;36</b>	<b>&gt;41</b>	<b>&gt;17</b>	<b>&lt;11:42</b>
<b>30-39</b>	<b>&gt;29</b>	<b>&gt;38</b>	<b>&gt;16</b>	<b>&lt;12:21</b>
<b>40-49</b>	<b>&gt;23</b>	<b>&gt;33</b>	<b>&gt;15</b>	<b>&lt;13:15</b>
<b>50-59</b>	<b>&gt;18</b>	<b>&gt;27</b>	<b>&gt;14</b>	<b>&lt;14:25</b>
<b>60 and over</b>	<b>&gt;17</b>	<b>&gt;21</b>	<b>&gt;13</b>	<b>&lt;15:30</b>

**PHYSICAL FITNESS****“Superior” Assessment Standards****Females**

<b>Age Groups</b>	<b>Push-Ups</b>	<b>Sit-ups</b>	<b>Sit-and-Reach</b>	<b>1.5 Mile Run</b>
<b>20-29</b>	<b>≥ 42</b>	<b>≥ 51</b>	<b>≥ 24</b>	<b>≤ 10:47</b>
<b>30-39</b>	<b>≥ 40</b>	<b>≥ 42</b>	<b>≥ 24</b>	<b>≤ 11:49</b>
<b>40-49</b>	<b>≥ 20</b>	<b>≥ 37</b>	<b>≥ 22</b>	<b>≤ 14:20</b>
<b>50-59</b>	<b>≥ 15</b>	<b>≥ 30</b>	<b>≥ 23</b>	<b>≤ 14:20</b>
<b>60 and over</b>	<b>≥ 10</b>	<b>≥ 28</b>	<b>≥ 23</b>	<b>≤ 14:06</b>

**Males**

<b>Age Groups</b>	<b>Push-Ups</b>	<b>Sit-ups</b>	<b>Sit-and-Reach</b>	<b>1.5 Mile Run</b>
<b>20-29</b>	<b>≥ 62</b>	<b>≥ 55</b>	<b>≥ 23</b>	<b>≤ 8:13</b>
<b>30-39</b>	<b>≥ 52</b>	<b>≥ 51</b>	<b>≥ 22</b>	<b>≤ 8:44</b>
<b>40-49</b>	<b>≥ 51</b>	<b>≥ 47</b>	<b>≥ 21</b>	<b>≤ 9:30</b>
<b>50-59</b>	<b>≥ 40</b>	<b>≥ 43</b>	<b>≥ 21</b>	<b>≤ 10:40</b>
<b>60 and over</b>	<b>≥ 28</b>	<b>≥ 39</b>	<b>≥ 20</b>	<b>≤ 11:20</b>

## **RESERVE OFFICER AND AUXILIARY PROGRAMS**

### **4-9. PURPOSE**

Volunteers have proven to be a valuable asset to law enforcement agencies. It is the policy of this agency to use qualified volunteers for specified tasks and duties that create efficiencies for the department and improve service to the community and personnel. Volunteers perform a service for the department without promise, expectation, or receipt of compensation for services rendered. Volunteers, or auxiliaries, are intended to supplement and support, rather than supplant, sworn officers and civilian personnel.

Retired reserve officers maintain law enforcement certification, sworn status and all of the authority associated with their position, but work in a volunteer status to assist the department as needed. All rules and regulations that apply to an active on-duty officer will apply to reserve officers.

Auxiliaries are not law enforcement officers and shall possess no law enforcement authority other than that of any private citizen.

### **RESERVE OFFICERS**

#### **1. Purpose**

- 1.1 This directive establishes the DeKalb County Police Department Retired Reserve Officer program (hereinafter the "RETRO") and sets procedures for it.
- 1.2 This directive will refer to other Department and County directives that are pertinent to the function and procedures of the RETRO program.

#### **2. Policy**

- 2.1 Police volunteers have proven to be a valuable asset to law enforcement agencies. It is the policy of the DeKalb County Department to use qualified police volunteers, including those that maintain good standing and current certification as a "peace officer" by the Peace Officers Standards and Training Council of Georgia (hereinafter the "POST"), for specified tasks and duties that can create efficiencies for the department and improve services to the community. Police officer volunteers are intended to supplement and support, rather than supplant, sworn officers and civilian personnel.
  - 2.1.1 RETRO volunteers must adhere to the policies and procedures of the RETRO policy, the Employee Manual, DeKalb County Personnel Codes and policies as well as all State and local laws and ordinances. Violations of any policy or procedure may result in civil action, criminal prosecution, and/or disciplinary action, up to and including termination of participation in any volunteer service to the DeKalb County Police Department.
  - 2.1.2 Retired Reserve officers shall be certified as required by the Peace Officers Standards and Training (POST) Council of Georgia and their training shall be equivalent to that training statutorily required for full-time active officers to include in-service requirements.
  - 2.1.3 Individuals who are members of the DKPD-RETRO are authorized to act as "peace officers" when serving in a law enforcement-related activity which could reasonably be expected to require the assertion of police powers in which case the officer is provided the same public liability protection provided to full time officers.
  - 2.1.4 RETRO members may not work in a DeKalb County Police Department uniform, or represent themselves as officers or retired reserve officers, unless they are members of the DKPD-RETRO program.
  - 2.1.5 All members of the DeKalb County Police Department's RETRO unit shall serve at the discretion of the Chief of Police.

#### **3. RESPONSIBILITIES**

- 3.1 The selection criteria for the RETRO members will equal those of full time sworn officers as per state and local legal requirements. The Chief of Police has the final decision making authority on inclusion in or exclusion from the RETRO program.
- 3.2 The Support Services Division Commander (SSD) as designated by the Chief of Police shall manage and direct the activities of the RETRO unit on behalf of the Chief of Police.
  - 3.2.1 The SSD commander shall assign a sworn supervisor to act as the RETRO coordinator.

- 3.2.2 The Sworn supervisor can utilize a RETRO volunteer supervisor to assist in the coordinator duties as a part of their volunteer requirement hours with the approval of the Chief of Police.
- 3.3 The RETRO coordinator shall monitor the POST certification status of RETRO members and all related personnel matters, as well as maintain a directory, special skills, hours served, specials worked, part time jobs approved and personnel files of all retired reserve members.
- 3.3.1 The RETRO coordinator or supervisor will conduct and maintain an annual evaluation of each RETRO member.
- 3.4 The Training Section Commander shall be responsible for the training of all RETRO members. The Training Section Commander shall coordinate and schedule the annual training for each RETRO member as mandated by the Georgia POST Council and Departmental requirements in conjunction with the RETRO sworn coordinator/supervisor.
- 3.5 Active duty supervisors at any level shall take appropriate action when they observe a RETRO member failing to conform to a Departmental written directive or in an unlawful or improper manner regardless of the RETRO member's rank.
- 3.6 RETRO members are required to meet the professional standards and the volunteer service requirements established by the Chief of Police. RETRO members are subject to emergency call-up at the discretion of the Chief of Police.
- 3.7 The Internal Affairs Unit (IA) shall investigate all priority complaints involving RETRO members. IA can forward line level complaints as per policy to the SSD commander for the RETRO coordinator/supervisor to investigate. The Chief of Police shall make the final determination as to who shall be responsible for an internal investigation.

#### **4. Procedures**

- 4.1 Minimum Qualifications and Application
  - 4.1.1 Any active DeKalb County Police Department police officer applying for retirement or separating in good standing either on a service pension or vested with 7 or more years of sworn service may apply for membership 14 days prior to their retirement date or anytime within 1 year of retirement. For periods in excess of 1 year, applicants shall adhere to section 4.2 of this policy for program requirements.
    - 4.1.1.1 RETRO members shall submit their application on the approved RETRO application form for membership in the RETRO program to the RETRO coordinator/supervisor.
  - 4.1.2 A DeKalb County Police officer applying for membership in the RETRO program must have been on active duty status without duty restrictions for the six (6) months immediately preceding their date of retirement.
  - 4.1.3 DeKalb County Police Department officers who have been retired for less than one (1) year must meet the following criteria when applying for membership in the RETRO program:
    - 4.1.3.1 No more than 40 hours of suspension on a continuous or accumulative basis during the last 36 months of service prior to retirement, except for suspensions involving motor vehicle accidents. This will be based on the officer's IA history.
    - 4.1.3.2 At time of retirement or separation in good standing, there were no open or sustained IA complaints or files. Moreover, the officer was not enrolled in early warning or failed to adhere to a mandated psychological screening or a physical Fitness for Duty exam.
    - 4.1.3.3 The applicant is certified as a "peace officer" in the state of Georgia and has met all POST requirements for certification at the time of application. The applicant must not have been placed on probation, restriction, or a mandate by POST, (e.g.) requiring completion of a specified training course at the officers' expense within a specified period.
    - 4.1.3.4 he police officer has an overall annual rating not less than "meets standards" for each of the last three annual evaluations prior to retirement or separation.
- 4.2. DeKalb County Police Department officers who have been retired or who have been separated (in good standing) from DKPD for more than one (1) year shall need to meet the requirements listed in section 4.1 (above) and complete a new employment application, and submit it to the Background and Recruiting Unit through the DKPD-RETRO coordinator/supervisor for processing, which includes the following steps:
  - 4.2.1 Submit to a background check
  - 4.2.2 Submit to a CVSA or polygraph examination
  - 4.2.3 Submit to a drug screen
  - 4.2.4 Submit a letter from applicant's personal doctor, certifying physical/psychological fitness
  - 4.2.5 Physical exam, provided by the applicant's medical provider
  - 4.2.6 A department task appraisal may be requested for submission as well.

- 4.2.7 Submit proof of education including POST certifications
- 4.2.8 Any references required
- 4.3 DeKalb County Police Department officers who have been resigned from the DKPD-RETRO program for less than one (1) year and request reinstatement must make up the voluntary service hours before they may be scheduled for their annual in-service training. The voluntary service hours shall be pro-rated based on the DKPD-RETRO calendar year. Failure to complete all requirements outlined by the RETRO coordinator/supervisor will result in immediate termination from the RETRO program.
- 4.4 An applicant whose POST certification has lapsed shall not be considered for membership in the DKPD-RETRO program until he or she has received an updated POST certification and provides proof of such.
- 4.5 Application Process
  - 4.5.1 The RETRO coordinator shall review all applications to determine if each applicant has met the minimum qualifications described in this policy and the employee manual.
  - 4.5.2 The RETRO coordinator/supervisor shall notify applicants in writing if they do not meet the minimum qualifications. The DKPD-RETRO coordinator shall advise the appropriate division commander of the status of all applicants.
  - 4.5.3 The RETRO coordinator/supervisor shall request an IA history or documentation of any citizen complaints received after the officer retired on a service pension or separated in good standing upon receiving their application into the DKPD-RETRO program.
  - 4.5.4 Based on the review of the applicant's file, the RETRO coordinator/supervisor shall recommend acceptance or rejection to the commander of the Support Services Division and the Chief of Police. The Chief of Police shall determine the final acceptance or rejection for each applicant.
  - 4.5.5 If the applicant is accepted, the RETRO coordinator shall contact and meet with the applicant and explain his or her responsibilities in the DKPD-RETRO program.
  - 4.5.6 Upon acceptance in the DKPD-RETRO program, the applicant shall contact the RETRO coordinator and schedule an appointment to have an equipment check prior to assuming any duties in the DKPD-RETRO program.
  - 4.5.7 If the applicant is rejected, the RETRO coordinator shall notify the applicant in writing via certified mail. The letter shall state the reason for rejection and provide for appealing the decision to the Support Service Division commander within 15 days.
- 4.6 Returning from Inactive RETRO Status
  - 4.6.1 All RETRO members returning from inactive status that does not exceed a period of six (6) months shall conform to directives in sections 4.1 of this policy for admission into the DeKalb County RETRO program.
  - 4.6.2 All RETRO members returning from inactive status exceeding a period of six (6) months and have not attended in-service training in one (1) calendar year, shall be required to complete the POST mandated in-service hours, UOF and firearms qualifications as well as conforming to all departmental and RETRO policies for reinstatement into the DKPD-RETRO program.

## **5. Retired Reserve Officer Volunteer Duties**

- 5.1 A RETRO member's duties shall vary in accordance with the needs of the Department. Generally, retired reserve officers shall perform their volunteer service duties in support of active duty police officers, and retired reserve officers may work without direct supervision in some situations.
  - 5.1.1 The duties of retired reserve officers shall include, but not be limited to, the following:
    - 5.1.1.1 Traffic and security support at special events that occur within the County limits.
    - 5.1.1.2 Security support at police facilities as well as County buildings or County property.
    - 5.1.1.3 Support of follow-up investigations by canvassing an area, processing large quantities of property or evidence, searching a large area, or answering calls on a tip line or as a screening officer.
    - 5.1.1.4 Support the Police Department's training mission as a guest instructor in a subject matter in which the retired reserve officer has demonstrated a suitable level of proficiency.
    - 5.1.1.5 Support administrative activities such as communications, screening, central records, or property.
    - 5.1.1.6 Support CID with investigations while working cases with a full duty detective.
    - 5.1.1.7 Support uniform patrol while riding partners with a full duty patrol officer (RETRO members cannot drive a County vehicle, see prohibited duties).
    - 5.1.1.8 Support the Support Services Division in the Background Unit for the recruitment and background checks of potential new hires.
    - 5.1.1.9 Perform other duties as determined by the Chief of Police.

**5.2 Prohibited Duties/Activities**

- 5.2.1 All RETRO members will conform to the DeKalb County Employee Manual of all prohibited duties/activities with the following additions:
- 5.2.2 Operating a county vehicle, marked or unmarked, unless approved by the Chief of Police. If approved, this will be permanently notated in the RETRO member's personnel file and/or in the RETRO database.
- 5.2.3 Performing patrol functions unless approved by the Chief of Police and only then if riding with a full duty partner.
- 5.2.4 Working in an undercover or plainclothes capacity on duty or on an extra job.
- 5.3 **All RETRO members shall perform their voluntary service in law enforcement- related activities under the direction of the Department:**
  - 5.3.1.1 All retired reserve officers under the age of 65, and all retired reserve officers 65 years of age or older who work extra jobs, must perform 192 hours of voluntary service per year at which is 16 hours per month.
  - 5.3.1.2 Retired reserve officers 65 years of age or older who do not work extra jobs must complete their annual in-service training and perform 96 hours of voluntary service per year, which is 8 hours per month, to remain active in the DKPD-RETRO program.
  - 5.3.1.3 The volunteer service for all reserve members age 65 years or older shall be in an administrative role.
  - 5.3.1.4 All volunteer service hours worked shall be earned at a rate of one hour (1) for every hour (1) worked, with the exception of volunteer service hours performed on holidays or special events (see section 7.1) which shall be earned at a rate of one and one half hours (1 ½ ) for each hour (1) worked.
  - 5.3.1.5 Annual in-service training, or any other training necessary to maintain POST certification hours cannot be used to fulfill any of the required voluntary service hours.
  - 5.3.1.6 Retired reserve officers cannot perform volunteer service hours at a location where they also work a part time job.
  - 5.3.1.7 REMOVE
- 5.4 The RETRO coordinator/supervisor has the discretion to make adjustments to the voluntary service hours set by the Chief of Police for retired reserve officers who experience medical impairment.
- 5.4.1 Retired reserve officers shall be required to submit the appropriate medical documentation to the RETRO coordinator/supervisor for consideration and return to volunteer service.
- 5.5 DKPD-RETRO members must document voluntary service hours using the appropriate RETRO volunteer time sheet. This form must be signed by an active duty supervisor in the unit where the voluntary service hours were performed.
- 5.5.1 It is the responsibility of the DKPD-RETRO member to personally deliver the signed form to RETRO coordinator/supervisor within seven days of the completion of their voluntary service. Only voluntary service hours documented and certified on the appropriate form shall count towards the voluntary service hour requirement. Personal delivery of the signed form can be submitted via email to the RETRO Coordinator and RETRO supervisor.
- 5.6 The DKPD-RETRO calendar year shall begin on January 1<sup>st</sup> and end on December 31<sup>st</sup> at midnight. Each RETRO Officer will be required to meet their annual training hours, volunteer hours, special event requirements, and annual equipment inspection requirement within this timeframe.
- 5.7 The RETRO coordinator/supervisor may authorize a reserve member to carry over 24 hours into the next reserve year or prorate the year's hours.
- 5.8 The voluntary service requirement will become effective upon the date of acceptance into the RETRO program. The RETRO coordinator/supervisor may authorize a 1 month credit of hours immediately following the RETRO member's retirement from active duty. In this instance, no secondary employment will be authorized. If the officer has not received their annual in-service training in one calendar year prior to the date of retirement, they shall be required to attend the DKPD-RETRO in-service training prior to beginning their volunteer service hours. During this time the RETRO member will not be authorized to work any secondary employment.

**6. Supervisory Authority of RETRO Members**

- 6.1 RETRO members, regardless of rank, have no supervisory authority over active officers. Moreover, they have no supervisory authority over other RETRO members unless granted by the Chief of Police for a special operation.

**7. Special Events Requirement**

- 7.1 Retired reserve officers shall be required to work at a minimum of ONE (1) of the following events:
  - 7.1.1 Road races

- 7.1.2 Summer Initiatives
- 7.1.3 Crime Reduction Initiatives
- 7.1.4 Mentoring Programs
- 7.1.5 BOC sanctioned Events
- 7.1.6 4th of July
- 7.1.7 Spring Break
- 7.1.8 New Year's Eve
- 7.1.9 Call outs and natural disasters or other emergencies
- 7.1.10 Any other County-sanctioned event deemed a special assignment by the Chief of Police.
- 7.2. The above list may be modified at the discretion of the Chief of Police.
- 7.3. Retired reserve officers shall receive eight (8) hours credit for every special event unless the event exceeds 8 hours of volunteer time. (See 5.3.2.4 for hourly rates earned)
- 7.4. Retired reserve officers shall sign up for special events through the RETRO coordinator/supervisor to work any of the listed events.
- 7.5. The RETRO coordinator/supervisor will publish and recruit for special events listed and not listed above through the most applicable means available to the department. (i.e. Email or text messaging)
- 7.6. The event supervisor will forward a roster of all individuals who worked a special event to the RETRO coordinator/supervisor for records keeping and service time recording; however, it is still the responsibility of the DKPD-RETRO member to personally deliver the signed form to RETRO coordinator/supervisor upon the completion of their voluntary service.
- 7.7. Working a minimum of one (1) event from the list of above shall be a requirement to stay in the RETRO Program. This requirement can be waived by the Chief of Police.

## **8. Retaining Eligibility**

- 8.1. All retired reserve officers must complete their DKPD annual in-service training requirement each year in order to maintain their "peace officer" certification as established by the Georgia POST Council.
- 8.2. Any member of the DKPD-RETRO program who has not performed the required hours of voluntary service during the RETRO calendar year shall not be allowed to attend annual in-service training and shall lose membership in the DKPD-RETRO program.
- 8.3. Retired reserve officers shall be required to conduct themselves in a professional manner governed by county ordinance, state law, police department and county policy, written directives, the Law Enforcement Code of Ethics, and any other requirements established by the Chief of Police. RETRO members will acknowledge this in writing. Member will keep abreast of policy changes through PowerDMS.
- 8.4. RETRO members will be required to attend one (1) RETRO program meeting which will be held at the availability of the RETRO coordinator/supervisor. RETRO members will be required to attend this meeting in full uniform in order for the RETRO coordinator/supervisor to conduct an annual equipment inspection as per RETRO policy for evaluation purposes.

## **9. Disciplinary Actions**

- 9.1 Retired reserve officers shall be subject to a progressive disciplinary process, consistent with DKPD and DeKalb County Employee policies as determined by the RETRO coordinator/supervisor and the SSD commander.
- 9.2 In lieu of suspension hours, the RETRO coordinator/supervisor and SSD commander may suspend retired reserve officers from part time job privileges as follows:
  - 9.2.1 1<sup>st</sup> Offense: 1 month suspension from secondary employment
  - 9.2.2 2<sup>nd</sup> Offense: 6 month suspension from secondary employment
  - 9.2.3 3<sup>rd</sup> Offense: Termination from the RETRO Program
- 9.3 Any RETRO Officer who is serving a suspension from secondary employment will still be required to complete their monthly volunteer hours at a location that is beneficial to the Department as identified/decided by the RETRO Coordinator/supervisor. In addition, any RETRO Officer who is on suspension must make up any outstanding hours during their suspension time. Any RETRO Officer who fails to do so, will then be escalated to the next disciplinary offense level up to and including Termination.

## **10. Termination from the RETRO program**

- 10.1. The Chief of Police can terminate the membership of any RETRO member at any time, with or without cause.

- 10.2. A failure to meet minimum qualifications, including but not limited to, training requirements, firearms proficiency, volunteer services requirements, or adherence to written county and/or departmental directives, will also result in the loss of membership in the DKPD-RETRO program.

## **11. Annual Evaluations and Inspections**

- 11.1. The RETRO Coordinator/supervisor shall be responsible for an annual performance evaluation of all RETRO members. The annual performance evaluation shall review the admissibility requirements listed in this policy. Also, the reserve officer's evaluation shall be based upon:
- 11.1.1. Compliance with county and departmental rules and regulations, especially those pertaining to part time job eligibility,
  - 11.1.2. Personal/professional appearance and actions,
  - 11.1.3. The RETRO member's ability to meet the physical and mental requirements necessary to perform the duties of a law enforcement officer.
  - 11.1.4. POST-required training and
  - 11.1.5. Any complaints to IA that are sustained.
- 11.2. The annual evaluation shall be documented on the appropriate DKPD Retired Reserve Officer Annual Evaluation Form.
- 11.2.1. Should the RETRO member be rated as "below standards" or "exceeds standards," the reviewer is required to provide written comment on the RETRO evaluation justifying the ratings in the comments sections or attach the comments.
  - 11.2.2. The evaluation shall be signed by the RETRO Coordinator/supervisor and forwarded up to the Support Services Commander (or Assistant Commander) for final approval.
- 11.3. The RETRO member shall be given the opportunity to make written comments that supplement the written review and shall be given the opportunity to sign the completed review.
- 11.3.1. A copy of the completed evaluation shall be made available to the RETRO member.
  - 11.3.2. The RETRO member shall be afforded an appeal to the SSD commander on contested reviews and such request shall be made in writing immediately following the service of the evaluation to the RETRO member.
- 11.4. RETRO coordinator/supervisor will retain all RETRO members' annual reviews for a period of 36 months and retain such records for 36 months after the RETRO member's separation from the program.
- 11.5. The RETRO program chain of command will include a review of the RETRO program and the performance of the RETRO coordinator regarding the quality of the program and the ratings given to RETRO members.
- 11.6. Inspections
- 11.6.1. Inspections comparable to the Tri-annual inspections will be conducted by the RETRO coordinator/supervisor at the time of the annual meeting of all RETRO members.

## **12. Separation from RETRO Program**

- 12.1 Any member of the RETRO program may resign at any time with a written notice to the RETRO coordinator/supervisor and the SSD chain of command.

## **13. Secondary Employment**

- 13.1. Retired police reserve officers shall be approved to work extra jobs in accordance with DKPD Employee manual section 4-7 with the following additions:
- 13.2. The Chief of Police reserves the right to restrict the type and number of approved extra jobs that any and all RETRO members work.
  - 13.3. All RETRO members are prohibited from working any Apartment Security as a form of Secondary Employment (extra job).
  - 13.4. Any extra job requests approved prior to retirement or separation must be resubmitted and approved through the RETRO coordinator/supervisor when the RETRO member is accepted in to the program.
  - 13.5. All RETRO members must renew their extra job requests yearly through the coordinator on the last month of the RETRO calendar year.
  - 13.6. Retired police reserve officers must submit an extra job request to the DKPD-RETRO coordinator/supervisor on the appropriate secondary employment approval job form.
  - 13.7. The form will include all pertinent information and the RETRO member will ensure that the form denotes their status as a RETRO member. The area of the form designated for rank will notate "RETRO".

- 13.8. The RETRO coordinator/supervisor shall forward all Secondary Employment requests up the chain of command and ultimately to Internal Affairs to be recorded as per Departmental procedure.
  - 13.9. All extra job requests must be approved by the RETRO coordinator/supervisor and their chain of command, as per the policy, prior to the officer working the job.
  - 13.10. Retired police reserve officers must comply with all police department written directives governing sworn employees at the time he or she requests permission to work an extra job and while working the requested extra job.
  - 13.11. A retired police reserve officer is prohibited from assuming a roll as coordinator of any approved extra job but, is permitted to be a “point of contact.”
  - 13.12. Any retired reserve police officer acting in the roll of “point of contact” shall indicate this information on the approved extra job form.
  - 13.13. Retired police reserve officers must submit, and renew annually, a secondary employment request for any and all non-law enforcement-related jobs without exception even if the job does not represent them as DeKalb County police officer.
- 14. Other Employment**
- 14.1 No prior Officer of the DeKalb County Police Department will be accepted to, or be eligible to remain in any status as a DKPD-RETRO if employed with any other law enforcement agency.
  - 14.2 RETRO officers that are employed in anyway with DeKalb County resulting in pay (outside of a pension payment) must change to an “inactive” status as a RETRO officer and will submit in writing their desire/need to be placed on an inactive status to the RETRO Coordinator/supervisor.
  - 14.3 Should this employment be in a sworn law enforcement position (i.e. Background Investigator, Training Instructor, etc.) then all issued equipment will be permitted to stay with the RETRO member. All other necessary equipment for the position shall be issued as applicable from the appropriate entities.
  - 14.4 In addition, all training, inspections, etc. will be the responsibility of the Unit Commander for the section the employee is placed based on current DeKalb County Policy. A new Oath of Office will be completed by the section commander of assignment and all pertinent information about the change in status will be sent to Internal Affairs.
  - 14.5 Upon separation from paid employment with the County as outlined in this section, the RETRO member will, in writing, request a change in status to “active”. All volunteer hours during “inactive” status will not have to be made up; however, upon status change to active, the member will be required to adhere the established RETRO policy. The member will also have to sign a new Oath of Office as a RETRO active member.
- 15. Retired Reserve Officer Rank**
- 15.1 A retired reserve officer shall retain the highest rank he or she held at the time they retired or separated from the Police Department and only this rank will be displayed on the RETRO member’s uniform. (This rank does not give the officer authority over any officers on full duty or those in the RETRO program unless designated by the Chief of Police)
- 16. Communications and Radio Numbers**
- 16.1. Retired reserve officers shall use the word “Unit” before their retired badge number or badge number before separation or other assigned 4 digit ID number followed by “X” (Example: Unit 1248 X) when transmitting over the radio in the performance of their duties on part time jobs or while performing their volunteer service hours.
  - 16.2. The RETRO coordinator/supervisor in conjunction with Communications will be responsible for implementing a procedure to ensure reserve police officers have access to portable radios when working part time jobs and performing volunteer service.
  - 16.3. If available, RETRO members will have a radio assigned to them as a part of their issued equipment just as full time officers do.
- 17. Uniforms and Equipment**
- 17.1. RETRO officers will be issued the same equipment that full time sworn officers who perform like functions receive with the exception of that equipment deemed to be purchased by the officer.
  - 17.2. Firearms, ECD (Taser), and weapon lighting system are to be purchased by the officer.

- 17.2.1. RETRO members must purchase their own police sidearm and will only be approved to carry an approved caliber sidearm with which they have qualified as per the DeKalb Police Department policy and in accordance with POST policy and state laws.
- 17.2.2. RETRO members will have to purchase their own ballistic vest or they may retain the ballistic vest they retired or separated with, providing they are not out of warranty.
- 17.2.3. Once the ballistic vest he/she retained after retirement or separation falls out of warranty, he/she will be responsible for purchasing his/her own ballistic vest and returning the out of warranty ballistic vest to the Supply Unit.
- 17.2.4. RETRO members are not required to carry the department-approved ECD (Taser) as stated in the DeKalb Policy (4-6.4 F), however, they may do so if they purchase the approved ECD through the Department and qualify with it, as per policy, during in-service training.
- 17.2.4.1. Purchasing procedures of an ECD are dictated by Axon (formerly Taser) and as well as other regulations which will require any ECD purchase to be coordinated through the RETRO coordinator/supervisor but the ECD will be the property of the RETRO member.
- 17.2.5. An ECD can be issued to any RETRO member who has qualified with the device while on special assignments, as deemed necessary by the Chief of Police.
- 17.3. Uniforms and other equipment
- 17.3.1. All DKPD-RETRO duty uniforms and equipment, except for the approved sidearm, ECD and bullet-proof vest (or other as dictated with future equipment changes), will be issued through Supply.
- 17.3.1.1. The retired or separated officer may keep the equipment they were issued before retirement or separation with the exception of those listed in this section as having to be purchased by the officer.
- 17.3.1.2. RETRO members returning to the program with no equipment will be issued the minimum uniforms needed to perform their duties and all appropriate equipment needed as dictated by policy.
- 17.3.2. RETRO uniforms shall be identical to the uniform of the active duty police officer, except for the colored epaulette loop insignia and rank insignia as determined by the Chief of Police.
- 17.3.2.1. RETRO members will wear all RETRO designators on all uniforms and jackets, as required, to identify themselves as RETRO members, both while performing their volunteer hours and while on extra jobs.
- 17.3.2.2. Rank will be displayed as per policy and only up to the rank the officer held prior to retirement or separation.
- 17.3.3. All RETRO members shall wear the DKPD uniform in conformance with written directives established by the Police Department.
- 17.4. RETRO members must carry the department-issued identification card, which identifies them as DKPD-RETRO members, while wearing the DKPD uniform. (Section 3-6.5)
- 17.4.1. Upon separation from the DKPD-RETRO program, the reserve officer must return Department-issued property in accordance with policy as those who leave permanent employment.
- 17.4.2. The DKPD-RETRO coordinator shall monitor this process to ensure compliance.
- 17.4.3. Uniforms and equipment will be inspected by the RETRO coordinator/supervisor on an annual basis to ensure that all officers meet departmental standards of safety and grooming/image standards.

## **18. Utilization or Deployment of DKPD-RETRO Members**

- 18.1. Special events handled by any Division or Precinct shall be given first priority regarding the use of reserve police officers. The Special Events commander shall plan and coordinate, the hours and duties of the Retired Police Reserve officers during these special events.
- 18.2. Any commander with a special event planned in his or her area of responsibility may request the assistance of the Retired Reserve officers.
- 18.2.1. A written request for assistance must be made through the chain of command to the DKPD-RETRO coordinator/supervisor 30 days prior to the special event.
- 18.2.2. The written request must state: the number of officers needed; the numbers of hours for which officers are needed; the dates, times and reporting locations for work; a description of applicable duties; and the person to contact.
- 18.3. Any sworn or civilian supervisors, regardless of rank, can request the assistance of retired reserve officers to support any operational mission of the police department. The written request must be sent through the chain of command to the DKPD-RETRO coordinator/supervisor.
- 18.3.1. The written request must state: the number of officers needed, the numbers of hours officers are needed, the dates, times and reporting locations for work, a description of applicable duties, and the person to contact.

**19. Specialized skills**

- 19.1. Members of the DKPD-RETRO possess a wealth of specialized skills, knowledge, abilities, training, and education. The Retired Police Reserve officers, the DKPD-RETRO coordinator/supervisor, and all active duty commanders should utilize those special individual talents to support the police department's missions and enhance the level of police services.
- 19.1.1. The DKPD-RETRO coordinator/supervisor shall poll the member upon application to the RETRO program regarding their special individual talents and notate this in the RETRO database as applicable.
- 19.1.2. It is the responsibility of the Retired Police Reserve officers to inform and update the DKPD-RETRO coordinator/supervisor of any special individual talents they possess in order to maximize their work experience and their voluntary service in the RETRO.

**20. Definitions**

- 20.1.1. DKPD-RETRO Calendar Year: The DeKalb County Police Department Retired Police Reserve calendar year begins on January 1st and ends on December 31st.
- 20.1.2. DKPD-RETRO Coordinator: An active DKPD police officer and/or a DKPD Retired Reserve Officer that is assigned to serve as a liaison between the Department coordinator and the RETRO members.
- 20.1.3. In general, the sworn coordinator's role involves scheduling volunteer hours, training scheduling, timekeeping, and part time job approval as the first line in the chain of command (DKPD 4-7.1).
- 20.1.4. The coordinator may act as a supervisor only if the coordinator is an active duty supervisor of the rank of sergeant or above.
- 20.1.5. A RETRO member may be appointed by the Chief of Police to act in a supervisory role as a RETRO coordinator assisting the sworn coordinator for the program and/or during emergencies or specials as dictated by the Chief of Police.
- 20.1.6. Off duty/Part time Job Employment: Any employment of a Police Department employee or retired reserve officer for which compensation is provided by a person, business, organization, or commercial entity other than the Police Department. (DKPD Manual 4-6.15 and 4-7.1)
- 20.1.7. Point of Contact: All RETRO member serving their volunteer hours at a post, during specials and on any approved part time jobs (not sanctioned as a part of required volunteer hours) will have a designated POC as named by the RETRO Coordinator /supervisor or the Chief of Police.
- 20.1.8. Vested Police Officer: Any employee who was hired before September 1, 2005 and serves as a paid employee for a full 3 years or was hired on or after September 1, 2005 and serves, as a paid employee for a full 7 years of service is eligible for a pension and is considered vested. This is defined by DeKalb County Finance as the terms of eligibility for pension benefits.
- 20.1.9. Retired or Separated Police Officer: Any DeKalb County police officer who retires on a DeKalb County employee police pension or who resigned in good standing and was vested as defined by DeKalb County Finance and who is certified as a "peace officer" by the Peace Officers Standards and Training (POST) Council of Georgia.
- 20.1.10. DKPD Retired Reserve Officer: Any DeKalb County police officer who retires on a DeKalb County employee police pension or who resigned in good standing and was vested as defined by DeKalb County Finance and who is certified as a "peace officer" by the Peace Officers Standards and Training (POST) Council of Georgia and has met the requirements of and is accepted as a current member of the DeKalb County Retired Police Reserve.
- 20.1.11. Supervisor and RETRO Supervisor: A sworn active duty supervisor of the rank of sergeant and above who can supervise active duty police officers below their rank and all retired police reserve officers regardless of rank.
- 20.1.12. A RETRO supervisor of the rank of sergeant and above, as may be designated by the Chief of Police, can supervise RETRO members regardless of their rank while on special assignments as designated by the Chief of Police. A RETRO-appointed supervisor can ONLY supervise other retired reserve officers regardless of rank. A sworn supervisor shall act to insure compliance with all Departmental written directives.
- 20.1.13. RETRO On-duty status: A RETRO member is considered to be in "On-duty status" when they are serving their reserve hours as required by policy or when working a department-approved part time job. (DKPD Manual 4-7.1). Part time job hours are not used to satisfy the requirements of volunteer duty hours.
- 20.1.14. Resignation or separation in good standing: An officer who resigned from the Police Department of their own volition and not as a result of an investigation or disciplinary issue which would result in a recommendation of no rehire.

## CHAPLAINS

### 21 CHAPLAINS – MISSION

The goal of the DeKalb County Police Department Chaplain Program is to provide an effective service and counseling to the county of DeKalb and all personnel. It is the goal to establish ongoing communication with each officer and assist them in gaining a better understanding of every aspect of their lives, their work environment, personal relationships and religious faith, knowing that none of these areas are truly separate from the other. Through this gesture, we hope to guide officers through any traumatic event(s) experienced, the possible temptation of engaging in illegal or immoral conduct and many other important issues that today's law enforcement officer faces in their quest to protect and serve.

For person(s) without law enforcement credentials (any citizen of DeKalb County), we hope to offer similar services, i.e. provide words of wisdom, courage and strength, at times of crisis.

### 22 THE CHAPLAIN'S CORE VALUES

1. The intention of the Chaplaincy Program is to provide support and spiritual guidance until the individual's own clergy can be contacted.
2. In instances where an individual does not have any spiritual advisor, the Chaplains may play a supportive role and will be available to assist the individual in crisis. In respecting the individual's personal beliefs, the Chaplains will not stress their convictions upon a person in the midst of turmoil or anguish.
3. A police Chaplain's involvement in any situation must be initiated in the form of a verbal or written request from a member of the DeKalb County Police Department.
4. The Chaplains are not law enforcement officers and shall possess no law enforcement authority other than that of any private citizen.

### 23 SCOPE OF SERVICE

The DeKalb County Police Chaplains will be available to assist law enforcement officers in times of illness, injury, sorrow, tension or other difficulties.

The "on duty" Chaplain may be called upon to assist police officers and citizens in a variety of situations, which may include, but not be limited to:

- The serving of death notices (with spiritual guidance).
- In cases of accidents involving serious injury, providing comfort to the injured and to their families.
- Providing guidance to persons embroiled in emotional conflict.
- Providing care, concern and support for victims of potential or attempted suicide and their families.
- Providing direction during family disturbances; the Chaplains may make appointments or referrals for counseling, according to the need(s) of those involved.
- Providing moral and/or ethical direction to those in need.
- Providing guidance to families with problems of substance abuse.
- Providing counseling to individuals incarcerated and to their families.
- Assisting police officers and DeKalb County residents in any other function of the ministerial profession as requested.

### 24 POLICIES AND PROCEDURES

#### A. ATTIRE AND APPEARANCE

As every Chaplain has contact with police officers as well as citizens in the community through meetings and other functions, it is important that the chaplain present a neutral impression of DeKalb County. One's personal appearance will influence these impressions and, as such, must reflect high standards of hygiene and neatness. Clothing should be neat and appropriate for the environment supported and the people served.

At all DeKalb County facilities and functions, the following "business casual" dress code will apply to Chaplains:

Appropriate Attire for Women:

- Slacks must be full length
- Skirts must be an appropriate length
- Dresses must be an appropriate length and style
- Suits can be pants or skirt

- Blouse/shirt/sweater must have sleeves
- Hosiery must be worn at all time

Appropriate Attire for Men:

- Slacks
- Jacket or sweater
- Shirt must have a collar (banded collar is acceptable)
- A tie is optional but preferred
- Socks must be worn at all times

Inappropriate Attire includes:

- Sleeveless shirts, blouses, dresses
- Open toed footwear (sandals)
- Athletic shoes or docksiders
- Denim, including dresses and shirts
- Shorts

Hair must be neatly groomed and hairstyles must not be viewed as contrary to the desired image of a DeKalb County Police Chaplain.

**B. ON DUTY/ON CALL COVERAGE**

Each Chaplain is expected to maintain a minimum amount of twenty-four (24) contact hours per month with police officers. This requirement can be met with appearances at precinct roll calls, ride along and general attendance at the police precincts.

A crisis may occur at any time. Immediate response provides the best opportunity to successfully resolve the officer/family issue. The on-duty or on-call Chaplain will respond to any request for a Chaplain. Police personnel needing the services of a Chaplain will make contact with the on-duty or on-call Chaplain via assigned pager.

Pastoral response and appropriate pastoral care will be rendered. The on-duty or on-call chaplain will make rounds to the hospitals and precincts to inquire about any needs. The Chaplain will identify himself as the on-duty Chaplain.

**C. STAFF SUPPORT**

When a request is made during the normal work week, the request is directed to the head of the Chaplaincy Program, or his designee, who will then follow up in a timely manner.

During the evening, should a request arise, the on-duty Chaplain will be notified. The following will occur:

- The Chaplain will make contact with involved police personnel and provide immediate support as needed.
- If, because of other responsibilities, the on-duty Chaplain is unable to provide adequate support, the on-call Chaplain will contact the head of the Chaplaincy Program for assistance.

The Chaplain resolving any crisis while on an “on-call” status will notify the head of the Chaplaincy Program on the next working day.

**D. FOLLOW UP**

It is the policy of the Chaplaincy Program to provide follow up care to any police personnel involved in any crisis, in any capacity, on an as-needed basis. Following a crisis intervention event in which police or civilian personnel has returned to his work setting, the Chaplain may provide follow up contact for a limited period of time to help support the individual’s transition back into his work environment.

**E. CONFIDENTIALITY**

It is the policy of the Chaplain Program to ensure that confidentiality is maintained within the context of short term counseling, support groups, consultation and crisis intervention. This policy is impacted by the provision that information learned, which relates to behavior that may endanger another person, will be handled in a confidential but responsible manner.

This policy is necessary so that individuals will trust that their interactions with the Chaplain Program will be treated respectfully and without recrimination. When confidentiality cannot be maintained due to any concern for endangerment, boundaries will be established and maintained so that appropriate care can be given to all involved.

Any material or information that is shared outside the relationship in which this material or information is offered will be handled in such a way that the confidentiality and interests of the individual are protected. The Chaplains will hold all conversations, consultations and support group activities in the strictest of confidence.

If concerns of danger to an employee or others are raised stemming from the shared information between the individual and a Chaplain, it is the responsibility of the Chaplain involved to inform the individual that the information will be shared.

## **F. OFFICE PROCEDURES**

The Chaplain Program has established the following office procedures to assure the highest level of professionalism, quality and availability of support:

- Sign in: Each Chaplain is to sign in and out daily, giving general whereabouts throughout the day.
- Log book: All significant pastoral encounters, pages and telephone referrals are to be recorded into a log book.
- Monthly Activity Sheets: Each Chaplain will turn in a monthly activity sheet to the Chaplain Coordinator, who will report all Chaplain activity to the Chief of Staff.

## **25 QUALIFICATIONS AND REQUIREMENTS**

### **A. APPLICATION PROCESS**

The DeKalb County Chaplaincy Program is comprised of licensed or ordained clergy from a cross section of the religious community in DeKalb County. Before becoming a member of the DKPD Chaplaincy Program, each clergy who makes a written application is screened by the Board of Advisors, which is appointed by the Chief of Police.

All clergy must meet the following minimum requirements:

- High school diploma or G.E.D.
- Possess a valid Georgia driver's license
- Successfully complete a background check, including criminal and driving histories
- Three (3) years of ministerial service and letter of reference and good standing from current ecclesiastical body. (If less than three years at current location, letters from the two (2) previous positions.)
- Ordination license or equivalent documentation

Once an applicant meets the minimum requirements and is recommended by the Board of Advisors, the applicant must participate in an orientation and training process. This will include P.O.S.T. mandated training, ride along with an officer, role playing with local participating police agencies and familiarization of police procedures.

Following the successful completion of the orientation and training requirements, the clergy commissioned as DeKalb County Police Chaplains will be issued an identification card, identifying them as such.

As a Chaplain for the DeKalb County Police Department, members must conduct themselves in such a manner as to demonstrate the highest standards of professionalism so as to maintain the trust of Departmental personnel and the public. Chaplains will not report for duty while under the influence of alcohol or drugs, or with impaired judgment due to illness or injury. No Chaplain shall consume alcohol or drugs likely to cause impairment while on duty, or take any substance which may adversely affect physical or mental capabilities.

The Chief of Police has the right to dismiss any Chaplain for such reasons as failure to complete required training, poor performance, poor attendance, and unwillingness to accept direction, violation of policies or procedures, disruptive behavior, sexual harassment, abusive and inflammatory language or other reasons deemed pertinent.

### **B. COMPLAINT AND DISCIPLINARY PROCEDURES**

Any complaint of improper behavior by a Chaplain received by the Department will be investigated. The investigation will be conducted by the Chaplain Coordinator, unless the allegation warrants investigation by the Internal Affairs Unit as per Departmental policy.

Any policy violation will be documented in memorandum form. Disciplinary action may result in a recommendation of verbal counseling, written counseling, suspension from duty or dismissal from the program. A Chaplain may be removed from the program at the discretion of the Chief of Police. Dismissal from the program shall not be subject to due process considerations.

### **C. RECORDS**

The Chaplain Coordinator will maintain records pertaining to the Chaplains, to include:

- Training records
- Work schedule history
- Commendations
- Complaints

## **Volunteers In Policing Program**

### **26 VIP - VOLUNTEERS IN POLICING - PURPOSE AND SCOPE**

The Volunteers In Policing (VIP) program is a volunteer program that incorporates and utilizes DeKalb County citizens and/or business owners in assisting with administrative duties of the police department. The program is a valuable resource that promotes the Department in increasing community involvement and educating community members about policing.

### **27 ORGANIZATION**

The VIP program will be under the supervision of the VIP coordinator under the umbrella of the Support Services Division. Each Unit will coordinate the activities of their assigned VIP members.

The Chief of Police is the final authority over all matters of policy and procedure, operations and administration, and retains the right to amend, suspend, change, delete or add to the provisions of this program.

### **28 QUALIFICATIONS AND REQUIREMENTS**

All VIP applicants must meet the following minimum qualifications and requirements:

- At least 21 years of age
- Be a DeKalb County resident or business owner
- Successfully complete a background check
- Have had no moving violations in the past two (2) years
- No prior felony convictions
- No misdemeanor convictions in the past five (5) years
- No DUI convictions in the past ten (10) years
- Successfully complete training appropriate to their assignment
- Must volunteer a minimum of 12 hours per year

If the background check establishes that the applicant has a significant history or prior unlawful or immoral conduct, the applicant will not be selected. If this information comes to light after selection, the volunteer will be subject to removal from the program.

### **29 RECRUITMENT**

All Department personnel are encouraged to actively participate in the recruitment of qualified volunteers. Public Education Specialists will promote the opportunity through the Neighborhood Watch program. Recruiting will be consistent with the Department's policy on equal opportunity nondiscriminatory employment.

Each precinct will have applications available to the public. Any application received must be forwarded in a timely manner to the VIP Coordinator. No application will be rejected because of an omission or error that can be corrected.

The VIP Coordinator will be responsible for:

- Reviewing applications
- Reviewing the results of the background check
- Ensuring that the acceptance or rejection of an applicant is based on factual information
- Notifying applicant of acceptance or rejection

### **30 TRAINING**

All VIP personnel will receive training appropriate to their assigned duties by the unit that they are assigned to.

### **31 AUTHORITY**

A VIP is a non-sworn position intended to support the mission of the police department. A VIP is not involved in day-to-day delivery of law enforcement services, and their level of training does not warrant sworn status. A VIP has no legal authority to stop, detain, question or hinder any person from moving about freely. VIP members will not carry any type of physical restraint device.

The carrying of weapons, even if properly licensed, is forbidden. A VIP will not carry any type of weapon, including but not limited to firearms, pepper spray or mace, and knife or baton, while working as a VIP.

Each VIP will be issued a Departmental identification card and will display this identification while on duty. Identification will also be displayed at all times while a VIP is in a Department facility. At no time will a VIP display their identification card to secure special privileges or personal gain. Departmental identification will not be used for general identification such as check cashing or to gain favorable treatment or gratuities.

VIP members shall not represent themselves as law enforcement officers, or display any badge or emblem to designate themselves as such.

### **32 CONFIDENTIALITY**

VIP members may on occasion have access to confidential information such as investigative or suspect information. Unless otherwise directed by a supervisor, all police information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need to know as determined by department policy and supervisory personnel. Subsequent disclosure of any confidential information, verbally, in writing, or by any other means shall be grounds for immediate dismissal and possible criminal prosecution.

VIP members should not address public gatherings, appear on radio or television, prepare any article for publication in a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without expressed permission from the VIP Coordinator.

### **33 CONDUCT**

As a volunteer for the DeKalb County Police Department, VIP members must conduct themselves in such a manner as to demonstrate the highest standards of professionalism so as to maintain the public trust. VIP members shall be polite and courteous at all times.

No VIP member will report for duty while under the influence of alcohol or drugs, or with impaired judgment due to illness or injury. No VIP member shall consume alcohol or drugs likely to cause impairment while on duty, or take any substance which may adversely affect physical or mental capabilities.

VIP members must report to the VIP Coordinator any change in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

- Medical condition
- Arrests or convictions for any crime
- Involvement in any criminal investigation

The Chief of Police has the right to dismiss any volunteer for such reasons as poor performance, poor attendance, unwillingness to accept direction, violation of policies or procedures, disruptive behavior, sexual harassment, abusive and inflammatory language, or other reasons deemed pertinent.

### **34 DUTIES AND RESPONSIBILITIES**

VIP members duties will be to assist in administrative needs and wants of the department.

VIP members will be given preference over which unit they would like to assist. Each member must complete a minimum of 12 hours volunteer work per year.

The VIP Coordinator will be responsible for maintaining the VIP volunteer hours. VIP members will provide their hours of volunteer time to the VIP Coordinator on the appropriate form through their unit Public Education Specialist.

The VIP Coordinator will provide the VIP member with the contact name and phone number for their assigned unit, along with any other pertinent information.

VIP members will immediately report to the VIP Coordinator any injury sustained while on-duty. The Unit Commander will document the injury in a memorandum and forward the memorandum to the VIP Coordinator. This documentation is in no way an admission of liability or responsibility on the part of DeKalb County.

### **35 PROPERTY AND EQUIPMENT**

Each VIP member will be issued a Departmental identification card that shall be used for official use only and shall remain as the property of the Department which will be returned upon separation from the program.

### **36 DRESS CODE**

VIP members are expected to present a neat, clean and orderly appearance. Inappropriate clothing includes but is not limited to excessively tight, revealing or disheveled clothing, and clothing with obscene, offensive or political language or graphics.

### **37 COMPLAINT AND DISCIPLINARY PROCEDURES**

Any complaint of improper behavior by a VIP member received by the Department will be investigated. The investigation will be conducted by the VIP Coordinator, unless the allegation warrants investigation by the Internal Affairs Unit as per Departmental policy.

Any policy violation will be documented in memorandum form and investigated by the VIP Coordinator. Disciplinary action may result in a recommendation of verbal counseling, written counseling, suspension from duty or dismissal from the program. A VIP member may be removed from the program at the discretion of the Chief of Police. Dismissal of volunteers shall not be subject to due process considerations.

### **38 RECORDS**

The VIP Coordinator will maintain records pertaining to the application and acceptance or rejection for the program. The Background and Recruiting Unit will be responsible for maintaining all records pertaining to the background check.

The VIP Coordinator will be responsible for maintaining a file on each VIP member. This file will include, but is not limited to:

- Volunteer schedule history
- Commendations
- Complaints

## **VICTIM/WITNESS ASSISTANCE PROGRAM**

### **4-11 PURPOSE**

The purpose of this section is to establish a policy coordinating the Victim/Witness Assistance Program with County Prosecutors. The DeKalb County Offices of the District Attorney and Solicitor already have programs in place and operational; it is the responsibility of departmental personnel to act as liaisons between these offices and the department with victims and witnesses they come into contact with, and carry out those policies mandated by those offices.

### **4-11.1 RIGHTS OF VICTIMS AND WITNESSES**

The DeKalb County Police Department is committed to the development, implementation, and perpetuation of the Victim/Witness Assistance Program as mandated by the Offices of the DeKalb County District Attorney and Solicitor.

A victim or witness to a crime has certain rights that have been recognized by the Georgia House of Representatives and the Georgia Senate:

- Victims and witnesses have a right to protection from intimidation and harm.
- They have a right to be informed of the criminal justice process.
- They have a right to compensation when eligible.
- They have a right to due process in criminal proceedings.
- They have a right to professional and aggressive prosecution within the bounds of the law.
- They have a right to assistance with their employers concerning court appearances.

The program, administered by the appropriate prosecutor, (District Attorney for felonies, and Solicitor for misdemeanors) also attempts to provide:

- Referrals to social agencies in the community that provide emergency care, food, shelter, and clothing.
- Preparation and orientation for court appearances.
- Escorts and moral support in the courtrooms.
- Information regarding the status and disposition of their cases.
- Property return and assistance with restitution, if ordered.
- Assistance in applying for crime victim's compensation.
- Any other information or assistance needed as deemed appropriate.

During normal business hours, an officer may refer a victim or witness to the appropriate court office so that they may obtain any information they might need. Those numbers are:

DeKalb Solicitor 371-2201

DeKalb District Attorney 371-2561

After hours, the officer is to refer those individuals to the appropriate agency, if further assistance is needed. Those agency names, addresses, and phone numbers are available from the Communications Division. This is to assure 24-hour a day assistance when needed.

### **4-11.2 AUTHORITY AND RESPONSIBILITY FOR ADMINISTERING PROGRAM**

The Chief of Police has the responsibility and authority to designate a unit and individual to administer the police department's role in this program, and act as a liaison between the department and the Offices of the Solicitor and District Attorney. This position will be designated the Victim/Witness liaison officer.

### **4-11.3 POLICE DEPARTMENT'S ROLE IN VICTIM/WITNESS ASSISTANCE**

In regard to this program, the department will act in conjunction with the above prosecutors to ensure that all victims and witnesses receive professional handling consistent with their important role in the successful investigation and prosecution of a case.

## DEKALB COUNTY POLICE DEPARTMENT

The role of the department will be accomplished through the following objectives:

- A. Training all personnel as to the mission of the Victim/Witness Assistance Program as it pertains to law enforcement personnel.
- B. By treating all victims and witnesses professionally with compassion, fairness, and dignity.
- C. By providing an emergency response phone number (911 or the non-emergency number 294-2000) and then on initial contact by an officer, providing them with immediate information and assistance if necessary.
- D. By providing them with referrals to the appropriate prosecutors, or social service agencies.
- E. By providing them with transportation (usually done by the prosecutors or detectives) to necessary court appearances when needed.

### 4-11.4 PROCEDURES

#### A. PRELIMINARY INVESTIGATIONS

The primary responsibility for providing assistance to these individuals an officer may encounter will be the first responding officer at the scene. At that point of initial contact with the victim or witness to a crime, and after emergency assistance has been rendered, the responding officer shall also render the following services in addition to other normal investigative routines:

1. Give information to victim/witness about applicable rights and services (i.e. counseling, medical attention, compensation, victim advocacy, etc.) and the appropriate phone numbers.
2. Advise the victim/witness about what to do if threatened or intimidated.
3. Inform the victim/witness of the case number, and subsequent steps in processing the case.
4. Provide phone numbers and name of detective or unit (if known at that time) they can call for follow-up contact and information.

#### B. FOLLOW-UP INVESTIGATIONS

Pursuant to the policies of the Criminal Investigations Division, contact with victims/witnesses shall be attempted within 10 days, and then periodically whenever supervisory personnel feel the impact of the incident has been unusually severe. The purpose of these contacts is to determine if the needs are being met and if additional assistance is needed. These contacts can also be coordinated with the appropriate prosecutor's office if deemed necessary.

1. An investigating officer shall explain to the victim/witness the steps involved in the prosecution of their case, as well as their role in the process. Caution shall be exercised when dealing with them as not to endanger the successful prosecution of the case.
2. Scheduling line-ups, interviews, and other required appearances shall be conducted at the convenience of the victim/witness whenever possible. Factors to consider include the emotional, physical, and financial well being of the victim/witness. If needed, transportation should be provided.
3. Whenever possible, property taken from the victim/witness shall be returned as soon as feasible and as permitted by law pursuant to rules of evidence. Officers should consult with the appropriate prosecutor and the Georgia Revised Code.
4. Whenever there is a traumatic incident such as a sex crime, etc., which requires more than the average amount of assistance, they should be advised of services provided by victim/witness advocates, such as those listings available through Communications.
5. The DeKalb County Police Department Community Relations Unit may be utilized in situations where there is a need for a security survey. They may be reached at 294-2610. They can also set up Neighborhood watches and other programs when deemed necessary or requested by the victims/witnesses.
6. Whenever possible, the DeKalb District Attorney shall be made aware of any preliminary hearing, line-up, etc. on any rape or sex crimes suspect. This is so arrangements can be made to have a victim/witness advocate present. This notification is the responsibility of the investigating officer (generally a detective) assigned the case. This also applies for family members who may be significantly impacted by the process.
7. In cases of felony domestic violence, the Office of the District Attorney shall always be notified of preliminary hearings.
8. In cases of physical injury, photos are to be taken of the victim.
9. If a suspect is in violation of a temporary protective order, restraining order, or is making threats, etc. the officer or detective is to complete a report and forward a copy to the appropriate prosecutor's office.
10. If an officer cannot take immediate action (such as an arrest) on the scene or during follow-up investigation, they are to supply the victim with contact numbers for the appropriate referral agency (such as the Women's Resource Center, etc.) to the victim.

**4-11.5 SERVICES PROVIDED TO VICTIMS/WITNESSES**

Upon arrest, during post arrest processing, and while awaiting trial of a suspect:

**A. INFORMING VICTIMS AND WITNESSES**

Whenever a suspect in a crime is arrested, the victim/witness will be notified of the arrest, the criminal charges, arraignment date, the immediate custody status, (citation or lodged in jail) and bail/bond information. (when available)

**B. SCHEDULING AND HEARING NOTIFICATION**

Witnesses and victims should be notified of all required upcoming court appearances as soon as possible. (mail contact is permitted when phone or personal contact has been fruitless) Such notification should not be left solely to the courts, but should be made by police in addition to the other agencies.

**C. TRACKING CASE STATUS**

Whenever an officer becomes aware of any changes in the arrested person's custody status, (such as their release or transfer to another facility, etc.) the officer shall attempt to notify the victim or witness of those changes, and the current status and location of the offender, if known.

**D. CONSULTATION ON PLEA BARGAINS**

Officers can encourage the prosecutor to include victims/witnesses in plea bargaining situations whenever possible. In the event a plea bargain is made, the officer should attempt to explain the situation to those individuals.

**4-11.6 SERVICES PROVIDED DURING AND AFTER TRIAL****1. ORIENTATION TO THE CRIMINAL JUSTICE SYSTEM**

Officers shall be prepared to provide any information needed concerning the responsibilities of Victims/witnesses, as well as directions to any court appearances, etc. If dealing with a non-English speaking individual, attempts should be made to locate someone to interpret.

**2. ESCORTS/TRANSPORTATION**

When necessary, officers may be asked by prosecutors to provide escorts and/or transportation to court appearances when no other options are available.

**3. COMFORT TO VICTIMS/WITNESSES**

In cases where there is reason to suspect a witness or victim may fear reprisal, intimidation, etc. about testifying, it may be appropriate for the investigating officer to accompany that individual to the court proceeding and remain with them if deemed necessary by the courts. When possible, victims and witnesses may be segregated from the defendant. (with permission from the court)

**4. EMPLOYER INTERVENTION**

It may be appropriate for the investigating officer to contact the employer of a victim or witness in reference to absences, compensation, etc. when that person is required to miss work due to court appearances.

**5. DISPOSITION CONTACT**

When requested by the prosecutors, investigating officers will ensure that victims/witnesses have been notified of the disposition in their particular case, and expressing appreciation of their participation in the prosecution.

**4-11.7 THREATS TO VICTIMS/WITNESSES**

Any threats police are made aware of to victims or witnesses are to be documented in writing (via a police report) and forwarded to the Criminal Investigations Division for follow-up. Appropriate measures will then be taken, determined by the severity and nature of the threats, and resources available. If this occurs outside DeKalb County, the appropriate jurisdiction will be contacted, as well as the prosecuting office in DeKalb.

Protective measures may include but not be limited to; surveillance, escorts, detention and custody, extra patrol, or persuading the individual to take temporary residence at an alternate location until an arrest or proper court papers can be obtained.

Documentation of all reports of threats, harassment, etc. shall be covered at roll call for other officers to be made aware of.

The Solicitor or District Attorney shall be promptly notified of all threats, etc. received.

**4-11.8 LIAISON WITH OTHER AGENCIES**

The liaison officer will work in conjunction with the coordinators of these programs in the District Attorney's and Solicitor's Offices. In addition, this officer maintains contact with other agencies in the service area that are responsible for the delivery of these above mentioned referral services. The purpose of this is twofold:

1. Ensure that all referrals of victims/witnesses to outside sources are based on accurate, up-to-date knowledge of the services provided.
2. To maintain an ongoing channel of communication by which to offer and receive suggestions about how the police department and other entities can work together effectively.

The liaison officer will maintain confidentiality and security of files relating to participants in the program. (pursuant to applicable law) Also, the liaison officer will periodically coordinate with the prosecutor's offices any information disseminated to the public or the media about the department's role in the program.

**4-11.9 ASSISTANCE RENDERED TO FAMILIES OF OFFICERS**

In conjunction with the Personnel Services Section, the liaison officer will assist family members of officers injured or killed in the line of duty with:

1. Notifying the family of the incident.
2. Assisting the family at the hospital.
3. Supporting the family at the funeral, and coordinating matters with funeral directors if asked to do so.
4. Assisting the family with the filing of any insurance documents.
5. Assisting the family with any legal or financial matters.
6. Supporting the family during criminal proceedings, if any.
7. Maintaining contact with the family, and keeping informed of any needs they may have.

Many of these arrangements can be made in accordance with the wishes of the officer. All officers will submit paperwork to the Personnel Services Section regarding what arrangements they wish to be carried out in the event of any injury or death. This paperwork is to be maintained in their Personnel files, and updated annually at the time of their performance appraisal.

The Personnel Services Section will also coordinate with the medical facility any pertinent information in the event that emergency care is needed or rendered to an employee. This can be accessed via the employee's personnel medical file, and can be accomplished on a 24 hour a day basis if needed.

All of these procedures are to be carried out in a prompt, considerate and compassionate manner, and shall apply whether initiated by this agency or another. All officers who are involved in functions with victims or witnesses are to conduct themselves in a professional, compassionate manner.

In conjunction with the Offices of the Solicitor and District Attorney, an analysis on the effectiveness of this program will be conducted periodically, at least once every 2 years. This is to assess the effectiveness of the program, and identify any need for revision.

## **PERSONNEL MANAGEMENT SYSTEM (PMS)**

### **4-12 PERSONNEL MANAGEMENT SYSTEM CONCEPT**

All levels of the Department frequently need access to information on police personnel assigned to the Department. The Police Personnel Management System (PMS) allows for this information to be quickly retrieved by authorized personnel and for required personnel reports to be generated in an automated fashion. The concept of using a shared database allows all personnel to access department-wide information while requiring individual units to be responsible only for updating their own personnel's information.

#### **4-12.1 PERSONNEL MANAGEMENT SYSTEM STRUCTURE**

A personnel database which contains records of almost 2,000 personnel, most with photographs, is far too large to store on a precinct or unit computer. Splitting the information by units would make it cumbersome to generate reports on all Division personnel. The records of the PMS will therefore reside on computers in the Uniform Division Commander's Office. Each precinct or unit will have access to its personnel's records through the Department's computer network and will have full authority to change and edit the information as necessary to comply with the guidelines contained in this section.

#### **4-12.2 PMS SECURITY**

Any computer which has access to the Police Personnel Management System Database will be password protected, placed in a secure location and have unsupervised access restricted to the following individuals:

- A. Department, Section & Division Command Staff
- B. Precinct or Unit Commander
- C. Assistant Precinct Commanders
- D. Precinct Administrative Officer
- E. Precinct Secretary

Supervised access (by one of the above named individuals) will be given to:

- F. A supervisor preparing an evaluation or other personnel action on an employee.
- G. An employee who requests to view his or her own record.

#### **4-12.3 PMS DATABASE**

The opening screen on the system will show the legal requirements the operator must agree to in order to access the system. The operator must agree with the legal warning in order to access the information. After access is granted, the operator should choose the department in which they need to access (Police or Animal Control). After choosing the department the operator will have several choices of divisions to research from such as, Uniform Division, Special Services Division and Criminal Investigations. After making a selection, another screen will appear with specific data that needs to be entered such as name, badge number, precinct, etc... The information can be quickly accessed through drop down boxes located at the end of each information entry point. After entering the information, simply submit it to the database and the appropriate data will be shown on the screen. If information needs to be added to an employee file the operator will need to click on PMS input forms shown on the screen and enter the information. The information is then recorded in the databank. Items shown on any of the screens that are not in bold are not available and are for future expansion. Entry of information into the fields on the form must be correct to insure that data can be correctly searched and reported.

In addition, since these records will be used by supervisors preparing disciplinary reports or evaluations, it is important that records be current (i.e., disciplinary information over 3 years old is moved to archive storage) in order to prevent prejudicing a current recommendation or evaluation.

In general, any changes to an employee's record will be made by the end of the next business day after a change is received in the precinct or division office.

#### **4-12.4 SEARCHING FOR INFORMATION - EMPLOYEE WORK RECORD**

Every record can be searched for in a number of ways. Most searches will only produce one record, but some searches may find all records that match a certain search criteria. The employees name and badge number are the most common and easiest ways to search.

### **4-12.5 REPORTS**

#### **A. PRE-DEFINED REPORTS**

Most common reports required for precinct and division operations have been redefined and can be printed by entering control "P" or clicking the "Print" icon on the display screen.

#### **B. FREE FORM REPORTS**

Each precinct has a full, unrestricted copy of the search engine. Searches and reports can be generated on any information or groups of information contained in the database

### **4-12.6 CHANGES TO FORMAT OR STRUCTURE**

Since any database depends on its ability to find common information, the structure and procedures contained in this Section must be adhered to. Changes to the structure will be made only by the Uniform Division Commander's Office.

### **4-12.7 CORRECTION/ALTERATION AND SECURITY OF INFORMATION**

Much of the information contained in the database is confidential and any unauthorized release of the information is punishable under Sections 2-2.38 and 2-2.29 of this manual. Unauthorized release could also violate various State and Federal Laws.

Personnel entering or altering data in a record should use extreme care to insure the accuracy of the information. If there is any doubt about the information, it should be omitted until it can be verified by Internal Affairs, Personnel, or the Uniform Division Commander's Office.

Employees should be encouraged to periodically review the information in the file for accuracy and should annually be provided with a copy of the information for any possible correction.

Employees will have the option to request a change of any information they feel is incorrect. These requests should be in memo form and submitted through the chain-of-command to the Uniform Division Commander's Office.

## **COURT APPEARANCE PROCEDURES**

### **4-13 COURT APPEARANCE POLICY**

In order to establish guidelines for handling subpoenas and appearing in court, the following policy will be adopted.

#### **4-13.1 SUBPOENAS/NOTICE OF TRIAL**

##### **A. DEFINITIONS**

1. "Subpoena" - The ordinary process by which the attendance of a witness in court is compelled.
2. "Notice of Trial" - A process whereby a witness is notified that their presence may be needed in court on a certain day or during a certain period of time.

##### **B. SERVICE OF SUBPOENAS**

Every employee of this Department, because of the particular nature of their job, may be subject at any time to be subpoenaed in a criminal or civil case. Under O.C.G.A. § 24-10-23, a subpoena for a criminal or civil trial or deposition may be served by any sheriff, sheriff's deputy or any other person not less than 18 years of age. Subpoenas may also be served by registered or certified mail and the return receipt will constitute prima-facia proof of service. If a subpoena for a criminal or civil trial or deposition is to be served on an employee of this Department, only the employee named on the subpoena will accept its service. The section/division commanders, or their designees, may continue to accept service of only criminal subpoenas and notices of trial issued to departmental employees who will be witnesses for the State. At no time will an officer avoid being subpoenaed. Those serving subpoenas will be told when and where to serve the officer should the officer be off or on another shift.

##### **C. ADMINISTRATIVE SUBPOENAS**

Governmental administrative subpoenas or requests to appear and testify in an administrative hearing must first be approved by the employee's supervisor, if the employee is on-duty. If the employee is off-duty, the employee will advise, or cause to be advised, their supervisor, prior to the hearing, that they have been subpoenaed. They will also advise the circumstances surrounding their involvement in the matter to be heard.

##### **D. HONORING SUBPOENAS**

Employees of this Department will honor and obey all subpoenas served on them for any criminal/civil trial or deposition. Under O.C.G.A. § 24-10-25, any employee who does not comply with the subpoena may be subject to arrest for Contempt of Court, which is a criminal misdemeanor. They may also be subject to departmental action. (for clarification of adverse actions, see "E" below) Any employee, who for any reason, cannot appear at a scheduled criminal/civil/administrative hearing, will cause to be notified, as soon as possible, the attorney/individual who issued the subpoena.

##### **E. SANCTIONS FOR MISSING SCHEDULED COURT APPEARANCES**

Officers are reminded that as a vital link in the prosecutorial process, their testimony and timely attendance when called to Court is of utmost importance. This applies to all court appearance officers are called to. When officers and other Departmental personnel do not honor subpoenas or other orders to appear, it not only hinders the legal process, but brings those persons as well as the agency and profession into an unfavorable light. Personnel must also remember that failure to appear at scheduled court hearings, trials, etc. not only can be pursued as a disciplinary action for Court Appearances under Chapter 2 of this manual, but also under such violations as Prompt Performance of Duty, Insubordination, Neglect of Duty, Violation of Law, Conduct Unbecoming, Tardy/AWOL, etc.

#### **4-13.2 DRESS FOR COURT**

##### **A. UNIFORM EMPLOYEES**

Any employee of the Department who is presently assigned to a uniform position is strongly encouraged, but not required, to wear their uniform to any criminal/civil/administrative hearing where they are to testify in their official capacity as a member of the DeKalb County Police Department.

Uniform employees will not wear their uniform if they are subpoenaed to testify in a hearing concerning a matter that is not directly related to a crime or a civil/administrative hearing where the County is not a party or the matter before the court is not employment related. They will also not wear their uniform if they are subpoenaed to any hearing or they appear to testify in any hearing as a character witness for someone on trial for a crime, for a plaintiff in a civil suit against the County or any of its employees or for a County employee appealing a disciplinary action.

If uniform employees elect not to wear the uniform, they will conform to paragraph B, below.

##### **B. NON-UNIFORM EMPLOYEES**

Non-uniform employees or those uniform employees choosing not to wear the uniform will dress appropriately in attire that would be generally acceptable in the business community, this would be a suit, coat and tie for men; a dress or suit

## COURT APPEARANCE PROCEDURES

for women. Sports, casual, or distasteful clothing will not be worn, (i.e., jogging suits, jeans, sweat shirts, tennis shoes, etc.)

### 4-13.3 COMPENSATION

Because of the nature of the job, DeKalb Police employees may be subpoenaed and required to spend a considerable amount of time in criminal/civil/administrative courts or hearings. The following policy is set out as a guideline concerning compensation for court appearances.

#### A. ON-DUTY CRIMINAL HEARINGS

Any employee who is subpoenaed for a criminal hearing while they are on-duty will not receive any compensation in the form of a witness fee as they are considered working and being compensated for that work.

#### B. OFF-DUTY CRIMINAL HEARINGS

Any employee who is subpoenaed for a criminal hearing while they are off-duty and they are not exempt from overtime compensation (below the ranks of Police Lieutenants) will be required to complete the "Court Appearance" form in order to be considered for compensation for a court appearance. The employee must have the middle section of the form completed by the appropriate officer of the court regarding the total number of hours the employee actually spent in court and the total number of hours the employee was placed on-call by the court officer. Travel time to and from court, in DeKalb County, is not compensable. The employee will submit the form to his immediate supervisor. The supervisor will approve/disapprove the form and forward it to the section/division commander (or designee). If approved, the total amount of time requested will be coded as Code 21 on the Labor Allocation Report and will be counted toward the total amount of time worked that day. Employees eligible for this compensation **will not** be eligible to accept the standard witness fee provided by the State.

Employees subpoenaed to court to testify in work-related criminal cases during their off-duty time and who actually appear in court will receive no less than two (2) hours compensation for that time if the following conditions are met: 1) the employee leaves for court from home or some place other than their employment with the department and returns home from court or some place other than their employment with the department and 2) the court time is not immediately after or immediately before the time the employee is scheduled for regular duty. The Court Appearance form will be filled out by the employee reflecting the **actual** time spent in court; the approving supervisor, after verification of the court time, will, if the time is less than two hours, note on the form "2 hour minimum" and log two hours on the Labor Allocation Report. Any court time in excess of two hours will be reported and logged as it occurs.

Employees receiving a "Notice of Trial" will contact the District Attorney's Office or the Solicitor's Office at least two working days prior to the scheduled court date and make arrangements as to how they may be reached if needed in court. Further, the employee will obtain the name of the official they left word with in order to verify that contact was made. Employees will be entitled to compensation for time placed on-call by an officer of the court if the employee's freedom to do what they please while off-duty is **unreasonably** restricted.

The Solicitor's Office and the District Attorney's Office have been advised of the fact that on-call time is compensable and will make an effort to restrict this time to a minimum. If any employee receives a "Notice for Trial", their freedom to do what they please is not "unreasonably restricted".

An employee who is not required to remain on the Department or court's premises and is free to engage in their own pursuits, subject only to the understanding that the employee leave word at their home or with the Court where they can be reached by the Court, is not considered "on-call" for compensation. Non-uniform personnel may be required to come in and work when they are "on-call" for court for the sole purpose of in-house work such as writing court supplemental reports or any other type of paperwork.

Employees exempt from overtime compensation (Police Lieutenants and above) are also exempt from off-duty court compensation. However, these employees will be eligible for the standard witness fee by completing the back of the subpoena and presenting it to the Clerk of the Court.

Off-duty court appearance time must be documented as it is earned; therefore, it is imperative that the employee submit the completed form to a supervisor immediately after the court appearance, and it will be the responsibility of the employee to ensure the amount of time requested is accurate before signing the Labor Allocation Report.

#### C. ON-DUTY CIVIL HEARINGS

If any employee is subpoenaed to a civil trial or deposition while "on-duty", they will not receive, for their own, any compensation in the form of a witness fee. If the employee is compensated while on-duty, the money will either be returned to the sender or forwarded to the Fiscal Management Unit of the DeKalb County Police Department. Employees who are "off-duty" are entitled to keep any witness fee paid. If an employee is subpoenaed to a civil trial or deposition while on-duty, the employee's section/division commander or designee will determine whether that employee will honor the subpoena on County time or whether the employee must take accrued leave time. Factors to consider may include,

but are not limited to, whether or not the civil action is a result of the individual's employment or the Department has a special interest in the action.

**D. OFF-DUTY CIVIL HEARINGS**

In reference to compensation for employees, other than sworn police officers, who are subpoenaed to civil hearings and depositions, O.C.G.A. § 24-10-21 states that the witness fee will be \$20.00 per diem (per day) plus mileage of \$.20 per mile for traveling expenses. For sworn police officers that are subpoenaed to civil hearings and depositions, O.C.G.A. § 24-10-27 sets the witness fee at the rate of \$20.00 per diem or that amount paid to grand jurors whichever is greater. DeKalb County grand jurors are paid \$25.00 per diem; therefore, the minimum amount prescribed by law for police officers who testify in a DeKalb County court would be \$25.00 per diem plus mileage of \$.20 per mile for traveling expenses. Employees must understand that this amount is prescribed by law and is the amount attorneys are obligated to pay. In certain situations employees may be paid more than the amount specified in O.C.G.A. § 24-10-24 and § 24-10-27; however, the amount to be paid is strictly between the employee and the attorney. If an employee is subpoenaed to a location outside the county of their residence, then the witness fee plus mileage is to be sent with the subpoena. If the employee is subpoenaed to a location within the same county as their residence, the witness fee may be paid at any time.

**E. ON-DUTY ADMINISTRATIVE HEARINGS**

See paragraph C of this section, "On-Duty Civil Hearings".

**F. OFF-DUTY ADMINISTRATIVE HEARINGS**

Employees of this Department will not be compensated by the County for attendance at an administrative hearing, while off-duty, unless ordered to appear by a superior officer employed by the Department. (off-duty employees ordered to appear will be governed by the two hour minimum cited in paragraph B, above.)

**G. CIVIL/ADMINISTRATIVE ACTION WHERE THE COUNTY IS A PARTY**

In any civil or administrative action where DeKalb County or any of its employees are a named party to a suit or action, every employee of this Department, directly or indirectly connected to the suit or action, will make themselves available to the County Attorney or any other attorney or County employee representing the County or any investigating Department employee. In these situations, the employee will be reimbursed as time worked if the time required for the hearing or deposition is during their off-duty time (the two-hour minimum in paragraph B will apply).

**4-13.4 REPRESENTATION OF EMPLOYEES INVOLVED IN WORK-RELATED CIVIL LAWSUITS**

Due to recent changes with regard to the County's liability, DeKalb County has now become self-insured in a majority of areas concerning employee liability. For any Police Services employees to be represented by DeKalb County in a civil action filed against them for conduct arising out of employment with the County, the employee must formally request the County to represent them in the civil action. Therefore, whenever any employee of this Department is served civil papers where they are named as a defendant in a lawsuit (including any employee named solely because of their position within the DeKalb County Police Department structure) the employee should sign, BUT NOT DATE, the Acknowledgment of Receipt and Summons and Complaint and immediately take all documents to the Chief's Office where they will complete a "Request for Legal Representation Form".

Any employee who is involved in any civil litigation regarding their employment with this Department will furnish to the Chief's Office a copy of all papers, documents, responses to and from the County's attorneys, plaintiff's attorneys, or anyone else involved in the litigation. It is important that the Chief's Office have on file copies of all correspondence involving the litigation in case this information is requested and the employee cannot be located to produce such requested items.

Also, it is imperative that the Chief's Office be kept current and updated on any correspondence, transactions, etc., pertaining to the lawsuit.

Any employee who does not desire to have the County represent them, or who does not follow all instructions, procedures, or orders given by the County Attorney, or Attorney/County employee representing the employee's interest, or who does not follow this policy, will obtain their own representation at their own expense. (Further information regarding defenses and indemnification of County employees can be located in Division 3, Chapter 2 of the DeKalb County Code.)

## UNIFORM DIVISION

### 4-14 PURPOSE AND SCOPE

The Uniform Division is the largest operational component of the Police Department. It provides all police patrol and related functions to the unincorporated area of DeKalb County.

This policy establishes the objectives, defines the functions and sets procedures for the operation of the Division.

### 4-14.1 FUNCTIONS

The major functional responsibilities of the Uniform Division include, but are not limited to:

- A. Response to calls for service.
- B. Directed patrol oriented toward prevention and detection of specific crime problems, which are not readily effected by preventive patrol techniques.
- C. Preventive patrol (including inquiry and inspectional activity) oriented toward prevention of crimes and accidents, and the discovery of hazards or delinquency-causing situations.
- D. Crime prevention activities, to include Community Oriented Policing.
- E. Investigation of crimes, offenses, incidents and conditions, including arresting offenders.
- F. Regulation, direction and control of vehicular and pedestrian traffic.
- G. Regulation of certain businesses or activities as required by law.
- H. Maintenance of public order.
- I. Provision or coordination of emergency services.
- J. Development of good relationships between citizens and the Department.
- K. Reporting of information to appropriate organizational components.

### 4-14.2 ORGANIZATION

The Uniform Division is comprised of four police precincts, including Property Crimes, each of which has primary responsibility for police services in the geographical area of the County in which it is located.

North-Central Precinct  
1960 W. Exchange Place  
Tucker, Ga. 30084

The North-Central Precinct will consist of the area south of Interstate 85 from the City of Atlanta on the I-85 Access northbound to Mercer University Campus (Flowers Rd. South) east to Evans Rd. Interstate 285 will border the east area from Henderson Mill Rd. south to Stone Mountain Freeway and continuing south on the city of Clarkston border to S. Indian Creek Dr. to N. Indian Creek Dr. south to Covington Highway to Glenwood Rd. The south end of Center Precinct will be bordered by Glenwood Rd. west to Columbia Drive north to Memorial Drive and east on Memorial Drive to the city of Atlanta. The south end will continue on Midway Rd. north to S. Columbia Dr. all the way to the city of Decatur. The southwest area will border will be the city of Decatur and the city of Atlanta all the way to Briarcliff Rd. and all areas west of Briarcliff Rd. to the county line.

The Center Precinct will handle all calls on I-285 north and southbound from Stone Mountain Freeway to Glenwood Rd. Including the northbound exit ramp to Hwy 78 East and both southbound ramps from I-285.

Tucker Precinct  
4451 Lawrenceville Highway  
Tucker, Ga. 30084

The Tucker Precinct will consist of the area south of Interstate 85 from Chamblee-Tucker Rd. to the Gwinnett County line. The west area of Tucker Precinct will border with Center Precinct on Flowers Rd. South to I-285 and continue south to Hwy 78 and border on the city of Clarkston. The west border will continue south on S. Indian Creek Dr. to N. Indian Creek Drive south to Covington Hwy. The south border continues on Covington Hwy all the way to S. Hairston Rd. The east area borders on S. Hairston northbound to Rockbridge Rd. then east to Mincey Rd. bordering on the south end of Stone Mountain Park and following the Park and County line. The remainder of the precinct borders on the Gwinnett County line.

The Tucker Precinct will handle all calls on I-285 north and southbound from Hwy 78 north to I-85 including all entrance/exit ramps south of I-85 and the north and southbound ramp from Hwy 78 west to I-285.

South Precinct  
2484 H.F. Shepherd Dr.  
Decatur, Ga. 30032

The South Precinct will consist of the area south of center precinct on Glenwood Rd. east to Wesley Chapel Rd. It continues south on Wesley Chapel Rd. bordering with East Precinct south to Snapfinger Rd. all the way to the Henry County line. The south end of South Precinct borders completely on the Henry County line. The western border of the precinct is Moreland Ave and continues north to the city of Atlanta.

East Precinct  
2484 Bruce St.  
Lithonia, Ga. 30058

The East Precinct will consist of the area in the southeast corner of the county. The East Precinct contains all areas east of Bermuda Rd. and Stewart Mill Rd. to the Gwinnett County line. The northern border is Tucker Precinct on Rockbridge Rd. The west border is S. Hairston Rd. south to Covington Hwy. west to Wesley Chapel Rd. south to Snapfinger Rd. all the way to the Rockdale County line. The south end is bordered by Rockdale County. The eastside of the precinct is bordered by Gwinnett County to the north and Rockdale County to the south.

#### **4-14.3 COMMAND, ADMINISTRATION AND PERSONNEL ASSIGNMENT**

##### **A. DIVISION COMMANDER**

The Division Commander is responsible for the overall operation of the Uniformed Division and has the final divisional authority in matters of operation, policy and discipline and will exercise such lawful directives as are necessary to assure the effective performance of the division. The Division Commander, also referred to as Assistant Chief, will have the authority to assign or transfer Divisional personnel, as he deems necessary and beneficial to the Division.

##### **B. SECTION, PRECINCT AND UNIT COMMANDERS**

The Precinct and Unit Commanders are responsible for assignment, direction and control of personnel under their command to assure the proper performance of duties and adherence to established rules, regulations, policies and procedures, and the continuation of supervision in their absence. All commanders are responsible to continuously seek and develop new and innovative methods to improve their operation and further the attainment of Division objectives. The concepts of Community Oriented Policing and Problem Oriented Policing will be established as integral parts of each district's management philosophy. Commanders will be responsible for assigning personnel in such a manner that adequate police personnel and supervision are provided at all times.

##### **C. PRECINCT WATCH COMMANDERS**

Watch Commanders may transfer personnel, both supervisory and non-supervisory, from one precinct, sector or territory to another within their respective watch. Watch Commanders are responsible for assuring that adequate supervision is on duty at all times during their respective watches.

##### **D. DIVISION ADMINISTRATIVE AIDE**

The Administrative Aide is directly responsible to the Division Commander. The duties of the Administrative Aide will include, but not limited to, the following duties and responsibilities:

- Supervision of civilian and clerical support staff, including assignments, vacations, holidays, etc., however, the Administrative Aide's responsibility does not diminish the responsibility of other superior officers to assist in providing general supervision when appropriate in order to maintain good order and the desired level of performance;
- Liaison between the Division and other units and divisions within the Police Department. These duties and responsibilities will include collection of statistical information from precincts and units for preparation of required divisional reports.

Each Unit Commander will be held directly responsible for the appearance of their respective areas and the Administrative Aide will have general responsibility for the inspection of all areas of the Division, located at Central Headquarters for compliance with safety and loss prevention regulations.

The Administrative Aide will perform other administrative duties and assignments as directed by the Division Commander.

##### **E. PRECINCT ADMINISTRATIVE OFFICER**

The Administrative Officer is directly responsible to the Precinct Commander. The duties of the Administrative Officer will include, but not be limited to, the following duties and responsibilities:

The assignment of civilian and clerical support personnel, motor officers and light-duty officers, including watch assignments, off-day assignments and weekend duty assignments.

Screening and disposition of all employee problems directed to the Personnel Services Section.

Inspection and care of precinct physical plant to include compliance with standards of the County's Safety and Loss Prevention Program.

Liaison between the Districts, units and divisions within the Police Department. These duties and responsibilities will include collection of statistical information and preparation of required precinct reports.

**F. Warrant Officer**

It shall be the duty of the warrant officer to receive all warrants from Records Court and make an attempt to serve these warrants via mail, telephone, or personal service. Duties will also include logging new warrants into the Records Court mainframe and updating the computer system for warrants located in their respective Districts. The warrant officer will report to Records Court daily to assist in the transporting of prisoners to and from the jail for their hearing. The security for Records Court will be provided by the DeKalb County Sheriff's Department. The Warrant officer will handle serving any contempt of court warrants upon the judges order and transport prisoners to the jail upon sentencing.

**G. Motor Officer**

It shall be the duty of the motor officer to repair or have repaired any vehicle within their respective precinct, which has mechanical, or equipment problems and to maintain accountability for all vehicles within their precinct. The motor officer will schedule the repair and maintenance of all vehicles within their precinct and will ensure that there are enough vehicles on the precinct ready line to provide police services. The motor officer will coordinate with Motorola and the Computer Support to ensure the timely installation or repair of emergency equipment and computer related items. The motor officer will also coordinate with Fleet Maintenance to obtain estimates for wrecked or damaged police units and will maintain the necessary paperwork for associated repairs. A monthly mileage report listing mileage for each vehicle assigned to the precinct will be maintained and turned over to the Fleet Manager each month.

It will also be the responsibility of the precinct motor officer to ensure that all specific equipment that is required in every patrol vehicles be replenished for operational readiness. Such equipment will include spare tire, first aid kit, airway/rubber gloves (sealed in plastic bag in glove box), and hazardous material guidebook (located in glove box). These items will be replaced when the check off list provided by the uniform officer is turned in at the beginning of their watch.

**H. Public Education Specialist**

It shall be the duty of the Public Education Specialist to act as a liaison between the police department and the community. This will be accomplished by identifying and addressing crime problems and quality of life issues and relaying community concerns to the appropriate police department component. Duties will also include the organization and coordination of Neighborhood Watch community groups, organizing and moderating community information meetings and conducting on-site residential/business security surveys.

**4-14.4 CHAIN OF COMMAND, POLICIES, CORRESPONDENCE, AND COMPLAINTS**

**A. CHAIN-OF-COMMAND**

The chain-of-command will be respected in all matters when practical. Information and communications will move up and down the chain-of-command through channels. However, there is no need for the flow of information to stop simply because the next link in the chain-of-command is unavailable. When the next supervisor in line cannot be contacted on important situations or in emergencies, then an attempt should be made to contact the next superior in line, up to the Office of the Chief of Police. During times when the Chief's office is closed, an attempt will be made to page or call him at home when necessary. If the Chief is not available, an attempt will be made to contact the Chief of Staff who will advise the Chief as soon as possible.

**B. POLICIES AND PROCEDURES**

All memorandums pertaining to a new divisional policy or procedure will be distributed by the Deputy Chief of Police's Office. Any recommendations for a new policy or procedure will be forwarded through the chain-of-command in writing to the Deputy Chief's Office for review. No memorandum pertaining to policy or procedure will be sent from one District or Unit to another or to any other components, without the expressed authority of the Deputy Chief of Police.

**C. CORRESPONDENCE**

All correspondence pertaining to police business going out of the Division will be authorized by the Division Commander.

**D. COMPLAINTS**

All complaints against other units, sections, or divisions will be prepared in writing and forwarded through the chain-of-command to the Assistant Chief's Office.

#### **4-14.5 STAFFING**

In order to provide the maximum effective police service on a 24-hour basis, precinct commanders will utilize watches or shifts. Each watch will have an overlap time period with the other watches to ensure that there are always officers on the road. Watches and hours are standard across the division, but precinct commanders may, dependent on need, alter schedules in the best interest of public safety.

If deployment of foot beat patrols becomes necessary, the Precinct Commander may authorize these patrols at his discretion. Deployment consideration should include such factors as the need for frequent inspections of a relatively small area, high concentrations of calls involving pedestrians, large crowds in a confined area, etc. Foot beat patrols will work hours designated by the Precinct Commander.

##### **A. WATCH ASSIGNMENT**

Determination of manpower allocation to each watch will be based upon the overall workload for each watch.

Commanders should consider three areas in deciding watch assignments:

1. The needs of the precinct,
2. The officer's choice, and
3. Seniority.

The ultimate goal of watch assignment is to provide the most effective patrol coverage within an assigned area. The final decision as to the assignment of officers to any watch rests with the Precinct Commanders. Upon completion of Field Training, recruit officers will be assigned to a patrol team where there is a vacancy.

##### **B. TRANSFERS AND WATCH PREFERENCE PLAN**

Personnel may submit a transfer request to change watches within the same precinct. Any watch transfer request that is approved will take effect during the next scheduled changeover period.

Day Watch is designated as the "preferred" watch. Any officer, who is not on probation, is not under any type of disciplinary action and has served on their present watch for a period in excess of 90 days may request a transfer to the Day Watch.

To accommodate the new officer on the watch, another officer must be "rolled" off the watch. The officer requesting a transfer to the Day watch will normally assume the off days of the officer who was "rolled" off the watch, however, adjustments may be made to insure proper manpower balances on the watches.

1. Any officer meeting the above criteria, but who desires a team other than the Day Watch may have their request granted when a vacancy arises or a mutual agreement occurs between officers and it is approved by the Precinct commander. The effective date will be the next changeover period.

2. To recognize seniority, officers who have completed 20 years of service with the Department, are not under any disciplinary action and maintain a "3" or better on their performance evaluations will not be subject to being "rolled" through the Watch Preference Plan.

3. Sergeants will fall under the provisions of the Watch Preference Plan in a manner similar to that of patrol officers.

4. Lieutenants and Captains will work shifts and off-days arrived at through mutual consent with the approval of the Precinct Commander.

The watch preference plan is not to be viewed as an absolute right and is at all times subordinate to the needs of the department as determined by the appropriate commander.

##### **C. OFF-DAYS**

Changeover is the changing of off-days for all officers, sergeants and lieutenants assigned to line level positions. The changeover occurs four times a year. Changeover will occur in January, April, July and October, and begins on the first Saturday of the month. Off-days will roll back one day, example; an officer with Wed-Thu-Fri off days would change to Tue-Wed-Thu off days.

##### **D. WATCH STAFFING**

Precinct Commanders will at least monthly, conduct a review of the workload in each territory on all shifts. The results of this review will be used to compile a list of territory assignments on each shift, which may be combined with other territory assignments to compensate for fluctuations in personnel levels and demands for service.

#### **4-14.6 WATCH PROCEDURES/GUIDELINES**

##### **A. WATCH LISTS**

Watch lists will show the status of all officers and supervisors on a watch, to include name, badge number, territory

assignment and off-time status, they will be prepared by watch supervisors at least 24 hours in advance and posted on a designated bulletin board.

#### B. TERRITORY ASSIGNMENTS

Assignment of officers to particular beats will be made by the lieutenant supervising the team. Assignment decisions should take into account the nature of the beat and the officer's ability and experience. In addition, every effort should be made to keep officers in the same beat as long as possible in order to enhance officer/citizen relationships and the information exchanges and cooperation that are a result of those relationships.

Any rotation of officers to different beats will be carried out on an individual basis, taking the above criteria into consideration.

#### C. ROLL CALL

Roll Call will be held daily for each team with the exception of those days, which in the opinion of the Watch Commander, workload levels demand the immediate deployment of the on-coming team.

Roll Call will be conducted as quickly and efficiently as possible and will include:

1. Personnel and equipment will be inspected for completeness and conformance to Departmental Regulations. (This inspection may be conducted in a formal, military manner or informally, at the discretion of the Watch Commander).
2. Personnel will be advised of certain lookouts and brought up to date on current or unusual activities occurring in the precinct, which may affect their watch.
3. Refresher training, to include policy and procedure changes, safety instruction will be conducted during roll call.
4. Special events.
5. Any assignment changes, which have occurred since the posted watch list.

At the completion of Roll Call, officers will proceed immediately to their patrol vehicles and log their laptop computers on.

Officers coming on-duty will be ready to accept calls for service immediately after completion of Roll Call or prior to that time when so instructed.

Officers coming on-duty will add the team title to their radio numbers, ie., "382 Alpha," until the corresponding unit of the previous watch has gone off duty.

Officers going off-duty will log off by laptop computer or voice.

#### D. RESPONSIBILITY

Officers assigned to a territory will be responsible for all calls or incidents occurring in that territory.

Officers will not leave their assigned territory without the permission of a supervisor.

Officers specifically assigned to stakeout, directed patrol or traffic enforcement duties may be allowed to patrol all territories in the precinct commensurate with the specific assignment.

If an officer is assigned to paddy wagon duties and not actively engaged in transporting prisoners, supervisory personnel may direct that officer to other duties, such as business or residential patrol, if the need arises.

Supervisors will be responsible for the supervision of their personnel until going off-duty. The highest-ranking officer on duty will be in charge in case of conflict. If ranking officers on duty are of equal rank, the officer who is senior will be in charge.

### 4-14.7 POLICE RADIO PROCEDURES

When an officer receives a call from Communications, either by voice or laptop, they will acknowledge the call immediately and proceed to the location of the call in accordance with the priority of the call. The charts on pages 10 and 11 provide general guidelines on the proper procedures for the response method to specific types of calls. Items defined by the chart are as follows:

#### A. PRIORITY

The first column lists the recommended priority of the primary unit responding to the call.

- Priority "1" is a call of an immediate life-threatening nature. Response by the officer will require the use of emergency equipment (blue lights and siren). The officer may disregard traffic laws, but at no time may operate in a manner, which will endanger himself or others (see Section 4-2).
- Priority "2" is a call which requires an officer to be on the scene as soon as possible. The officer will respond immediately while obeying all applicable traffic laws.
- Priority "3" is a call of a routine or less serious nature. The officer will respond as soon as possible or may handle the call while remaining in service. This type call may be held at the discretion of a field supervisor for a territory car if one is not available.

Supervisors and officers have the discretion to upgrade or downgrade the priority of a call based on information available.

#### B. BACKUP

In the second and third columns of the below chart, denote whether a backup unit should routinely be dispatched, and if so, what priority the backup unit should use.

#### C. SUPERVISORS

Columns four and five of the below chart, set general guidelines for whether or not a supervisor should be notified of the call and if he/she should proceed to the scene.

#### D. SCREENING

The last column denotes a call, which may be assigned to Screening without an on-scene police response.

The priority recommendations listed are recommendations only. Any call may be upgraded with the addition of an "I" for injured, or "P" for in-progress. Conversely, a call may also be downgraded if additional information indicates there is no hazard to the situation.

#### E. DISPATCH PROCEDURES

The Communications operator or dispatcher may upgrade or downgrade any calls for service, depending on the circumstances indicated during the request for service. If a call is upgraded or downgraded (from the set priority), the priority will be broadcast with the appropriate signal. A downgrade is when a person has requested service to investigate an armed robbery (Signal 44) a significant length of time after the hold-up occurred.

It is absolutely necessary that the Communications dispatcher, due to their knowledge and information of the request for service, control the dispatching order of calls for service. Communications will not dispatch a call for service until an officer is available to respond. All calls for service must be dispatched by the Communications Division. If a precinct screening Senior Investigative Aide or other Division staff personnel receives a request for service, the request will be forwarded to Communications by the quickest means possible, either by telephone or laptop. Communications will then dispatch the request as required.

	PRIMARY PRIORITY	BACK UP REQUIRED	BACK UP PRIORITY	SUPVR NOTIFIED	SUPVR RESPONSE	SCREENING CALL
1. Send/Or Rescue Enroute	---	---	---	---	---	---
2. Person Injured/Person Down	2	N	---	Y	N	---
3. Alarm (state type)	2	Y	2	Y	N	---
4. Call...	---	---	---	---	---	---
5. Controlled Burn	---	---	---	---	---	---
6. Reduce Speed, Continue to	2	---	---	---	---	---
7. Return to Station	2	---	---	---	---	---
8. Send...	---	---	---	---	---	---
9. Turn All Equipment Back	---	---	---	---	---	---
10. Fire (state type)	2	N	---	Y	N	---
11. Under Control	---	---	---	---	---	---
12. Fire Is Out	---	---	---	---	---	---
13. Check Location For...	2	N	---	N	N	---
14. Help Needed (send car or #	---	---	---	---	---	---
15. Person Trapped	2	N	---	Y	N	N
16. Suspected Arson	2	N	---	Y	N	N
17. Hit & Run	2	N	---	N	N	Y
18. Counterfeit Material	3	N	---	N	N	Y
19. Peeping Tom	2	Y	2	Y	Y	N
20. Aircraft Down	2	---	---	Y	Y	N
21. Disorderly Juveniles	3	N	---	Y	N	N
22. Demented Person	2	Y	2	Y	Y	N
23. Discharging Firearms	2	Y	2	Y	Y	N
24. Discharging Fireworks	2	Y	3	Y	N	N
25. Animal Complaint	3	N	---	N	N	Y
26. Drunk	2	Y	3	Y	N	N
27. Fight	2	Y	2	Y	Y	N
28. Narcotics Violation	2	Y	2	Y	Y	N

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29. Abandoned Vehicle	3	N	---	N	N	N
30. Escaped Prisoner/Patient	2	N	---	Y	N	Y
31. Harassing Phone Calls	2	N	---	Y	N	N
32. Solicitors	3	N	---	N	N	N
33. Gambling	2	N	---	Y	N	N
34. Vandalism	3	N	---	N	N	Y
35. Property Damage	3	N	---	N	N	Y
36. Illegal Parking	3	N	---	N	N	N
37. Threats	2	N	---	N	N	Y
38. Miscellaneous Service	3	N	---	N	N	Y
39. Hitchhiker	3	N	---	N	N	N
40. Trouble Unknown	2	Y	2	Y	Y	N
41. Vehicle Accident	2	N	---	N	N	Y
41I. Accident with Injuries	1	N	---	Y	Y	N
42. Burglary	2	N	---	Y	N	N
43. Fireman Injured-Need Medical	---	---	---	---	---	---
44. Armed Robbery	2	Y	2	Y	Y	N
44P.Armed Robbery Progress	1	Y	2	Y	Y	N
45. Theft	3	N	---	N	N	Y
46. Call Hospital (state hospital)	---	---	---	---	---	---
47. Person Hit By Auto	2	N	---	Y	N	N
	PRIMARY PRIORITY	BACK UP REQUIRED	BACK UP PRIORITY	SUPVR NOTIFIED	SUPVR RESPONSE	SCREENING CALL
48. Person Drown	1	Y	2	Y	Y	N
49. Person Dead	2	N	---	Y	Y	N
50. Person Shot	1	Y	2	Y	Y	N
51. Person Stabbed	1	Y	2	Y	Y	N
52. Suicide or Attempt	2	Y	2	Y	Y	N
53. Suspicious Person	2	Y	2	Y	N	Y
54. Suspicious Vehicle	2	N	---	Y	N	Y
55. Missing Person	2	N	--	Y	N	Y
56. Loud Party/Noise	2	Y	2	Y	N	N
57. Shoplifter	2	N	---	Y	N	N
58. Murder	---	---	---	---	---	---
59. Meet Party at...	3	N	---	N	N	N
60. Illegal Dumping/Littering	2	N	---	N	N	N
61. Gas Leak	---	---	---	---	---	---
62. Flooding	2	N	---	Y	N	N
<b>63. Officer Needs Help</b>	1	Y	1	Y	Y	N
64. Person Refusing to Leave	2	Y	2	Y	N	N
65. Neighbor Dispute	2	Y	3	Y	Y	N
66. Child Abuse	2	Y	2	Y	Y	N
67. Rape or Attempt	2	Y	2	Y	Y	N
67P. Rape In Progress	1	Y	2	Y	Y	N
68. Robbery by Force	2	Y	2	Y	Y	N
69. Person Armed	2	Y	2	Y	Y	N
70. Prowler	2	Y	2	Y	Y	N
71. Speeding/Reckless Driving	2	N	---	N	N	Y
72. Property Lost	3	N	---	N	N	Y
73. Theft of Vehicle	2	N	---	N	N	Y
74. Wanted Person Located	2	Y	2	Y	Y	N
75. Street Hazard	2	N	---	N	N	Y

76. Fraud	2	N	---	N	N	Y
77. Kidnapping	2	Y	2	Y	Y	N
77P. Kidnapping in Progress	1	Y	2	Y	Y	N
78. Attempt to Locate	3	N	---	N	N	N
79. Direct Traffic	3	N	---	N	N	N
80. Assist Motorist	2	N	---	N	N	N
81. Trespassing	2	Y	2	Y	N	N
82. Person Found	2	N	---	Y	N	Y
83. Relieve Officer	2	N	---	N	N	N
84. Train Wreck	2	Y	2	Y	Y	N
84I. Train Wreck/Injuries	1	Y	2	Y	Y	N
84T. Train Wreck/Trapped	1	Y	2	Y	Y	N
85. Check Location	3	N	---	N	N	N
86. Electric Wires Down	2	N	---	Y	Y	N
87. Domestic	2	Y	2	Y	Y	Y
88. Bomb Threat	2	Y	2	Y	Y	N
88P. Bomb/Post Blast	1	Y	2	Y	Y	N
88S. Bomb/Suspected Device	1	Y	2	Y	Y	N
89. Public Indecency	2	Y	3	Y	N	Y
90. Patrol as Often as Possible	3	N	---	N	N	N
91. Disturbance	2	Y	2	Y	N	N
92. Assault	2	Y	2	Y	Y	N
93. Property Found	3	N	---	N	N	Y
94. Person Held Against Their Will	2	Y	2	Y	Y	N
95. Open Door/Window	2	Y	2	Y	N	N
96. Assist Invalid	2	N	---	Y	N	N
97. Deliver Emergency Message	2	N	---	N	N	N
98. Obscene Material	3	N	---	N	N	Y
99. Arrest	---	---	---	Y	Y	---

#### F. REASSIGNMENT OF CALLS

Officers or supervisors may at their discretion, reassign calls to other units. This will be done only when officers are aware of information affecting the efficient response of units to the scene of the call, which the dispatcher was unaware. Such a situation would be when two units have been assigned calls and know that they are each closer to the other's call.

#### G. FINAL AUTHORITY

The Communications Division operators and dispatchers are responsible for the efficient transfer of information between their division and field units of the Department. It is the responsibility of every officer and supervisor to act upon that information in a manner, which they believe will best meet the mission and goals of the Department. The final responsibility for the attainment of Department goals, officer safety and efficient police operations rests with Departmental personnel. This responsibility will not be delegated or assumed to rest with the Communications Division.

#### H. PHRASES AND WORDS

Radio users are required to incorporate codes in their normal operating procedures. The primary purpose of codes is to save time and to avoid confusion or misunderstanding. Security of communications is a minor advantage, if any at all. Codes are usually readily recognizable, easily understood and convey maximum meaning in a minimum of time.

I. **FORMAT FOR LOOKOUTS** - Communications Officers have developed and refined standard personal and vehicular descriptions as follows:

1. **VEHICLE** - using the acronym "CYMBALS" for description as follows:

C = Color  
Y = Year  
M = Make  
B = Body style  
A = All else  
L = License  
S = State

"Black/red 72 Ford LTD 4 D 87 Ga AUR126"

If the lookout is via TWX or a written lookout, the VIN should follow the license.

2. PERSON

Name (If known)  
Sex  
Race  
Age  
Height  
Weight  
Hair  
Eyes  
Complexion  
Plus any distinguishing physical characteristics  
Plus any clothing description.

When a lookout is placed over the radios, these formats will be used, placing the vehicle in the lookout first with any description of a person following.

J. RADIO FAILURE

No officer assigned to a line uniform unit will work or continue to work without a functioning walkie-talkie radio. If a failure occurs, the officer will immediately advise Communications by telephone or MDT and proceed to the Precinct to obtain a replacement radio or battery. It is each employee's responsibility to maintain radio equipment in good working order.

In the event of a complete radio system failure, officers will go to their Precinct or the nearest fire station. They will advise Communications by telephone of their location and stand-by for calls.

**4-14.8 HANDLING CALLS**

A. OPERATION OF POLICE VEHICLES ENROUTE TO EMERGENCY CALLS

1. Extreme caution should be the rule when responding to all types of calls.
2. The officer should operate the police car according to the circumstances concerning the call, but not in excess of the speed limits as outlined.
3. The amount and type of traffic encountered, road conditions, visibility, urgency of the call, and ability to control the speed of the car must all be taken into consideration.
4. Excessive speed and carelessness will not be permitted nor will it warrant the risk involved.
5. The blue light and/or siren should be turned off just prior to reaching the location of the call if they are no longer needed. Blue lights will be left on when safety factors dictate or to facilitate the location of the unit by other officers also responding.
6. The patrol car will be parked at a reasonable distance from any residence so as not to be in a direct line with the main entrance.
  - a. Park the car properly and as close to the curb as possible or in the residence driveway.
  - b. Remove the keys from the ignition and place them in the same pocket each time.
  - c. Lock the vehicle.

Approach the building from an angle to reduce the possibility of an attack from the inside.

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 dispatcher of his/her intentions.

B. WHEN APPROACHING A DOORWAY, KNOCK ON THE DOOR AND STAND TO EITHER SIDE OF THE ENTRANCE

1. This position keeps the person opening the door off balance.
2. In the event of violence, the officer is in the position to counter and defend an attack.

C. THE INTERIOR OF THE BUILDING MUST BE GIVEN CAREFUL CONSIDERATION

The possibility of more than one person being present poses a threat to the security of the officer; keep all persons in front of you.

Suspects or persons placed under arrest are probably familiar with the interior of the house or building.

- a. Do not let persons get a hat, coat, etc. Get the article for them if it is needed, but search the article before giving it to the person.
- b. Do not let the arrested person stall or wander around inside the house.

**D. NEVER CONSIDER A CALL AS ROUTINE**

1. Opinions must not be formed about calls being routine before arrival at the scene.
2. Govern action by the circumstances after arrival.

In the event of encountering difficulties or violence, request assistance through the dispatcher by the quickest means available. If possible, refrain from further action until their arrival.

**E. THE FIRST OFFICER TO ARRIVE AT THE SCENE:**

1. If there are injuries involved, administer first aid and request Fire Rescue if needed.
2. Cover the most likely avenue of escape.
3. If suspect has left the scene, obtain a description and issue a lookout.
4. Take charge and protect the crime scene.
5. If the officer determines that additional help is needed, notify the dispatcher at once.
6. Obtain information for the appropriate report. If the officer in whose territory the crime occurred is not present, the first officer dispatched is responsible for the report.
7. When serious types of calls (shootings, robberies, stabbing, nature unknown, etc.) are unfounded, the dispatcher shall be notified immediately.
8. On calls of an emergency nature, notify the dispatcher of the circumstances of the call as soon as practical and keep the dispatcher informed of the situation if out of service for an extended period of time.

**F. OFFICER NEEDS HELP CALL**

Responding officers should maintain radio silence.

Be very observant and cautious when arriving at the scene if the exact situation is not known.

When the situation is under control or the assisting officer's services are not needed, they should immediately notify the dispatcher and return to service. Only those cars actually needed will remain at the scene.

**4-14.9 PRELIMINARY INVESTIGATIONS**

The Uniform Division is responsible for conducting preliminary investigations of all incidents and categories of crime.

The patrol officer will follow the procedures listed below when conducting a preliminary investigation:

- A. Upon arrival at scene, the officer will observe all the conditions, events and remarks to include:
  1. providing aid to the injured
  2. determining if an offense has actually been committed, and if so, the exact nature of the offense.
- B. Locate and identify witnesses:
  1. full name
  2. telephone number and
  3. address.
- C. Maintain the crime scene and protect evidence.
- D. Interview the complainant, victim and witnesses to:
  1. obtain description of suspects, (name, address, physical description)
  2. determine what information is known by witnesses, victim or complainant
  3. furnish other field units through radio the descriptions, method and direction of flight and other relevant information concerning wanted persons or vehicles.
- E. Arrange for the collection of evidence:
  1. notify a supervisor if detectives and/or evidence collection personnel are necessary to collect evidence or photograph the scene
  2. collect evidence if there is no need to notify detectives or a Crime Scene Investigation unit.
  3. Photographs may be taken with departmental or personal devices if there is an immediate danger that the scene or evidence may be destroyed. If photographs are taken, the photographs will be noted in the incident report and promptly uploaded in the Records Management System. The photographs will then be deleted immediately from the device. Under no circumstances will it be permissible to email or text photographs for unofficial purposes. All photographs are subject to compliance with open record laws.
- F. Determine the identity of suspect and effect an arrest if it can be accomplished at the scene or through an immediate pursuit.
- G. Interview the suspect:
  1. read Miranda Warning
  2. use field interview techniques
  3. take suspect into custody and turn over to detective.
- H. Complete the incident report.

1. If the incident was a misdemeanor crime against person provide the victim with a Victim Contact Card and note in the report that one was given.

#### **4-14.10 FOLLOW-UP INVESTIGATIONS**

Follow-up investigations of incidents will be the primary responsibility of the Major Crimes Division. However, patrol officers who acquire additional information on incidents should complete a supplemental report or forward the information to appropriate detective.

The following incidents require immediate notification of investigative personnel by the patrol supervisor:

1. Homicide or questionable death \*
2. Arson death \*
3. Aggravated Assault
4. Armed Robbery
5. Burglary (where latent prints or other physical evidence is available or where theft amount exceeds \$5,000)
6. Rape
7. Suicide \*
8. Missing or endangered juveniles
9. Kidnapping
10. Large drug seizures

\*Also require notification of the Medical Examiner.

#### **4-14.11 FIELD INTERVIEWS**

An important aspect of preventive patrol is the conducting of field interviews. Field interviews will be a primary responsibility of the Uniform Division.

B. The end result of the field inquiry; identification, information and crime prevention, are best achieved through an open professional approach. Indiscriminate stopping and questioning of citizens represents both a misuse of police authority and an infringement upon the personal liberty of citizens. Each person questioned must, in the judgement of the officer, arouse suspicion or appear to be a potential source of information. The practice of stopping a pedestrian or motorist to break the monotony of an otherwise dull tour of duty, or for the sake of showing some activity for the record, is not in keeping with the intent or spirit of the field inquiry.

C. The following factors will be considered when making a field inquiry:

1. personal appearance of suspect (well-dressed, clean; sloppy dressed, dirty)
2. the area (business district, residential, slum area, heavy drug traffic area, etc.)
3. time of day (morning hours, late at night, daytime)

D. Officers should conduct a field interview whenever they observe persons who do not fit the area or the time, persons acting in a suspicious manner and those who loiter for no apparent reason.

E. Whenever an officer conducts a field interview he/she should notify the dispatcher of the location and situation. The officer will complete a Field Interview Report on the person. The Field Interview Report will be turned in upon completion of the officer's tour of duty and forwarded to Major Crimes Division for review.

#### **4-14.12 IDENTIFICATION OF POLICE HAZARDS**

All officers will be responsible for reporting any potential or actual police hazards that may exist in the community.

Police hazards may include:

- A. Roadway hazards such as holes, ditches, loose gravel, etc. (Such hazards, when discovered, will be reported also to the Public Works Department or State Highway Department)
- B. Construction projects
- C. Persons known to carry weapons
- D. Residences suspected of drug dealing or use
- E. Unlighted alleys
- F. Downed power lines.

When a potential or actual hazard is detected, the officer will notify a supervisor and Communications of the hazard. All potential or actual hazards will be reported and distributed to other watches. This information should be distributed to police personnel during roll call.

#### **4-14.13 NOTIFICATION OF NEXT OF KIN**

The notification of next of kin will normally be the responsibility of a member of the Major Felony Unit, Traffic Specialist Unit or, in the case of a Department employee, a member of the command staff. In the event, it becomes

necessary for line personnel to notify or assist in the notification of next of kin a supervisor should be present and the following guidelines should be used:

- A. Use good common sense, understanding and compassion;
- B. Always attempt to notify in person;
- C. Make every effort to avoid unnecessary grief on the part of the family
- D. If the person being notified is elderly or has a history of illness, the officer should seek outside professional help, such as our Chaplain, the personal physician or pastor of the person(s) being notified
- E. The officer should not notify a minor, but should leave word for the parents to call the police or seek other relatives
- F. If the next of kin is out of State, the officer will attempt to have the police in that jurisdiction notify the next of kin Every effort should always be made to be helpful and provide all of the information the next of kin will need to know

#### **4-14.14 RESPONSE TO DOMESTIC CALLS**

##### **A. PURPOSE**

The principal purpose of this policy is to establish guidelines and procedures to be followed by police officers and other personnel involved in the police response to domestic calls.

##### **1. Other purposes and goals of this policy are:**

- a. To reduce the incidence and severity of domestic violence by establishing arrest and prosecution, rather than mediation, as the preferred means of police response to domestic violence
- b. To afford maximum protection and support to victims of domestic violence through a coordinated program of law enforcement and victim assistance
- c. To insure that law enforcement services are as available in domestic violence cases as they are in other criminal cases
- d. To reaffirm the police officer's authority and responsibility to make arrest decisions according to established probable cause standards
- e. To promote officer safety by insuring that officers are as fully prepared as possible to respond to domestic calls
- f. To help reduce police resources consumed in responding to domestic violence by reducing the number of police interventions required by any particular household

##### **B. POLICY**

Domestic violence is a crime that differs from other crimes because of the intimate relationship between the victim and the accused. Notwithstanding that difference, police should respond to domestic violence as they would respond to any crime. Officers should arrest and pursue criminal remedies appropriate to the crime and that the officers have probable cause. In recognition of the difference between domestic violence and other crimes, police also should provide victims with special assistance, including efforts to ensure that victims are informed of services available to victims of domestic violence.

##### **C. SCOPE**

This policy applies on any call to police reporting a disturbance between persons in a "covered relationship" with each other. "Covered relationships" include: past or present spouses, parents and children, stepparents and stepchildren, foster parents and foster children, or any other person regardless of gender, living in the same household.

##### **D. DISPATCH**

- 1. Operators should dispatch domestic calls in the same manner as any other call for police assistance, according to priority criteria prescribed elsewhere in this section.
- 2. The dispatcher receiving a domestic call should attempt to elicit from the caller as much of the following, in order of importance, as time and the exigencies of the reported incident allow:
  - a. The nature of the incident
  - b. The address of the incident, including the apartment number, complex name, victim's name and perpetrator's name
  - c. A telephone number where the caller can be called back
  - d. Whether weapons are involved
  - e. Whether an ambulance is needed
  - f. Number of people are present at the scene;
  - g. Whether the suspect is present and if not, the suspect's description, direction of flight and mode of travel
  - h. Whether children are at the scene
- 3. If the caller is the victim, the dispatcher should attempt to keep the caller on the telephone as long as possible and should tell the caller that help is on the way and when the caller can expect the police to arrive.

4. If the caller is a witness to a domestic incident in progress, the dispatcher should relay ongoing information provided by the caller to the responding officer.
  5. If the caller about the existence of a temporary protective order gives the dispatcher information, it should be followed up by a telephone call to the DeKalb County Sheriff's Office for verification and the information relayed to the dispatched officers.
  6. To safeguard against callbacks made by victims under duress, all domestic complaints will require a police response to assure the caller's safety.
- E. INITIAL POLICE RESPONSE**
1. Approaching the Scene
    - a. The responding officer should approach the scene of a domestic dispute as one of high risk; whenever possible, two officers will respond to a domestic call.
    - b. The officer should obtain all available information from the dispatcher before arriving at the scene and will notify the dispatcher upon arrival.
    - c. The officer should not park directly in front of the residence or scene of the disturbance. The officer should be alert for assailants leaving the scene and for employment of weapons from doors, windows or nearby vehicles.
  2. Initial Contact with Occupants
    - a. The responding officers should identify themselves as police officers; explain their presence and request entry into the home. The officers should ask to see the person who is the subject of the call. If the person who called the police is someone other than a subject of the call, the officers should not reveal the caller's name.
    - b. The officers may enter and conduct a search of the premises if consent has been given.
    - c. If entry is refused, the officer should be persistent about seeing and speaking alone with the subject of the call. If access to the subject is refused, the officer should request the dispatcher to contact the caller, if the caller was the subject of the call. If access is still refused, the officer must decide whether to leave, remain and observe, or force entry. If the officer remains to observe, he /she should move to public property (the street) and observe the premises. Forced entry will be used only if the officer has reason to believe another person is present (i.e. background noise) and would be in immediate danger upon their departure.
  3. Once Inside, the Responding Officer Should Establish Control by:
    - a. Identifying potential weapons in the immediate area
    - b. Separating the victim and the assailant
    - c. Assessing injuries, administering first aid or activating Emergency Medical Services
    - d. Restraining the assailant if necessary and removing the assailant to the patrol car if immediate arrest is warranted
    - e. Inquiring about the nature of the dispute
    - f. Identifying all occupants/witnesses on the premises
    - g. Separating occupants/witnesses from the victim and accused and keeping them out of hearing range (to avoid compromising the witness status)
  4. On-scene investigation
    - a. The responding officer should interview all parties involved to identify the victim(s) and the assailant(s). Primary aggressor status with evidence of injury should be used in making this determination to safeguard against re-victimizing the victim through arrest.
    - b. The officer should ensure the victim's safety and privacy by interviewing the victim in an area apart from the assailant, witnesses and bystanders. In questioning the victim, the officer should use supportive interview techniques. The officer should ask the victim about previous domestic incidents, their frequency and severity. The officer should not tell the victim what action is contemplated until all available information has been collected.
    - c. If the accused is "in custody" before the interview, the accused must be given Miranda warnings before any questioning takes place. If the accused has fled the scene, the officer should solicit information regarding the possible whereabouts of the accused (place of employment, relatives, friends, etc.).
    - d. If the dispatcher has not advised the officer of a Temporary Protective Order, the officer should ask the victim whether there is such an order and, if so, if the victim can produce a copy and if a copy has been filed with the DeKalb County Sheriff's Office. The officer should request that communications contact the DeKalb County Sheriff's Office to determine the existence and effective period of the order. If the officer determines that there is a valid TPO the officer should place the offender under arrest for Aggravated

Stalking under 16-5-91 per the Family Violence Law. Any other violation should be noted in the report of the incident and a copy forwarded to the DeKalb County Sheriff's Office.

- e. The officer should interview any witnesses as fully and as soon as circumstances allow. If witnesses provide information about prior incidents, the officer should document such incidents to establish a pattern.
- f. Children should be interviewed in a manner appropriate to the child's age.
- g. Signs of trauma and any apparent healing of abuse wounds on the child should be noted by the officer and immediately reported to Special Victim's Unit for further investigation.
- h. The officer should collect and preserve all physical evidence necessary to support prosecution, including evidence substantiating the victim's injuries, evidentiary articles that substantiate the attack (weapons, torn clothing, etc.), and evidence recording the crime scene. The officer should insure that photographs are taken of visible injuries on the victim and of the crime scene.
- i. The officer should encourage the victim to seek an emergency room examination. The officer should ask about injuries of the victim that are concealed by clothing or otherwise not readily apparent. Also, because bruises may not appear for several days after an assault, the officer should advise the victim to contact the police for photographs.
- j. All physical evidence should be collected, noted in reports and vouchered as in other criminal investigations.

**F. THE ARREST DECISION**

- 1. The responding officer should arrest the assailant whenever an arrest is authorized. If the officer decides not to arrest, he must detail in his incident a detailed explanation of the reasons why an arrest was not made.
- 2. Georgia Code Section 17-4-20 states that *"an arrest for a crime may be made by a law enforcement officer either under a warrant or without a warrant if the offense is committed in his presence or within his immediate knowledge; if the offender is attempting to escape; if the officer has probable cause to believe that an act of family violence, as defined in Code Section 19-13-1, has been committed; or, for other cause if there is likely to be a failure of justice for want of a judicial officer to issue a warrant."*  
Further procedural guidance for arrest in "family violence" situations is provided in Section 19-13-1. Section 19-13-1 defines "family violence" as *"the occurrence of one or more of the following acts between past or present spouses, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living in the same household:*
  - a. *any felony*
  - b. *commission of offenses of battery, assault, criminal damage to property, unlawful restraint, or criminal trespass**The term "family violence" will not be deemed to include reasonable discipline administered by a parent to a child in the form of corporal punishment, restraint, or detention."*
- 3. The officer should not consider the following factors in making the arrest decision:
  - a. The marital status of the parties
  - b. The ownership or tenancy rights of either party
  - c. Verbal assurances that the violence will stop
  - d. A claim by the accused that the victim provoked or perpetuated the violence
  - e. Denial by either party that the abuse occurred when there is evidence of domestic violence
  - f. Speculation that the victim will not follow through or cooperate with criminal prosecution
  - g. Speculation that the arrest may not lead to prosecution
  - h. The existence or not of a protection from abuse order (except that the violation of such order might justify an arrest)
  - i. The victim's emotional state
  - j. Concern about reprisals against the victim
  - k. Adverse financial consequences that might result from the arrest
  - l. That the incident occurred in a private place
  - m. The racial, social, cultural, political, or professional position, or the sexual orientation, of either the victim or the accused
- 4. It is the officer's responsibility to decide whether an arrest should be made. The officer, therefore, should not consider the victim's opposition to arrest and should emphasize to the victim, and to the accused as well, that the criminal action thus initiated is the action of the State of Georgia, not the victim.
- 5. If the officer arrests for the commission of a crime, the officer should confiscate all weapons used or threatened to be used in the commission of the crime, and such weapons should be held as evidence for prosecution.

6. Essentially, Section 17-4-20 gives a law enforcement officer the authority to make an arrest for a misdemeanor or felony based on probable cause. However, this option is limited to incidents involving acts of family violence.
7. When responding to a domestic call, the officer should first attempt to quell any disturbance and calm the situation. If a crime has already occurred, the officer upon determining the primary aggressor should immediately make an arrest.
8. There are going to be situations where the parties refuse to separate and refuse, or are afraid, to obtain a warrant and the likelihood of a property damage or bodily injury exists to such an extent that an officer has no recourse but to act. If such circumstances exist and if an officer has probable cause to believe that a previous domestic related crime has occurred, the officer will make an arrest and charge the individual with the specific crime. The officer must explain in the report that the arrest was based on probable cause and refer to the Family Violence Act in Georgia Code Section 17-4-20. Failure to act when the situation dictates could result in liability against the officer and this department. To prevent any allegations of false arrest on the part of the arresting officer, a supervisor will be called to the scene and authorize the arrest based on facts, circumstances and physical evidence.

**G. EXECUTING THE ARREST**

1. The responding officer should take the accused into custody as soon as the officer determines that a warrantless arrest is appropriate.
2. If the suspect has fled the scene, the officer should initiate procedures to pursue and apprehend the accused as promptly as possible, considering the chances are high in domestic violence cases of the accused returning to the victim's residence or the scene of violence. If a warrant is necessary, the officer should obtain one and attempt to serve it as soon as practical.
3. When the accused is a juvenile (under the age of 17) the provisions of this policy will be fully applicable, except that the arrest should be made and the juvenile processed pursuant to the Juvenile Code.
4. Domestic disturbances involving prominent citizens, public officials or police officers may present particular difficulties for the responding officer. In such circumstances, the responding officer should request a supervisor respond to the scene. The responding officer should take whatever action is necessary to protect the victim and detain the assailant, while awaiting the arrival of the supervisor.  
When there is probable cause to believe that the accused has committed a crime, the procedure followed upon arrival of the supervisor will be the same as it would be in any other domestic incident.

**H. PROCEDURE WHEN ARREST IS NOT MADE**

1. If arrest is not authorized because of the absence of probable cause to believe a crime has been committed, or if arrest is authorized but not made (for reasons to be detailed in an incident report) the officer should:
  - a. Explain to the victim the reasons that an arrest is not being made
  - b. Advise the victim of procedures for filing a private criminal complaint
  - c. Encourage the victim to contact the family violence shelter for information regarding counseling and other services available to victims of domestic violence
2. The officer should not become involved in the disposition of personal property, ownership of which is in dispute.
3. In the absence of a warrant or probable cause, the officer should remain neutral and concerned primarily with maintaining the peace and safety of those present.

**I. OTHER ON THE SCENE ASSISTANCE TO VICTIMS AND DEPENDENTS**

1. Whether or not an arrest is made, the responding officer should not leave the scene of the incident until the situation is under control and the likelihood of further violence has been eliminated. The officer should stand by while victims gather necessities for short-term absences from home, such as clothing, medication and necessary documents.
2. Whether or not an arrest is made, the officer should notify the victim of the availability of a shelter, including its telephone number or other services by providing them with a Victim Contact Card. The officer should note in the report that one was provided.
3. If an arrest is made or an arrest warrant obtained, the officer should:
  - a. Advise the victim the steps of the procedure will happen next, including the probability that the accused will only be in custody for a short period of time
  - b. Obtain the address and telephone number where the victim can be contacted if the victim decides to leave the residence (being careful that the accused cannot overhear) include this information in the incident report
  - c. Advise his/her immediate supervisor if the arrest will be under the Family Violence Act and the circumstances constituting probable cause
  - d. Provide the victim with the police incident report number and a Domestic Violence referral card

4. If the victim does not speak English, the officer should arrange for translation of the foregoing notices and advice.
5. In circumstances in which it is necessary for the victim to temporarily leave the residence, the officer should offer the victim assistance in locating lodging with family, friends, and public accommodations or at a domestic violence shelter.
6. The officer, upon request of the victim, should help arrange transportation to emergency housing or a medical facility.
7. Elder victims and defendants:
  - a. When a victim of domestic violence is elderly (60 or over) and the accused is the sole caretaker, and an arrest is indicated or when the victim of domestic violence is the sole caretaker of a physically dependent elder and the victim can no longer provide care (for example, when the victim is hospitalized), the responding officer should determine whether the elder is physically endangered as a result of the abuse, a preexisting medical condition or the removal of a caretaker. If the elder is physically endangered and mentally alert, the officer should ask the elder for the name of a relative or friend who can be contacted immediately to assist them.
  - b. If there is no one available to assist the elder, or if the elder appears not to be mentally alert, the officer will make an emergency referral to Adult Protective Services, Department of Family and Children Services and/or Council on Elder Abuse during business hours; after 5:00 p.m. transportation to Grady Hospital should be arranged.
8. Child victims and dependents:
  - a. When the victim of abuse is a minor child, the investigating officer should arrest the assailant upon probable cause. The officer's immediate supervisor will be contacted. The supervisor will in turn notify Special Victim's Unit. Physically injured children should be transported to a medical facility and the officer will escort the child. The officer should provide victim notification, as described in this protocol, to an adult caretaker of the child who is not the perpetrator of the abuse.
  - b. If the arrested assailant is the sole caretaker of the child, or if the victim is the sole caretaker of the child and can no longer provide care (for example, the victim is hospitalized), the officer should determine whether there is a responsible relative who can care for the child and if so, that relative should be contacted and the officer should wait for the relative's arrival. If no responsible relative can be located, the officer's immediate supervisor will be contacted and the supervisor will in turn notify Major Crimes (Youth Unit). The Youth Unit will then be responsible for the child.
- J. **PROCESSING THE ACCUSED**
  1. A person arrested without a warrant should be charged with any crime properly charged as a result of the incident (i.e., simple assault, battery, aggravated assault, etc.). If a person violates a Temporary Protective Order, he/she should be charged with Aggravated Stalking under 16-5-91 and a warrant obtained for violation of a Temporary Protective Order.
  2. Domestic incident will be defined as a "covered relationship" incident as stipulated by O.C.G.A. § 19-13-1 and any incident where participants are related by blood or marriage or have a child in common.
  3. The officer responsible for presenting the accused for the preliminary hearing should bring to the attention of the Magistrate Judge any recommendations for special conditions of bond. If special the issuing magistrate grants conditions, the officer will immediately inform jail personnel of those conditions immediately.
  4. All reports generated in domestic violence cases should be stamped "Domestic Incident" in red ink to aid in the processing of the accused and to the identification of such cases.
- K. **WRITTEN REPORT AND DATA COLLECTION**
  1. A written report clearly identified, as the responding officer(s) to any call covered by this protocol must complete a domestic incident report. The report should include the following information:
    - a. Names, addresses, and telephone numbers of the victim, the accused, any witnesses, and the caller
    - b. A second permanent address and telephone number for the victim (such as a close family member or friend)
    - c. A statement of the relationship between the victim and the accused
    - d. A narrative of the incident (including the date, time, and whether the accused appeared intoxicated or under the influence of a controlled substance)
    - e. What, if any, weapons were used or threatened to be used
    - f. A description of any injuries observed by the officer or any injuries described by the victim but not observed by the officer and an indication that the injury was not observed
    - g. Documentation of any evidence that would tend to establish that a crime has been committed
    - h. An indication of what arrest decision was made: a warrantless arrest an arrest with a warrant or no arrest

- i. Whether the accused has actually been arrested or whether there is an outstanding arrest warrant issued
  - j. The crimes with which the accused was charged
  - k. If the accused was arrested and arraigned, whether bail was set and any conditions of bail imposed
  - l. If the officer did not arrest or seek an arrest warrant even though arrest was authorized, a detailed explanation of the reasons for the officer's decision not to arrest
  - m. The names and ages of any children present in the household and their address and phone number if the children were relocated
  - n. Notation of any previous incidents of which the officer is aware
  - o. If an officer was injured in the incident, the nature and circumstances of the injury
  - p. Provide the victim with a Victim Contact Card and note in the report that one was given.
2. Data collection
- a. All written reports on the same person should be kept together or cross-referenced so that domestic violence can be monitored
  - b. The written report or another document (such as index cards) or computer entry generated from the incident report, should become a domestic violence tracking report
  - c. To the extent possible, the domestic violence tracking report should be accessible to dispatchers and police officers

**L. POLICY ON DEPARTMENTAL PERSONNEL INVOLVED IN COURT ORDERS**

Due to changes in 1995 in Federal Statute 18 U.S.C. 922 (G8) regarding individuals subject to a court order, the Department hereby issues the following policy, effective June 1, 1996.

Under this code section it is unlawful for any person subject to a court order to carry any firearm or ammunition. Persons employed by this Department are subject to this law and peace **officers are not exempt**. To this end, any employee who has been served and is subject to any court order (Temporary Protective Order, Restraining Order, etc.) must immediately notify their immediate supervisor for chain of command notification and provide a copy of said order to Internal Affairs. This policy applies regardless of whatever jurisdiction the alleged event occurred in or where the court orders were generated. Failure to comply will result in disciplinary and possibly criminal action.

If any member of the Department becomes aware of the possible existence of an employee under a court order, they are under an obligation to report it through their chain of command and to Internal Affairs. Failure to do so will result in disciplinary action and may provide a basis for imposition of liability, particularly against those individual decision makers. This Department will insure a violation of the law does not occur by whatever means.

Upon notification of a court order the Department will insure that the officer's weapon and ammunition (whatever weapons the Department has issued and/or authorized that officer to carry) are turned in to Internal Affairs pending the outcome of the matter.

The officer will also be placed on Administrative Leave or Administrative Duty pending the outcome of the investigation. Dependant on the circumstances and manpower considerations, no officer is automatically guaranteed Administrative Duty. Being that each situation is unique and manpower needs are ever changing, each situation will be handled in the manner appropriate for that particular situation. As in any criminal proceeding, employees are also subject to disciplinary action resulting from the outcome of the criminal investigation.

Employees involved in these situations are reminded that they are compelled to cooperate with all Internal Affairs investigations. (See Employee Manual Section 2-2 Employee Misconduct, Rules and Regulations, and 4-1 Internal Affairs for further clarification)

The employee will be reinstated to normal assigned duty and have all issued weapons and ammunition returned to them upon termination of the court order, as long as the facts surrounding any criminal investigation warrant it. If the Internal Affairs investigation calls the grounds behind such a court order into question, the Department reserves the right to assess the officer's status (such as a temporary transfer to another assignment, appropriate leave time, etc.) Again, these decisions must be made on a case-by-case basis dependant upon circumstances surrounding each case.

If an employee at any time has any questions on this aforementioned policy, they are to seek clarification through their chain of command to avoid any misunderstandings.

**4-14.15 RESPONSE TO SILENT/AUDIBLE ALARMS**

It is the responsibility of the DeKalb County Police Department to respond to silent and audible alarms as quickly as possible. Further, it is the responsibility of the Department to thoroughly check the structure serviced by the alarm to insure there is no burglary or hold-up which has taken place. In performing this function, **THE OFFICER MUST ALWAYS REMEMBER THAT THE PERSONS WHO COMMIT THESE CRIMES ARE 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.

#### **A. GENERAL**

The first officer on the scene should inspect the premises to the best of their ability to determine if there is any evidence of entry. If there is no evidence of entry or a hold-up, the officer should check with Communications to see if the alarm has been re-set or the owner/manager is enroute to the scene.

If the silent alarm has not been re-set or the audible alarm continues to ring, Communications should be instructed to make every effort to locate the owner/manager. If there will be a considerable time span prior to the owner/manager arriving at the scene, the officer will return to service and request the dispatcher to instruct the owner/manager to call Communications upon his arrival on the scene so that the officer can return.

If Communications cannot locate the owner/manager, or some other responsible person, the officer is to check the building as thoroughly as possible and make a report to the fact that the building was checked, the alarm was still out of service and the owner/manager could not or would not report to the scene. A copy of this report will be submitted to the False Alarm Coordinator in the Communications Division.

If the officer determines entry has been made, the officer will immediately notify Communications 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.

In the event of a storm causing numerous alarms, the officer will consult their supervisor for instructions.

#### **B. BANK ALARMS**

When the alarm goes off, Communications will dispatch a unit and call the bank. The bank official will be asked whether or not the alarm is valid. If the bank official advises that everything inside the bank is normal, the dispatched car will be advised immediately. The car will continue to the call, out of service. Communications will ask the bank official to meet the responding officer outside the bank in a safe location (away from the front door). If no one appears, the officer is to treat the call as a Robbery-in-Progress, take cover and call for backup.

### **4-14.16 MISSING PERSONS**

#### **A. ADULT**

An adult will not be considered missing until after 24 hours have elapsed, unless it is determined by the officer at the scene or their supervisor that foul play or the possibility of same has occurred.

In any case, a missing persons report will be completed after 24 hours if the adult has not returned home and a case number will be obtained.

#### **B. JUVENILES**

Upon receiving and verifying a call that a juvenile is missing, the uniform officer will make a missing person or runaway report and place a lookout for the child.

If the juvenile is 11 years of age or younger a supervisor and Special Victim's Unit detective will be advised. All investigative leads will be exhausted and an area search conducted immediately.

Missing juvenile reports should not routinely be cancelled when a juvenile is located since they may provide valuable leads in the event the juvenile becomes missing again. Final determination will be made by a supervisor.

#### **C. FOUL PLAY INDICATED**

Foul Play is indicated if the occurrence is grossly out of character of the person missing or the reporting party has sufficient reason to believe foul play has occurred. Any possibility of foul play will cause the following actions to be taken:

1. Prepare a report immediately regardless of whether the person reported missing is an adult or minor
2. Place a lookout, request a GCIC entry be made to include all available information
3. Request that a supervisor notify the Special Victim's Unit or detective on call if other than normal duty hours.

When taking a report of missing persons, officers are to collect all possible information regarding physical and clothing description and any other pertinent data. A radio lookout is to be placed, and Special Victim's Unit is to be notified when appropriate. (see above) Special Victim's Unit will coordinate follow-up investigation, search, and contact with reporting persons. Special Victim's Unit will also handle removal of the missing person from GCIC.

### **4-14.17 A.W.O.L. ARREST**

Officers have the authority to apprehend military personnel although it is not an offense under either State law or local ordinance. It is a violation of the Uniform Code of Military Justice. As such, this violation cannot be tried in State or local courts.

Whenever it is requested by local military officials to assist in the apprehension of a person reported to be A.W.O.L., such assistance will be provided so long as military personnel are present to take the person into custody and under military control.

C. Officers will arrest military personnel who are A.W.O.L. when:

- A computer or wanted check indicates that the person is wanted (NCIC OR USADIP) or the person volunteers the information.
- When a person is arrested for offenses other than A.W.O.L. and the computer shows subject is A.W.O.L., then it is the responsibility of the arresting officer to verify the status.

D. All arrests for A.W.O.L. will be approved by the supervisor prior to the person(s) being booked. All arrest tickets will read "A.W.O.L. (HOLD/MILITARY BRANCH)".

Whenever an officer is requested by any person other than military officials to apprehend a person for A.W.O.L. from the military forces, the person making the request will be referred to the proper military authority.

Army (Ft. McPherson)-----752-2281  
 Marine Corps (Ft. McPherson)----- 752-4209  
 Navy----- 752-2613  
 Air Force----- 429-4907

#### 4-14.18 ANIMAL EMERGENCIES

A police officer is required to resolve many different kinds of problems involving animals and animal owners. If the officer is unable to satisfactorily resolve a problem of this nature, the following are examples of actions, which should be taken:

- A. Dead animal: Communications should be advised of type (size) of animal and its exact location. The Communications operator will contact the proper authority for its removal. If the animal is a traffic hazard, the officer should remove the animal out of the roadway or, if this is not possible, remain at the scene until the animal is removed.
- B. The DeKalb County Animal Control Division should be notified in case of:
- Injured Animals - even domesticated animals can become vicious when in pain, and may even attack their owners. Extreme care should be used until Animal Control arrives. The destruction of seriously injured animals should be considered only for humane reasons (at the request of the owner) when the animal is unlikely to survive its wounds. When the owner is unavailable, extreme good judgment must be used.
  - Lost or Stray Animals - DeKalb County Animal Control will take custody. Be sure to advise type, size and number of animals involved (livestock and large animals included). If requested by Animal Control, the officer should stand by and assist the animal control officer when he arrives with safety matters, traffic control, etc.
  - Vicious or Dangerous Animals - Contain and maintain control of the situation until Animal Control arrives. The use of deadly force should be considered only as a last resort.

NOTE: If the animal has bitten someone and is suspected of being rabid, DO NOT shoot it in the head. The brain must be examined to determine if the disease is present. If analysis is impossible, the victim must undergo a very painful series of treatments.

- Wild Animals - If the animal is in captivity, almost all species require a permit to possess. Contact Animal Control to determine if an owner is in violation of the law.
- Cruelty to Animals - Refer or notify Animal Control.
- Pets of Arrested Persons - Animal Control will take these pets into their custody. The officer must provide pertinent information on the owner.
- Animal Bites - Contact Animal Control and have the victim or family member provide pertinent information over the telephone. An Animal Control officer will be dispatched to investigate. An Incident Report will be necessary.

#### 4-14.19 EMERGENCY CALL-UPS

In instances of natural disaster, civil disorder, riot, etc., it may become necessary to call officers in from off-duty status. In this event, the following procedure will be used:

- A. Authority to order a call-up of off-duty personnel will rest with the Chief of Police or Deputy Chief. The call-up order will include the number and type of personnel needed, the equipment necessary, the assembly point, alternate assembly point and a brief description of the situation involved.
- B. Upon receipt of a call-up order, the District Commanders or his designee will attempt to fill the request for manpower from on-duty personnel; first utilizing Special Operations Division personnel, then personnel from the districts and finally, personnel from the Major Crimes Division or Precinct Detectives.
- C. Precinct and unit commanders will be advised of the number of personnel needed from their units. If the situation is time-critical, on-duty personnel will be dispatched (4 or 5 to a car) to the assembly point. If the situation is not time-critical, the District or Unit Commanders may, at their discretion, use any combination of on or off-duty personnel necessary to comply with the call-up order.

D. Each District and Unit will be responsible for making the telephone calls to their off-duty personnel. The Communications Division will not be utilized for this function.

E. It will be the responsibility of each District and Unit commander to continue, to the extent possible, all regular police services during the emergency situation. Planning in this regard should include: relief of on-duty, regular service personnel, relief of on and off-duty personnel involved in the emergency and adjustments in shifts or off-days to compensate for absent personnel.

F. Additional procedural information is provided in the manual titled *DeKalb County Emergency Management Operational Plans*, available in all facilities or any section, unit or Division office.

#### **4-14.20 USE OF INFORMANTS BY UNIFORM DIVISION PERSONNEL**

Officers assigned to the Uniform Division will not normally use paid informants. In special circumstances, approved by the Division Commander, the guidelines set forth in 4-14.20 and 4-1.72 regarding the use of informants will apply to Division members, with the following exceptions:

- A. Information developed on informants will be turned over to the officer's precinct or unit commander
- B. Approval of funds must be made by a precinct commander or the District Commander

#### **4-14.21 UTILIZATION OF CANINE TEAMS FROM OUTSIDE AGENCIES**

This department does, at this time, have several canines for tracking and drug detection. With the approval of a supervisor, a canine may be called out for emergencies where their use is appropriate. Occasions may consist of the following circumstances, but are not limited to: missing children and elderly persons, drug detection, and the tracking of suspects. The use of canines from other agencies will only be approved in extreme emergencies and by a supervisor.

#### **4-14.22 REPORTING AND RECOVERY OF STOLEN MOTOR VEHICLES**

Upon recovering a motor vehicle reported as stolen by this or any other law enforcement agency, the following procedures shall be followed:

A. Use the ORIGINAL DeKalb case number if the vehicle was stolen in DeKalb County. If the recovered vehicle was stolen from a location outside DeKalb County, use a DeKalb case number for the report and list in the narrative of the recovery report, the ORIGINAL REPORTING AGENCY'S CASE NUMBER, date of theft, agency name and ORI code. (all of this information should be on the "Hit" on the vehicle)

B. Describe the condition of the vehicle, listing any damaged sustained (i.e.- broken steering column, etc.) If an arrest is made, list if keys are located with the vehicle.

C. If the recovery is made and the victim is back in possession of the vehicle, make sure that contact is made with NCIC/GCIC or Major Crimes (Auto Theft) so the vehicle is quickly removed from the system. Make sure NCIC/GCIC understands that the victim/owner is now back in possession of the vehicle at this time. Note the NCIC operator's code in the narrative, along with the date and time they were notified.

D. Note in the narrative of the recovery report any additional NCIC/GCIC "Hits" such as, "Hold for Latent Prints", or "Use Caution". If a victim is notified of the recovery, list this information in the narrative. (Name, Address, Telephone number, etc.)

E. In cases such as Burglary in which more than one vehicle is stolen, a separate case number must be used for each vehicle. Cross reference, the case numbers in each companion case

F. If the victim knows the perpetrator, DO NOT place the vehicle on NCIC/GCIC. Advise the victim to contact Major Crimes (Auto Theft) to make an appointment with them. Generally, the victim will have to sign the warrant on the suspect prior to the vehicle being placed on NCIC/GCIC

G. If the perpetrator is not known and the vehicle is placed on the system, note the NCIC/GCIC operator's code; example: CH05, etc. in the narrative

H. Write the incident report, even if the victim has very limited information on the vehicle at that time, such as no tag or VIN. List as much information as possible and advise the victim to call back with all the required information as soon as possible. Advise the victim of the case number and to use the same case number when they call back

#### **4-14.23 FOOT PURSUIT**

##### **A. PURPOSE**

The purpose of this policy is to establish the guidelines for conducting foot pursuits of suspects.

##### **B. SCOPE**

This directive shall apply to all Department members.

### C. REASONABLE SUSPICION

While “reasonable suspicion” is a less demanding standard than probable cause, there must be at least a minimal level of objective justification for the stop. An individual’s presence in a “high crime area” standing alone, is not enough to support a reasonable, particularized suspicion of criminal activity.

The Courts have upheld that an individual, when approached, has a right to ignore the police and to go about his business, where an officer lacks a reasonable articulable suspicion.

Unprovoked flight is the exact opposite of “going about one’s business.” While flight is not necessarily indicative of ongoing criminal activity, the court recognized that officers can detain individuals to resolve ambiguities in their conduct, and thus accepts the risk that officers may stop innocent people. Prior to initiating a foot pursuit an officer should weigh the totality of the circumstances.

### D. FOOT PURSUIT PROCEDURES

1. Immediately radio for assistance and direct responding units to various locations to contain the fleeing suspect within a given area. Keep radio advised of your location at all times.
2. Attempt to gain visual advantage so that the suspect’s direction of travel can be effectively monitored and/or locations where responding units should be directed can be identified. Once the perimeter is established, K-9 or other designated teams of officers can systematically search the area.
3. If the terrain dictates and you can anticipate the area toward which the suspect is heading, you can drive there and wait for the suspect when he emerges. Though effective, this technique is not always possible.
4. Pace and Charge: If the suspect has plenty of open ground to cover, and you have already searched him, the pace-and-charge technique may work. If you can’t catch the suspect with a quick dash that lasts no more than about twenty seconds, ease off and pace yourself. As the suspect starts running, he will undoubtedly expend maximum energy to get away. While the suspect is running as fast as he can, you should pace yourself, exerting about 60-80 percent effort – just fast enough to keep the suspect in sight and prevent him from getting too far ahead. As the suspect tires and slows down, you can accelerate to 100 percent of your speed and overtake him. If the suspect is tired and begins to slow down or stops and surrenders, you should slow down so that the suspect can be approached in a “balanced and controlled manner.”
5. Parallel the suspect: Don’t try to follow the suspect’s exact route. If you do, the suspect can conceal himself and set up an ambush. Instead, try to parallel the suspect.

Example:

- a. if he is running down the sidewalk, you should run down the street (traffic conditions permitting)
- b. keep barriers like parked cars and other objects between you and the suspect
- c. if the suspect(s) disappears behind a building, DON’T try to follow him; instead try to anticipate the suspect’s route and head around a different corner or down a different side of the building
- d. if the suspect jumps a fence (where visibility is impaired), you should jump the fence at a different point, as far away from where the suspect went over as possible
6. You will have to secure your patrol vehicle if you engage in a foot pursuit, so no one (including the fleeing suspect) can access your equipment or steal your patrol unit.
7. Don’t abandon unsecured subject(s) or run past a suspect’s vehicle that has not been cleared where an armed occupant could ambush you. Always clear the suspect’s vehicle first.
8. As you run, scan. Look up and back from where you are to where the suspect is, as well as scanning from side to side, just as you do in a vehicle pursuit.
9. Try to move from cover to cover when chasing a suspect, especially if you have lost sight of him. This may increase the overall distance between the two of you, but it will increase the margin of safety.

### E. EVALUATION AND PRECAUTIONS TO USE DURING FOOT PURSUITS

1. Keep your sidearm controlled at all times. Don’t run with it in your hand; the risk of unintentional discharge or disarming is too high. Don’t try to shoot while you are running; the risk of wild shots and unintentional hits is too high. Warning shots are prohibited by this department.
2. Don’t split your forces. If there are other officers at the location, and there are multiple runners, both of you should stay together even if the suspects split in different directions. Pick your best target and stick with him.
3. Watch for movement toward common weapon areas. A suspect’s hands are just as dangerous when he’s in flight as any other time.
4. Don’t hypnotically follow the suspect’s exact path of flight. This behavioral form tunnel vision makes you dangerously predictable.
5. Be alert for discarded contraband.

6. If a suspect disappears down an area which has no cover or escape routes and which restricts your movement to “forward” and “backward,” you should stop and NOT follow the suspect into this kind of area.

**F. FINAL APPROACH**

1. Use extreme caution in your final approach. Slow down before you actually reach the suspect and approach in a balanced and controlled manner, ready to apply any necessary defensive and/or arrest control techniques.
2. Be psychologically prepared for a deadly force encounter. Unpredictability is often a core ingredient of foot pursuits.
3. When a foot pursuit suspect is seized, don’t assume the danger is over.

**G. WHEN TO CONSIDER ABANDONING A FOOT PURSUIT**

1. If you lose sight of a suspect during a foot pursuit or the suspect gains enough distance on you to be able to stop and hide. If the suspect is going to set up a hasty ambush, he is likely to do it at this time. Consider stopping immediately upon losing sight of the suspect, call for backup, establish a perimeter, and call for a K-9 unit and aerial support. (i.e., wooded area, dense areas or large apartment complexes. etc)
2. If you are unable to make verbal contact with radio in the beginning of the foot pursuit, to give your location, direction of travel, description of suspect (s) etc.
3. If at any anytime you lose contact with radio during the foot pursuit.
4. If at anytime either in the beginning or during the foot pursuit you become unfamiliar with your location.

#### **4-14.24 CITIZEN RIDE-A-LONG PROGRAM**

At times the Department receives requests from the public to ride with an on-duty Police Officer during their tour-of-duty. Some of these requests are related to college programs while others are directly related to crime awareness and community concerns. In addition, officers may receive request by citizens to have someone ride with them because of an interest the person has shown in law enforcement or through a contact the officer has made in the community. The DeKalb Police Department will allow civilians the opportunity to ride with our police officers on a limited basis. The Department’s image and professionalism can be observed first-hand by allowing the public to participate in our efforts. This program will also assist with our on-going recruiting programs. Therefore, it will be the policy of this Department to grant these requests as long as they do not interfere with our service.

Any citizen desiring to participate in the Ride-a-Long Program must successfully complete an investigation of their moral character, reputation and honesty by submitting to a review of their criminal history information. The citizen should be directed to the Central Records Section where they must present a valid state-issued photo-identification card.

Central records personnel will conduct a query through the Criminal Justice Information System and complete the appropriate form. Participants in the program must meet the following minimum acceptable standards:

**CITIZEN REQUIREMENTS (RIDER)**

1. The citizen must sign a “Rider Waiver” form that absolves the Department from liability in the event of an injury, accident, or death.
2. The citizen must be at least 18 years of age.
3. The citizen must be recommended to ride by Department Personnel.
4. The citizen must be in good health. No physical limitations that would prevent quick and unassisted entering and exiting of a police vehicle.
5. The citizen will dress in appropriate attire. (Casual business, i.e.; casual slacks, pants, shirt with collar)
6. The citizen must not have a conviction for any felony, any crime of domestic violence, or any crime of serious moral turpitude, unless otherwise provided by state law.
7. The citizen must not have been convicted of misdemeanor crimes that establish a pattern of disregard for the law. No participant will be approved if they have been convicted of three or more misdemeanors in the immediate past five years. Minor traffic offenses will not be considered, unless a pattern has been established which would indicate an obvious disregard for safe driving practices. Nolo pleas will be considered as convictions. Applicants who have successfully completed a First Offender sentence will be considered.
8. The citizen must not have a conviction for the possession, distribution or manufacture of any controlled substance as defined by the Georgia Criminal Code, O.C.G.A. §16-13-24.

The Assistant Chief of the Uniform Division will approve or deny participation in the program based on the applicant’s ability to meet these standards. Authorization will be valid for 90 days.

**APPROVAL RECOMMENDATIONS**

1. The rider should meet the requirements listed above before consideration is given.
2. The Watch Commander must approve the request through the Precinct Commander if an officer in his/her chain-of-command initiates it.
3. The number of riders on any given Team must be approved by the Precinct Commander.
4. The Chief's Office, on occasion, may approve citizens to participate in the program and forward that person's name to the appropriate Precinct Commander to make the arrangements.

In addition to the listed requirements other considerations should be given in determining the scheduling of a rider. The manpower available for the scheduled day should be considered. Due to safety issues it may be necessary to use the "rider" unit to answer calls more as a back-up unit than a primary unit. The weather conditions should be considered if it would substantially increase the volume of calls and make driving hazardous. The Precinct Commander may have other considerations not listed that would affect the decision and it is at their discretion.

In the event that a rider becomes a hindrance, acts inappropriately toward the public or the officer, creates a problem on a call, or does not follow the directions of an officer, they will be returned to the precinct and the Watch Commander will be notified of the situation. The Watch Commander will decide whether or not to continue the assignment.

The Watch Commander should select quality officers when assigning a rider. The officer's general attitude should not make the participant feel uncomfortable. The officer should have excellent work habits and a high regard for officer safety issues since they would have the added responsibility of a passenger.

#### **4-14.25 UNIFORM/DRESS & GROOMING REGULATIONS**

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

The manner of dress and grooming of Departmental employees is an outward reflection of their personal pride, morale and self-respect. The professionalism of a police agency is often judged by the appearance of its personnel. Accordingly, personnel should always strive to present the highest possible standard of appearance. The policy set forth in this chapter is to promote uniformity and present the most professional appearance. There are to be no exceptions to this policy without permission of the Uniform District Commander or their designee.

#### **4-14.26 SUPERVISORY RESPONSIBILITY FOR SUBORDINATE PERSONNEL**

It is the responsibility of all supervisors to insure through personal observation and daily inspections that subordinate personnel comply with all policies of this section and the appearance of all personnel reflects favorably upon the Department. Additionally, supervisors must be mindful that by virtue of their supervisory positions, they are to set a good example for all subordinate personnel which is to be reflected in their appearance.

#### **4-14.27 UNIFORM REGULATIONS**

Official uniforms will always be clean and neatly pressed. It is not required to dry clean uniforms, but they must always be laundered and free of wrinkles, dirt and debris. Duty belts and accessories will be in good repair and clean. Uniform brass and other items of metal will be highly shined and free of corrosion, tarnish, or cleaning residue. Weapons and handcuffs will be clean and in good working order. Shoes will be in good repair, free of dirt and highly shined including the visible part of the sole.

Failure to wear the complete regulation uniform as authorized for the current duty assignment, failure to wear or carry such special uniform items or equipment as may be required or failure to have clothing or equipment cleaned and properly maintained is considered as being out of uniform and subjects the employee to disciplinary action.

No portion of the official uniform is to be worn in conjunction with civilian apparel except as noted in this policy.

The DeKalb County police uniform will be worn in accordance with the following regulations:

##### **A. The Uniform Shirt**

The uniform shirt should present a slightly tapered, fitted appearance without being baggy or so tight as to restrict freedom of movement or cause the shirt to gape between button closures or to cause horizontal wrinkles.

No items will be carried in the uniform shirt pockets except for one writing pen, a small note pad or a whistle. Buttons and zippers will be fastened at all times.

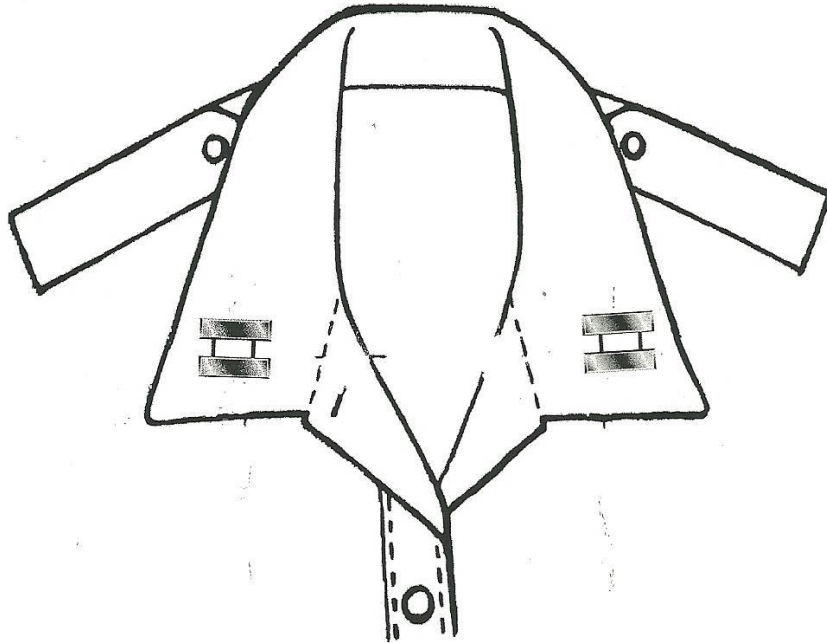
Undergarments visible below either uniform shirt can be "crew" type "T" shirts and will be the same color as the outer shirt. The "T" shirt can be worn in place of turtlenecks, dickeys or pullovers. If turtlenecks, dickeys or pullovers are worn,

they will be black and the neck will be close fitting. There will be no logos (i.e. Underarmor), letters (i.e. "DKPD") or words visible on any exposed undergarments (i.e. t-shirts, turtlenecks, dickeys, etc.)

Uniform shirts worn by all sworn personnel will be black. The black short sleeve/long sleeve will be the daily duty shirt for all ranks. Lieutenants and above will be authorized to wear the white long sleeve shirts for formal occasions, ceremonies or at the direction of the Chief of Police or his designee. The white short-sleeve shirt can be worn as a daily uniform by Lieutenants and above. The white short-sleeve shirt will be worn in the same manner as the black short-sleeve shirt (no epaulets/shoulder boards).

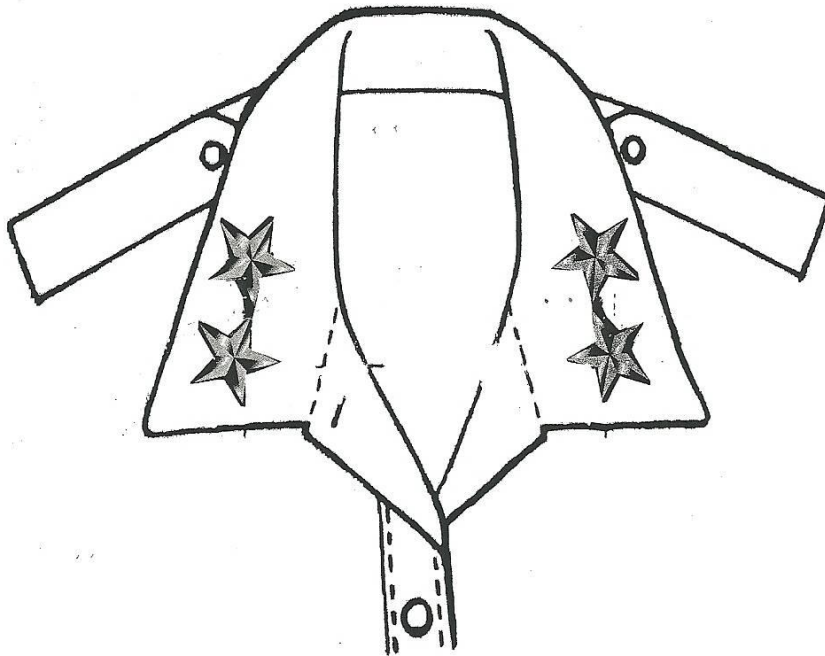
Items to be worn on the uniform shirt will be as follows:

1. Badge - will be worn in the slot provided.
2. Name Plate - will be worn on the right pocket flap, centered above the pocket button and aligned directly below with the bottom row of stitching at the top of the pocket.
3. Summer Short Sleeve Black Uniform Shirt – Class C
  - a. Police Officer / Police Officer Senior:
    - Shirt will be worn with subdued shoulder patch
    - Shirt will not have collar brass
    - Shirt will be worn with black crew neck t-shirt
  - b. Master Police Officer:
    - Shirt will be worn with subdued shoulder patch
    - Shirt will have subdued Master Police Officer rocker affixed immediately under and no greater than ¼ inch from the subdued shoulder path
    - Shirt will not have collar brass
    - Shirt will be worn with black crew neck t-shirt
  - c. Sergeant:
    - Shirt will be worn with gold shoulder patch
    - Shirt will have large gold Sergeant chevrons affixed immediately under and no greater than ¼ inch from the gold shoulder patch
    - Shirt will not have collar brass
    - Shirt will be worn with black crew neck t-shirt
  - d. Lieutenant / Captain:
    - Shirt will be worn with gold shoulder patch
    - Shirt will not have epaulets/shoulder boards
    - Shirt will have brass rank worn on collar, parallel to the bottom edge of the collar approximately ½ inch from the front edge
    - Shirt will be worn with black crew neck t-shirt



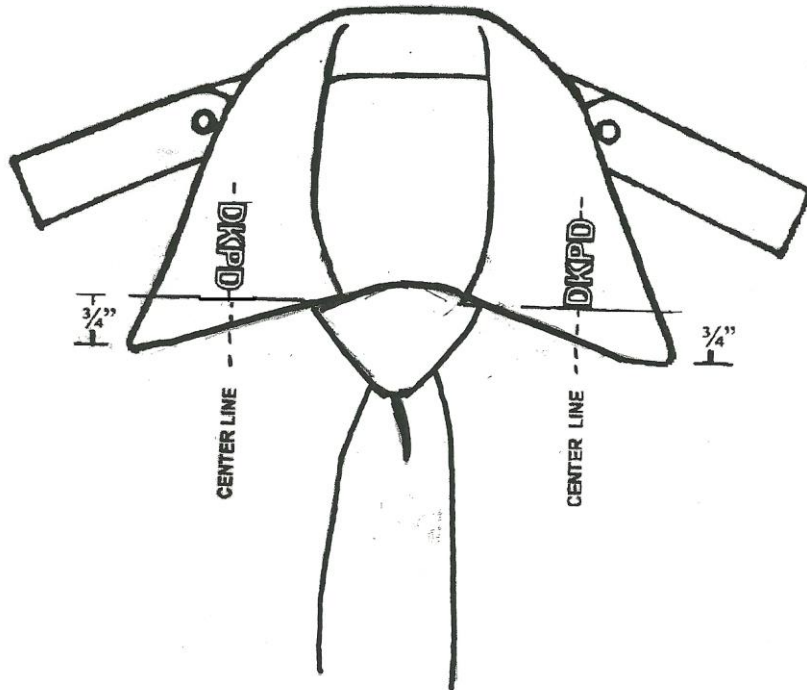
e. Chief of Police / Assistant Chief / Major:

- Shirt will be worn with gold shoulder patch
- Shirt will not have epaulets/shoulder boards
- Shirt will have brass rank worn on collar, perpendicular to the bottom edge of the collar approximately ½ inch from the front edge
- Shirt will be worn with black crew neck t-shirt



4. Winter Long Sleeve Black Uniform Shirt – Class B
  - a. Police Officer / Police Officer Senior:
    - Shirt will be worn with subdued shoulder patch
    - Shirt will not have collar brass
    - Shirt will not be worn with tie
    - Shirt will be worn with black crew neck t-shirt, turtle neck or dickey (no visible writing or logos)
  - b. Master Police Officer:
    - Shirt will be worn with subdued shoulder patch
    - Shirt will have subdued Master Police Officer rocker affixed immediately under and no greater than ¼ inch from the subdued shoulder path
    - Shirt will not have collar brass
    - Shirt will not be worn with tie
    - Shirt will be worn with black crew neck t-shirt, turtle neck or dickey (no visible writing or logos)
  - c. Sergeant:
    - Shirt will be worn with gold shoulder patch
    - Shirt will have large gold Sergeant chevrons affixed immediately under and no greater than ¼ inch from the gold shoulder patch
    - Shirt will not have collar brass
    - Shirt will not be worn with tie
    - Shirt will be worn with black crew neck t-shirt, turtle neck or dickey (no visible writing or logos)
  - d. Lieutenant / Captain:
    - Shirt will be worn with gold shoulder patch
    - Shirt will not have epaulets/shoulder boards
    - Shirt will have brass rank worn on collar, parallel to the bottom edge of the collar approximately ½ inch from the front edge
    - Shirt will not be worn with tie
    - Shirt will be worn with black crew neck t-shirt, turtle neck or dickey (no visible writing or logos)
  - e. Chief of Police / Assistant Chief / Major:
    - Shirt will be worn with gold shoulder patch
    - Shirt will not have epaulets/shoulder boards
    - Shirt will have brass rank worn on collar, perpendicular to the bottom edge of the collar approximately ½ inch from the front edge
    - Shirt will not be worn with tie
    - Shirt will be worn with black crew neck t-shirt, turtle neck or dickey (no visible writing or logos)
5. Dress Uniform – Class A
  - a. Police Officer / Police Officer Senior:
    - Shirt will be black long sleeve for all seasons
    - Shirt will be worn with subdued shoulder patch
    - Shirt will be worn with black tie
    - Shirt will be worn with silver “DKPD” collar brass on the left and right collars, centered and perpendicular to the bottom edge as illustrated
    - Dress cap with silver braid and cap badge
  - b. Master Police Officer:
    - Shirt will be black long sleeve for all seasons
    - Shirt will be worn with subdued shoulder patch
    - Shirt will have subdued Master Police Officer rocker affixed immediately under and no greater than ¼ inch from the subdued shoulder path
    - Shirt will be worn with black tie
    - Shirt will be worn with silver “DKPD” collar brass on the left and right collars, centered and perpendicular to the bottom edge as illustrated
    - Dress cap with silver braid and cap badge
  - c. Sergeant:
    - Shirt will be black long sleeve for all seasons
    - Shirt will be worn with gold shoulder patch

- Shirt will have large gold Sergeant chevrons affixed immediately under and no greater than  $\frac{1}{4}$  inch from the gold shoulder patch
  - Shirt will be worn with black tie
  - Shirt will be worn with gold “DKPD” collar brass on left and right collars, centered and perpendicular to the bottom edge as illustrated
  - Dress cap with gold braid and cap badge
- d. Lieutenant / Captain:
- Shirt will be white long sleeve for all seasons with white undershirt
  - Shirt will be worn with gold shoulder patch
  - Shirt will have rank epaulets/shoulder boards attached
  - Shirt will be worn with black tie
  - Shirt will be worn with gold “DKPD” collar brass on left and right collars, centered and perpendicular to the bottom edge as illustrated
  - Dress cap with gold braid and cap badge
- e. Chief of Police / Assistant Chief / Major:
- Shirt will be white long sleeve for all seasons with white undershirt
  - Shirt will be worn with black tie
  - Fitted black dress coat with gold shoulder patch will be worn when directed by the Chief of Police or his designee
  - Dress coat will be worn with the appropriate rank
  - Dress cap with gold braid, gold oak leaves and cap badge



Police Officer, Police Officer Senior and Master Police Officers will only wear silver “DKPD” collar brass on the left and right collars when wearing the Class A, long sleeve uniform with tie. Sergeants will only wear gold “DKPD” collar brass on the left and right collars when wearing the Class A, long sleeve uniform shirt with tie.

6. Departmental Commendation Ribbons, Safe Driving Awards and Field Training Officer Ribbons - may be worn above the right pocket, centered over the nameplate and aligned directly above the top row of stitching at the top of the pocket

7. Marksmanship Medals - may be worn directly above commendation medals or nameplate, centered above the right pocket
8. National Life Saving Award, U.S. Flag, Accreditation, FBI National Academy, Southern Police Institute (SPI), or Fraternal Pin (one only) may be worn on the left pocket flap, centered from top to bottom on the flap and 1/2 inch from the right edge of the pocket flap
9. Whistle/Whistle Chain – may be worn affixed to the right epaulet button with the whistle or chain end concealed in the right pocket when not in use. The whistle chain will be silver for officers, gold for supervisors.
10. Unit Pin or Patch - Specialized units, such as Tactical Enforcement, EOD, Aerial Support, SWAT, Latin American Emissary etc..., may wear an approved patch or pin in a manner specified by the Chief of Police.
11. Service stripes may be worn, with one stripe representing three years of service. Service stripes will be gold with black background for sergeants and above. All other officers will wear silver stripes with black background. Service stripes will be sewn on with black thread using a straight machine stitch. Service stripes will be sewn no greater than ¼ inch from the top seam of the left cuff of the long sleeved shirt so that when the sleeve is folded flat, the left edge of the patch aligns with the top crease.

#### B. Trousers

The trousers will be sufficient length to reach the top of the heel of the shoe in the rear. A variation of ¼-inch above or below the top of the heel is acceptable. When the legs of the trousers have been hemmed; they will be 7/8-inch shorter in the front than in the back in order to present a slight “break” at the lower front above the shot top. Trousers will be finished with a three-inch hem.

Trousers will be sufficiently loose around the hips and buttocks to prevent gaping of the pockets and visible horizontal wrinkles across the front.

Motorcycle trousers worn by members of the Tactical Unit will be snug fitting with the pant legs tucked inside the motorcycle boots.

Shorts are not permitted except by officers assigned to bicycle patrol, and ONLY when riding bicycles on that particular tour of duty. There are no exceptions except for certain events when permitted by the Chief of Police or designee.

The trousers will be black and are not to be bloused inside footwear unless the Chief of Police or his designee.

#### C. Uniform Hat

The Uniform hat is optional for all personnel unless ordered otherwise by special circumstances.

Authorized headgear will consist of the following:

1. Dress Cap – All officers and superior officers may wear a Department issued dress cap with silver braid and cap badge for officers and a gold braid and cap badge for superior officers (the “scrambled eggs” dressing is the approved cap for Captains and above). This is part of the Class “A” uniform.  
All personnel will carry their Cap in their unit at all times and wear such when instructed to do so by a supervisor. This is part of the Class “B” and Class “C” uniform.  
The uniform hat will fit snugly and comfortably around the largest part of the head. The hat will be worn squarely on the head and may tilt slightly forward when viewed from the side. The hat will not rest solely on the officer’s hair.
2. Ball Cap – All officers and superior officers may wear a personally owned, non-departmentally issued ball cap. Ball caps must be all black cloth (cotton twill) with fitted or adjustable back. “DeKalb Police” must be embroidered on the front. Individual badge numbers may be embroidered on the back in numbers no larger than 1 inch. Embroidery will be silver for Police Officer, Police Officer Senior and Master Police Officers. Embroidery will be gold for sergeants and above.
3. Watch Cap – All officers and superior officers may wear a personally owned, non-departmentally issued watch cap. Watch caps must be black. The cap may have “DeKalb Police” embroidered on the front. Embroidery will be silver for Police Officer, Police Officer Senior and Master Police Officers. Embroidery will be gold for sergeants and above.
4. Winter Faux Fur Trooper Style Hat – All officers and superior officers may wear a personally owned, non-departmentally issued winter faux fur trooper style hat. The hat must be black. Police Officer, Police Officer Senior and Master Police Officers may wear a silver cap badge. Sergeants and above may wear a gold cap badge.

#### D. Uniform Jacket - will be worn as issued by the Department. This jacket will not be worn with civilian clothing.

The uniform jacket will not have names of employees added to the issued jacket preventing the garment from being reissued.

1. Police Officer, Police Officer Senior and Master Police Officer will display a subdued shoulder patch on the uniform jacket.

2. Sergeants and above will display a gold shoulder patch on the uniform jacket.
- E. Sweater – may be worn in place of the uniform jacket. The sweater, purchased by the officer, will be black pullover style. The uniform shirt will be worn under the sweater. The sweater will have rank-appropriate department patches affixed to the sleeves and the police badge patch or badge placed in the slot provided.
- F. Ties – will be plain black “clip on” style of conventional shape and length
- G. Footwear – will be plain toe black leather or “Corfram” shoes or boots with black socks (when the socks are visible). An example of acceptable boots are those of the “Hi Tech” or “Rocky” style. Boots will be high or low tops with regular heels. At no time will the pant leg be allowed to ride above the boot top. If white socks are required for medical reasons, they will be worn under black socks. White socks will not be visible. Shoes or boots will, at all times, be highly shined.
- H. Windbreaker – may be worn by personnel who normally wear civilian clothing (ie., Traffic Specialists, Detectives, stakeout personnel, etc) when recognition as a police officer is necessary for safety reasons or to properly carry out official duties. This Departmental windbreaker will be black with a small Departmental patch on the left breast or on both sleeves and unit name or the word “POLICE” or “DEKALB POLICE” across the back.
- I. Jump Suits – may be issued to certain members due to their specialized duties or for inclement weather conditions. Jump suits will be black and will be identified by the Police patch and/or badge. Officers wearing jump suits in public will at all times be armed in a manner prescribed by regulations.
- J. Ballistic Vests - The department recognizes the need for officer safety when confronting potentially violent people. All officers are issued a ballistic vest while in the police academy and are authorized to wear the vest. Certain non-sworn support positions place personnel into potentially dangerous situations. These personnel can be issued a ballistic vest if they request, but if a vest is issued; its wear will become mandatory.
  1. Composition
    - a) Ballistic vest panels - The department issued ballistic vest is designed at a threat level capable of defeating department issued ammunition. (The department follows manufacturer recommendations for vest replacement and personnel will be issued a new vest as required.)
    - b) Issued vest carrier
    - c) Optional: Outer Vest Carrier (OVC) – An employee may buy and wear an OVC that looks like the issued uniform shirt (same color, only two pockets (breast), badge slot, and epaulets). The vest panels must be used with the OVC. Supervisors have the final authority in determining if the OVC is within policy.
  2. Occasion for wear
    - a) Wearing the vest is mandatory for all personnel involved in any firearms training involving live fire exercises, or at the instructions of range personnel.
    - b) All personnel assigned a ballistic vest will wear the vest while wearing the uniform
    - c) The vest is optional for personnel wearing a uniform whose primary assignment is administrative in nature and office based, but they are encouraged to wear the vest.
    - d) Officers assigned to sections or units whose primary function is considered “high risk” are required to wear their vests while in uniform and performing those high risk tasks.

#### 4-14.28 UNIFORM EQUIPMENT

The DeKalb Police Uniform will include a properly worn issued duty belt with all issued items and accessories. The belt will be worn at all times the officer is in the public view, whether on or off duty.

Items to be worn on the belt will include:

- Department issued holster and firearm
- Department issued Taser and holster, worn opposite side of firearm
- Key Strap (optional)
- Handcuff Case
- Flashlight holder (optional)
- ASP Baton in the approved side break scabbard
- Issued Chemical Agent
- Walkie-Talkie and holder
- Ammunition Magazine and case

The duty belt will be secured to the inner belt by at least four issued (4) belt keepers. All equipment will be worn in such a manner as to allow for the item to be tactically accessible. The Taser must be worn on the weak-hand side, opposite the issued firearm.

#### **4-14.29 CERTAIN JEWELRY PROHIBITED WHEN IN UNIFORM**

Members are prohibited from wearing articles other than issued items on the uniform, except those specifically authorized by this section. Articles such as watch chains, pins, visible necklaces and bracelets are prohibited. Rings will be limited to one on each hand (a wedding band will be considered as one ring).

Female officers may wear small (no larger than 3/16"), post-type earrings of conservative design. Absolutely no type of dangling earrings will be worn when in uniform. Additionally, no more than ONE (1) earring will be allowed in each ear, and shall only be on the lower portion of the earlobe. Males sworn or civilian are prohibited from wearing earrings at any time while on duty including court appearance, secondary employment or any type of training. Exceptions maybe permitted for certain specialized assignments.

No other visible part of the body shall be pierced.

Members will wear a watch when in uniform. Watches should be appropriate to the uniform, and be conservative color and style.

#### **4-14.30 GLASSES/SUN GLASSES**

Glasses and sunglasses will be conservative design and have clear, green, gray or yellow lenses. Sunglasses will be "aviator" or similar conservative style with silver, gold, black or tortoiseshell rims. No mirrored lenses will be permitted. While eyeglass lenses may be of the type that tint transitionally when exposed to outdoors and bright light, they shall revert to clear when indoors or in low light conditions.

#### **4-14.31 HAIR REGULATIONS**

The hairstyle of all Department personnel, both male and female, will be of a conservative style such as that normally accepted in the business community.

##### **A) MEN'S HAIR**

1. Men will keep their hair neat, clean and cut to present a well-groomed appearance. Hair on the back of the head may have a "Block" cut but will present a tapered appearance and will not touch the collar.
2. Hair on the sides may be left full but, while in uniform, will be combed in such a manner that the hair does not cover any part of the ear.
3. Hair in the front will be groomed so that it does not fall below the sweatband of a properly worn uniform hat. The bulk of the hair will not interfere with the proper wearing of the uniform hat.
4. Men's sideburns will be neatly trimmed and will not extend below the midpoint of the ear. Sideburns will be of even width, not flared, and end with a clean-shaven horizontal line.
5. Dyeing or highlighting the hair is acceptable provided it is consistent with a natural hair color, without obvious blocks, patterns or spots of color.
6. Male Facial Hair
  - a. Beards and goatees will be authorized/permitted in both uniformed and non-uniformed positions, excepting members of the Honor Guard, SWAT, and Bomb Unit. The Tactical Response Team (TRT) members will be allowed to have facial with the understanding that they may be required to immediately shave due to a tactical response. Officers currently assigned in an undercover capacity will continue to follow their established procedures and are not restricted by this policy.
  - b. Facial hair will be kept neatly trimmed and be no longer than ½ inch in length.
  - c. Facial hair shall not extend further than one inch below the jaw line.
  - d. Beards and goatees will be combed, neat, and professional in appearance at all times.
  - e. No "chops" or additional length in sideburns will be allowed without the presence of a beard. Beards and Goatees shall not be maintained in a scruffy manner. Facial hair shall not exceed more than ½ inch from the corner of the mouth. Unusual carvings or ornamentation shall not be allowed.
  - f. No other forms of facial hair are permitted, unless permission is granted due to specialized assignment.
7. Officers wishing to grow facial hair must adhere to the following process.
  - a. Officers wishing to grow a beard or goatee must inform a supervisor in writing of their intention to do so.
  - b. After supervisory notification, it is recommended that the officer start the process during their off days or while on leave. This allows the newly grown facial hair an opportunity to appear intentional and therefore, more professional.
  - c. Officers will be allowed six weeks to fully grow their facial hair. After a six week period, a supervisor may direct an employee to shave their facial hair should there be patches of exposed skin.

**B) WOMEN'S HAIR**

1. Women will keep their hair neat, clean and worn off the face to permit an unobstructed field of vision and to present a well-groomed appearance.
2. Hair will not fall below the bottom of the uniform collar shirt or will be worn up, and will not interfere with the proper wearing of the uniform hat.
3. Ponytails are permitted but must not interfere with the proper wearing of the uniform hat.
4. Multiple pigtailed or other eccentricities of hair styles are prohibited.
5. Hair restraint devices will be black or brown, subdued and unobtrusive.
6. Dyeing or highlighting the hair is acceptable provided it is consistent with a natural hair color, without obvious blocks, patterns or spots of color.
7. Females may wear braids and cornrows as long as the braided style is conservative.
  - a. The braids and cornrows must lie snugly on the head.
  - b. Beads or decorative items may not be braided into the hair.
  - c. Cornrow ends shall not protrude from the head, and shall be secured only with inconspicuous rubber bands that match the color of the hair.
  - d. Dreadlocks (unkempt, twisted, matted individual parts of hair) are prohibited in uniform or in civilian clothes on duty. This is of paramount importance for obvious safety reasons.

**4-14.32 COSMETICS**

If worn, facial cosmetics are to be subdued and worn with discretion and in good taste to present an overall conservative appearance. Bright colors in facial and eye make-up are prohibited. Lipstick must be of a subdued color. Fingernails must be clean, and will not extend more than ¼" past the end of the fingertip. Females may wear vibrant colors of fingernail polish. Decorations, ornamentation, and neon colors on fingernails are prohibited.

**4-14.33 TATTOOS, BODY ART OR BRANDING**

The standard that will be used by the DeKalb County Police Department shall be that which is considered appropriate and proper in a professional, customer service-oriented peace officer department that services the community. Department personal appearance standards are grounded in professional image, and social norms of the community served, as well as our staff members. This policy applies to all departmental personnel, sworn or civilian, and will be administered at the discretion of the Chief of Police or his designee.

**DEFINITIONS**

1. **Body Alteration:** An intentional alteration of the human body in an unnatural way for adornment purposes, such as tattoos, body art, branding, pierced, split or forked tongue, horn implants and large gauge piercings which create large holes, or pulling of the skin. Body alterations do not include reconstructive or restorative cosmetic surgery such as but not limited to rhinoplasty, face lifts, and hair transplants consistent with a person's natural appearance.
2. **Branding:** A form of body alteration involving controlled burning or cauterizing of human tissue with the intention to encourage intentional and permanent scarring, (also called scarification).
3. **Tattoo/Sleeve Tattoo:** A tattoo is a form of body alteration typically made by inserting indelible ink under the skin to change the pigment, resulting in a generally permanent body alteration. A sleeve tattoo is a very large tattoo, or a collection of smaller tattoos that covers, or almost covers, an employee's entire arm or leg. A temporary tattoo involves no permanent alteration of the skin, but can produce a similar appearance to a tattoo that can last anywhere from a few days to several weeks. This policy refers to both temporary and permanent tattoos/sleeve tattoos whenever addressing tattoos.

Tattoos/body art/brands on the face, throat, or scalp visible while in uniform are prohibited. This is to include, but not limited to: tattoos inside of the eyelids, mouth and ears, foreign objects inserted under the skin, pierced, split or forked tongue, and/or stretched out holes in the ears.

Tattoos/body art/ brands that are obscene, sexually explicit or advocate or symbolize sex, depict racist ideologies, or discriminate against any religion, ethnicity, or national origin are prohibited. In addition, tattoos/body art/brands that advocate or symbolize gang affiliation, supremacist or extremist groups, or drug use are prohibited.

Tattoos/body art/brands located below the wrist, behind the ears, and the back of the neck will be subject to review by the Chief of Police or his designee.

**Note:** In an effort to embrace social norms and reduce social barriers, tattoos/body art/brands that cover more than a ¼ of an exposed body part (ex. left arm, right leg, etc.) will no longer require officers to cover them.

Body piercing (other than earlobes) or alteration to any area of the body that is visible while on-duty or while representing the DeKalb County Police Department in any official capacity, that is a deviation from normal anatomical features and that is not medically required, is prohibited. Such body alteration includes, but is not limited to:

- Tongue splitting or piercing.
- Abnormal shaping of the ears, eyes, nose or teeth (i.e., enlarged or stretched out holes in the earlobes).

**Note:** Tattooing of the eyebrows will be permitted for the purposes of simulating the appearance of natural hair.

#### **4-14.34 DENTAL ORNAMENTATION**

The use of gold, platinum or other veneers or caps for purposes of ornamentation are prohibited. Teeth, whether natural, capped or veneer, will not be ornamented with designs, jewels, initials, etc.

#### **4-14.35 UNIFORMS TO BE PROVIDED AND WORN**

The DeKalb County Police Department will provide an adequate supply of correct uniforms prescribed in these regulations. All members and personnel of this Department are forbidden to wear other than the regulation uniform or insignia of their respective grade, or to wear decorations, medals, badges or ribbons in any way other than that prescribed herein. All clothing issued by the Department is considered to be organizational clothing and remains the property of the DeKalb County Police Department and must be returned upon termination of employment with the Department. Uniforms, when the need arises for replacement, will be issued on a one-for-one swap basis.

#### **4-14.36 CARE OF THE UNIFORM**

The longest service of the various articles of the prescribed uniform can be obtained only by proper care and maintenance. No matter how well fitting a uniform is when new, it will not continue to look its best or keep its shape without proper care and pride in the uniform. The carrying of large or heavy objects in the pockets will quickly destroy the shape of the best uniform and is prohibited.

Uniforms should always be kept on hangers when not in use. If uniforms are to be put away for a long period of time and left undisturbed, thoroughly clean, then pack away in an airtight plastic bag with a packet of desiccant (drying agent) enclosed to afford maximum protection. Those officers in investigative capacities are to keep their uniforms up in a serviceable, wearable condition at all times should the need arise to wear them on short notice.

**4-14.37                REMOVED - See 4-14.27**

**4-14.38                REMOVED – See 4-14.27**

**4-14.39                REMOVED – See 4-14.27**

#### **4-14.40 CIVILIAN ATTIRE**

All personnel, whose duties allow them to wear civilian attire, those officers appearing in court out of uniform or those personnel representing the Department in an official capacity, will wear conservative clothing which would normally be accepted as proper by the business community. For men this would be a business suit and tie or sport coat, slacks and a tie. For women, acceptable clothing would be a dress, skirt and/or slacks and blouse or a business suit. Relaxing of this dress code is permitted only with permission from the Chief of Police or Commander of the appropriate District; casual slacks may be permitted, and the wearing of a tie or dress shirt may be optional upon the appropriate District

Commander's permission. No T-shirts or blue jeans will be acceptable attire for men or women unless permitted for certain assignments.

Civilian clothing will be clean and neatly pressed and shoes will be shined.

Hair, jewelry, and other grooming regulations stated earlier in this policy should apply unless otherwise permitted for certain assignments.

Personnel assigned to special duty or undercover operations approved by the Chief of Police or Division Commanders are exempt from these regulations while operating in said capacity.

#### **4-14.41 FIELD TRAINING OFFICERS PURPOSE AND SCOPE**

To ensure that all basic recruits are capable of performing the various skills acquired during academy training under actual working conditions, Field Training Officers will supervise all new police officers that have recently graduated from the Police Academy.

#### **4-14.42 THE MINIMUM STANDARDS FOR FTOS WILL BE AS FOLLOWS:**

- A. Must hold the rank of Master Police Officer or Police Officer Senior (PO2).
- B. The FTO candidate must be in good standing (disciplinary actions for the previous 36 months will be considered; any pending actions will be considered).
- C. An overall average of three (3) on his/her last two (2) evaluations.
- D. FTO selection will include the following:
  1. A written request by the applicant including a statement of qualification and reason(s) for requesting FTO status (abilities, special interests and training)
  2. Written recommendation by **supervisor** detailing candidate's personal skills, leadership ability, training ability, level of knowledge displayed in daily work, and supervision skills.
  3. Written requests will be sent through the officer's chain-of-command for approval and forwarded to the Training Section with the FTO candidates training application.
  4. Selection of FTO candidates will be made by the Precinct Commander based upon the information supplied by the candidate, qualifications and his/her supervisor's recommendation.

#### **4-14.43 FIELD TRAINING OFFICER REQUIREMENTS**

- A. All Field Training Officer Candidates will successfully complete the forty-hour Field Training Officer Program Course. This course will include, but not be limited to, reviewing the evaluation process and use of a lesson plan for field training and basic supervisory skills. An explanation of the evaluation form to be used with specific direction concerning the skills, knowledge and abilities to be assessed, taught or performed will be included.
- B. Field Training Officers shall be flexible in their work schedule. Every effort will be made, however, to avoid imposing any personal hardships on FTO's.
- C. Field Training Officers will not schedule leave time during the new officer-training period except in cases of emergency. The new officer will be assigned to another FTO (when possible) when his/her FTO is not available.
- D. Field Training Officers will be required to attend periodic re-certification courses at the DeKalb County Police Academy when available and offered.
- E. The FTO assumes the duties of instructor, mentor, and advisor to the new officer assigned to him or her. The FTO will devote his/her best efforts in the training process and assure the new officer receives the utmost benefit in developing the necessary skills, ethics and work habits a police officer needs to be successful. The new officer will be attentive to the FTO's instructions, suggestions, criticisms, compliments, and complete additional study requirements in a timely manner.

#### **4-14.44 FIELD TRAINING PROGRAM AND RESPONSIBILITIES**

A. The field training will be 12 weeks of actual training with an FTO. If a trainee is out for any reason during the first 12 weeks, the training weeks he or she missed will need to be made up, therefore extending the completion date. All new recruits, out of state certified officers and Georgia P.O.S.T. certified officers will be required to successfully complete all aspects of the FTO program.

**Note:** Each Precinct Commander has full discretion to release the new officer at the end of the 9th week pending the shift lieutenant's recommendations.

**B. The Program will be divided into four Phases.**

**1. Phase I - Weeks 1-3**

- a. **Week 1** - No driving for trainee, emphasis will be on observing the FTO. Trainee performance expectations and training objectives for successful completion of the FTO program will be explained by the Field Training Officer.
- b. **Week 2** - No driving for trainee, trainee will observe the FTO, included but not limited to the following tasks designated by the FTO; radio communication, locating and handling basic calls for service, and writing basic reports.
- c. **Week 3** - Trainee will begin driving and continue to build on the skills that have been taught and observed, such as; radio communication, locating and handling basic calls for service, and writing basic reports.

**2. Phase II - Weeks 4-6**

Trainee will continue to build training skills as the weeks progress. The trainee should move to the “Lead Officer” role on calls designated by the Field Training Officer. During this period, the Field Training Officer should monitor and coach the trainee, by providing some direct instruction(s) on how to handle different calls and events.

**3. Phase III Weeks 7-9**

The Trainee will handle all calls and events as the “Lead Officer”. The FTO will observe and score the trainee on his/her abilities.

**Remedial Week**

a. If the trainee has not received two Ready to Ride Alone scores by the end of Week 9, then a remedial week will be added to the trainee evaluation period to concentrate on deficient areas. This remedial week will not count towards the trainee’s twelve-week training period nor the trainee’s two required passing weekly evaluations. Prior to a trainee reaching the remedial week, a copy of the trainee’s DOR’s should be forwarded by the Precinct administrative personnel to the Training Section and the Internal Affairs unit for review. All DOR’s will be kept in a training file as well as an Internal Affairs file for departmental records. During this phase of training the shift lieutenant will select the FTO to ensure the training needs of the trainee are met in the remedial week. The FTO will provide the shift lieutenant and the Training Section with a memorandum, along with the weekly DOR’s evaluating the trainee’s remedial week performance with a recommendation.

**4. Phase IV Weeks 10-12**

1. Weeks 10-12 are designed to provide the trainee with additional training and opportunities to obtain their Ready to Ride Alone status. The trainee will need to receive the final Ready to Ride Alone scores during the 4<sup>th</sup> phase to complete the program. During this phase of training, the shift lieutenant will select the FTO to ensure the training needs of the trainee are met in weeks 10-12.
2. Trainees will rotate FTO assignments for each phase. The different FTO’s will be able to substantially observe the progress made and recommend the successful completion of field training or based on their observations recommend that the trainee has NOT responded to training and should be terminated.
3. Daily and weekly evaluations of the trainee will be completed by the FTO’s. Forms will be reviewed and approved by the shift sergeant and forwarded up the precinct’s chain of command for final approval. The FTO and trainee will review daily and weekly reports. All comments describing the trainee’s performance will be included in the narrative section of the performance appraisal. Upon completion of all FTO’s DOR’s a copy shall be forwarded to the Training Section and Internal Affairs for departmental records.

4. Immediately after the new officer is released from field training to ride alone, an auxiliary training week will begin. The officer will spend two days in the Criminal Investigations Division, one day in the Special Operations Division and one day in Communications. The auxiliary week is designed to familiarize the new Officer with Departmental operations and begin to enhance his/her knowledge about the department functions. The shift lieutenant will be responsible for the scheduling of the auxiliary training.

#### **4-14.45 DUTIES AND RESPONSIBILITIES OF SUPERVISORS**

- A. The shift lieutenant and sergeant at each precinct will be assigned to supervise all FTO's and trainees during the training cycle assigned to their watch. This will ensure the paperwork is uniform and correct.
  1. The shift lieutenant will keep the precinct commander updated on all the trainee's progress and provide the shift sergeants with direct support and guidance in helping struggling trainees.
  2. The primary goal is to graduate competent officers to assist them in becoming permanent members of the department.
  3. The shift lieutenant with the assistance of the training division will update forms and computer programs as needed.
  4. The shift lieutenant will keep the captain informed as to the progress of each new officer under his/her supervision. Should a new officer's performance be substandard, the shift lieutenant will ensure that all the necessary documentation regarding said officer's performance be organized and forwarded to the captain for necessary action.
  5. The shift lieutenant will maintain a complete and up-to-date set of files on both the new officers as well as all FTOs to ensure compliance with training, reporting and recertification of trainers.
- B. There will be one shift sergeant per shift in each of the precincts. This Sergeant will have direct contact will the FTO's and trainees to ensure the best possible training is being conducted. At the end of each week, the shift Sergeant will ensure the daily and weekly evaluations are reviewed and forwarded to the shift lieutenant. The shift sergeant is responsible for developing and forwarding to the shift lieutenant recommendations of ready to ride alone, extension in the program, or termination of the new officer. The shift sergeant will also make recommendations regarding the FTO's assigned under them and their potential for continuance in the program.

#### **4-14.46 COMPENSATION AND BENEFITS**

- A. One extra leave day shall be awarded to the Field Training Officers for each week of FTO supervision. This day may be taken in conjunction with the FTO's off days and will count as administrative leave time for the purpose of the Fair Labor Standards Act (FLSA). Personnel responsible for payroll management should use code 16-FTO to indicate prior approval by the Chief of Police.
- B. Each precinct should designate a computer specifically for FTO's to complete their DOR's. This will allow FTO's to complete and submit all required paperwork in a timely manner.
- C. The Field Training Officers will be the first to receive any new uniform police equipment the Department receives. In addition, Field Training Officers will receive one additional uniform.
- D. The Field Training Officers will be used to test and evaluate any new equipment the department is evaluating for the Uniform Division.
- E. The Current Field Training Officers will be involved in selecting new FTO's into the program.
- F. All Field Training Officers will wear the designated FTO pin on their uniform. The FTO pin will be issued by the Training Section.

#### **4-14.47 COMMUNITY RELATIONS AND CRIME PREVENTION PURPOSE AND SCOPE**

The Department is committed to making DeKalb County a better and safer place for its citizens and those individuals who commute through, conduct business or carry out personal interests within the County. The Department and its employees will establish close ties with all segments of the community and when possible, will respond to the community's needs.

The Department is also committed to the overall reduction in crime through active and proactive crime education programs. Crime prevention programs will be the responsibility of not only the Public Education Specialist, but of all

law enforcement personnel. Any employee who has relevant information regarding Community Relations or Crime Prevention shall transmit that information to a Public Education Specialist in their respective precinct.

Because the conduct of each Departmental employee reflects on the Department as a whole, the burden of achieving the Department's community relation's objectives will not solely rest with the Public Prevention Specialist, but will be shared by all employees of the Department.

The Department will not tolerate and thus discourages, all conduct, practices and attitudes that negatively reflect on the Department and County as a whole. The Department is committed to developing and maintaining a good working relationship and rapport with the community and its representatives and therefore the appropriate division/unit will take corrective measures against personnel who may contribute to community tensions and grievances.

For purposes of this policy, whenever Department, Departmental employees, or Departmental policy is mentioned, it will refer to those employees and policies concerning the DeKalb County Police Department's law enforcement function.

#### **4-14.48 ORGANIZATIONAL STRUCTURE**

The Public Education Specialist will be assigned to the District, and will report directly to the Precinct Commander or their designee.

#### **4-14.49 RESPONSIBILITIES**

The primary purpose of the Public Education Specialist will be that of identifying and addressing problems arising between the Department and all segments of their service population. The Public Education Specialist will also be primarily responsible for the Department's crime prevention programs. The unit will maintain close ties with the districts, along with all other components within the Police Department, for the purpose of sharing crime prevention information and community concerns relative to crime prevention activities. The unit will also relay community concerns of crime and other problems to the appropriate police component. Additional responsibilities of the Public Education Specialist will include, but not be limited to:

- A. Establishing liaisons with formal community organizations and groups, i.e., neighborhood groups, scouts, Elks Clubs, garden clubs, etc.
- B. Establishing liaisons with public and private schools and religious institutions within the county.
- C. Establishing liaisons with professional and business associations.
- D. Soliciting and conveying information from the different community and business organizations to the department and its components.
- E. Assisting in the development of community relations policies for the Department and for each of its components.
- F. Publicizing Departmental goals, objectives, and successes, with the various community, civic, professional and business groups, the department's internet and newsletter.
- G. Improving Departmental practices bearing on Departmental community relations.
- H. Identifying Departmental training needs through meetings with community and business representatives, periodic consultations with those involved in internal administrative investigations and conferences with command personnel throughout the Department.
- I. Helping and assisting in the creation and establishment of community and neighborhood groups where such groups do not exist.
- J. Periodic meetings and visits with the public and private schools within the County, neighborhood and community groups and professional and business associations.
- K. Designing, scheduling and conducting presentations on various public safety topics for community, civic and neighborhood groups, schools, professional and business associates.
- L. Designing pamphlets, brochures and booklets concerning public safety topics that would be of public interest.
- M. Conducting on-sight inspections of residential and commercial establishments and making written recommendations concerning physical security and safety precautions.
- N. Representing the Department as consultants on various task forces with community, civic, professional and business groups regarding public safety issues.
- O. Disseminating of information to the public on procedures to be followed in registering complaints against the Department or its employees.
- P. Coordinating and conducting tours of Departmental facilities for specific groups.

- Q. Working with and assisting departmental employees by relaying relevant information to the appropriate employee and in return disseminating relevant information to community, civic, professional and business groups.
- R. Planning and coordinating crime prevention programs and activities.
- S. Maintaining an updated list of the County's language bank.

The Public Education Specialist will also be responsible for keeping an active relationship with the Department's Public Information Officer, the Office of the Executive Director of the DeKalb County Community Relations Commission, and the County Chamber of Commerce. The Unit will additionally periodically confer with any other community relations components of other agencies.

#### **4-14.50 MONTHLY REPORTS**

On a monthly basis, it will be the responsibility of the Public Education Specialist to prepare and submit a report through the chain-of-command to the Chief of Police, to be forwarded to the Accreditation Manager, of any concerns or problems that have been brought to the Unit's attention dealing with Departmental matters and the community at large. This monthly report will include, at a minimum:

- A detailed description of the current concerns voiced by community, civic, professional or business representatives.
- A description of potential problems that have, or may have, a bearing on Departmental activities within the County.
- A statement of recommended actions that address previously identified concerns and problems.
- All activities performed by the Public Education Specialist.
- Any other relevant information concerning Departmental matters voiced by community, civic, professional or business representatives.

#### **4-14.51 COMMUNITY INVOLVEMENT**

The Public Education Specialist will identify the different community groups within the County and will, at least on a semiannual basis, meet with representatives from these groups in order to solicit and obtain input that may benefit and thus become an asset to the Department. The Unit will also, on a continuing basis, survey citizens who come into contact with departmental employees as victims, parties to a police incident or as members of community groups regarding their attitudes and opinions relating to:

- Overall Departmental performance.
- Overall competence and efficiency of Departmental employees.
- Employees' attitudes and behavior toward the community and its citizens.
- Citizen's concern over safety and security within the Departmental service area as a whole.
- Citizen's concern over safety and security within the precinct where the citizen resides.
- Any recommendations or suggestions from the community regarding improvements concerning the Department or its policies.
- Helping target programs to address citizens' perceptions or misperceptions of crime and related problems. This can be accomplished by soliciting citizen input.

Surveys will be conducted at community gatherings and by direct mail to random samplings of persons who have had contact with the department or random samplings of the community at large.

The findings of these surveys will be compiled and tabulated into report form and will be submitted along with the monthly report. This information may then be used in order to reexamine the policies concerning the Department's community relations commitment and the needs of the community.

#### **4-14.52 CRIME PREVENTION**

The Public Education Specialist will help and assist in the creation and establishment of community, neighborhood, business and professional groups in all areas of DeKalb County interested in crime prevention. Once such groups are established, the unit will maintain a close working relationship and establish a liaison for the purpose of creating and establishing crime prevention programs and activities.

Crime prevention programs and activities will be prioritized based on pertinent data. The targeting of programs should be based on need, crime type and geographic area derived by an analysis of local crime data and information; and the evaluation of crime prevention programs and activities on an annual basis.

The Public Education Specialist will also establish a working relationship with the County's Community Development Department, Planning Department and Public Works Department, as well as the Fire Marshall's Office, for the purpose of addressing crime prevention concerns in areas to be developed or redeveloped.

#### **4-14.53 CODE ENFORCEMENT – PURPOSE AND SCOPE**

To establish guidelines for the administration and operation of the DeKalb County Code Enforcement Unit. It will be the policy of the DeKalb County Code Enforcement Unit to provide the resources and procedures for consistent, fair, and accurate administration, and enforcement of the Property Maintenance Code, and the Sign and Zoning Ordinances for both Citizens and Industry DeKalb County.

#### **4-14.54 ADMINISTRATION**

The Code Enforcement Unit will be under the direct supervision of the Code Enforcement Manager who will report directly to the District Commander or his designee.

Each employee of the Code Enforcement Unit will be subject to the applicable rules and regulations of the DeKalb County Police Department and the Code Enforcement Unit. Employees will be responsible for any individual amendments or updates to these regulations as they are issued. Violation for any infraction will be addressed in Chapter two of this manual.

The Code Enforcement Unit is charged with the responsibility of enforcing the property Maintenance Code – Chapter 7, Sign Ordinance – Chapter 21, and Zoning Ordinance – Chapter 27 of the DeKalb County Code and all related State Laws and Regulations.

#### **4-14.55 UNIT REGULATIONS**

The Code Enforcement Manager may propose Standard Operating Procedures to organize and operate the Code Enforcement Unit in the most efficient manner possible, provided these operating procedures do not conflict with the Rules and Regulations set forth by the DeKalb County Police Department or the DeKalb County Merit System.

#### **4-14.56 DIVISION STRUCTURE**

The Code Enforcement Unit will be divided into two sections, Communications (office operation) and Field Operations.

#### **4-14.57 UNIT OPERATING PROCEDURES**

##### **A. Signing for Orders**

All employees will be REQUIRED to sign for all written orders within five days of issue.

##### **B. Citizen Inquires/Complaints**

Calls received from a citizen requesting information or to lodge a complaint every effort will be made to assist the caller. All of the required information will be recorded and entered into the computer and forwarded accordingly.

##### **C. Public Service**

All service to the public will be accomplished in a prompt, efficient and courteous manner. Telephone service will be provided in a professional and polite manner and every effort will be made to gather all information needed to perform the Unit's responsibilities appropriately.

##### **D. Roll Call**

Roll Call will be conducted on a daily basis for the purpose of making daily assignments, to discuss any problem areas, or situations that occurred on the previous watch and for safety topics.

Roll Call will be used by the supervisor to inspect officers for cleanliness, neatness and to ensure that officers comply with 4-14. 25 Uniform/Dress & Grooming Regulations.

Supervisors should arrive 15 minutes prior to roll call to prepare assignments and roll call should not exceed 20 minutes.

All equipment should be available in one area to enable all officers to go in-service within fifteen minutes after roll call is completed. Officers will begin their tour of duty as soon as possible and will not be permitted to be in the building after completion of roll call.

##### **E. Locating an Address**

Officers that have received assignments and are having difficulty in locating the address, they are to exhaust every effort to locate the address. If unable to locate the address of an assignment this should be reported to the supervisor at the end of the tour of duty for that day.

##### **F. Vehicle Operation**

All Code Enforcement Vehicles will be operated in accordance with State Laws, County Ordinances and the Dekalb County Police Department Policy.

It will be the responsibility of each Code Enforcement Officer to ensure that every load that is being transported is properly secured.

Each Code Enforcement Officer is responsible for cleaning out their unit before the end of their tour of duty. This includes the cab as well as the bed of the vehicle. Vehicles that are found not to be in compliance with this policy by another Code Enforcement Officer will report this immediately to their supervisor.

**G. Building Security**

The door separating the lobby from the main work area will remain locked at all times. The person assigned to the screening area will control access to the interior of the building. It will be the responsibility of the Field Supervisor to ensure that the building is locked and secured at the end of each workday.

**4-14.58 HONOR GUARD**

The DeKalb County Police Department Honor Guard has been established to represent the Department, its officers and families, handled parades, holiday observances and other ceremonial occasions. Military ceremonial functions such as rifle team, casket watch, presentation of the colors and bugler are some of the operational duties of the Honor Guard. During memorial services, the intention of the Guard is to assist all officers and their families during their time of emotional pain from the loss of loved ones.

The goal of the Honor Guard is to demonstrate to the community, state and the nation that the men and women of this department are proud, loyal, dedicated officers of integrity who care for and respect those who have served with them and before them.

This elite unit consists of hard-working, dedicated volunteers who have given and will continue to give, their greatest effort to ensure that this department and the county are represented with pride, dignity and professionalism.

Honor Guard training and operation will be under the command and direction of the Deputy Chief of Police.

**4-14.59 FUNERAL PROCEDURES**

A. Funeral Home – Honor Guard will handle Casket Watch of the officer during viewing hours. The officers will be posted and relieved by an Honor Guard supervisor.

B. Leaving the funeral home and pallbearers – Honor Guard will handle (unless family request others)

1. DeKalb County Police Honor Guard – Pallbearers will walk casket to funeral home doors and stop.
2. All officers (all agencies) outside will be called to ATTENTION as they are in two columns from the door to the hearse so the casket, family and dignitaries have officers on both sides.
3. All officers (all agencies) outside will be called to PRESENT ARMS.
4. Honor Guard will then walk casket into the hearse
5. All Officers (all agencies) outside will be called to ORDER ARMS.
6. The hearse will then be escorted to the church by DeKalb Motor Units, and all officers present at funeral home.

C. At church before services and before hearse arrives

1. Before the hearse arrives all uniform officers (all agencies) will line up at the curb with all Honor Guard Officers (all agencies) first, they will form two columns from the curb to the church doors so the family and the casket will have officers on both sides of them
2. As the hearse and family arrive all officers (all agencies) will be called to ATTENTION
3. When casket is starting to be removed from hearse all officers (all agencies) will be called to PRESENT ARMS
4. When casket, family and dignitaries enter the church all officers (all agencies) will be called to ORDER ARMS
5. Two DeKalb County Police Honor Guard Officers will then be positioned on the casket while it is in the church
6. All Honor Guard Officers (all agencies) will then enter the church and every attempt will be made to get all of them seated in the same area of church
7. All uniform officers (all agencies) will then enter the church.
8. When all officers are in the church and a few minutes before services start, an Honor Guard Supervisor will come from the back of church and position himself in front of and in the middle of the two Honor Guard Officers at the casket. They will then come to attention, do facing movements to face each other then meet in front of the supervisor. They will then salute the supervisor; he will then return the salute. They will all do a facing

movement and walk to the rear of the church. They will then come back in and sit with the other DeKalb County Police Honor Guard Officers.

D. After Church Services

1. The DeKalb County Police Department Honor Guard – Pallbearers will position at the casket.
2. All Honor Guard Officers (all agencies) will exit the church and form two columns out of the church to the hearse so that casket, family and dignitaries will have officers on both sides of them.
3. All uniform officers (all agencies) will exit the church and continue forming two columns out of the church to the hearse so that the casket, family and dignitaries will have officers on both sides.
4. When the casket, family and dignitaries arrive at the church doors all officers (all agencies) will be called to ATTENTION.
5. When the casket, family and dignitaries began coming out of the church, all officers (all agencies) will be called to PRESENT ARMS.
6. When the casket is placed into the hearse all officers (all agencies) will be called to ORDER ARMS.
7. All officers (all agencies) will be dismissed and go to their police units and engage emergency equipment.
8. The DeKalb Motor Unit (TAC) will escort the hearse to the grave site.
9. Honor Guards from all agencies will be first in the escort.

E. Arrival at the Grave Site/and Services at Grave Site

1. All Honor Guard Officers (all agencies) will form two columns from the hearse to the grave site so that the casket, family and dignitaries will have officers on both sides.
2. All uniform officers (all agencies) will continue to form two columns from the hearse to the grave site so that the casket, family and dignitaries will have officers on both sides.
3. When the casket is about to be removed from the hearse by DeKalb County Police Honor Guard – Pallbearers, all officers (all agencies) will be called to, ATTENTION.
4. When the casket is removed from the hearse by the DeKalb County Police Honor Guard – Pallbearers, all officers (all agencies) will be called to PRESENT ARMS. The casket will then be walked to the grave site by the DeKalb County Police Honor Guard with family and dignitaries following.
5. When the casket is placed over the grave site, all officers (all agencies) will be called to ORDER ARMS.
6. All officers will fall in around the grave site.
7. The grave site services will then begin.
8. Clergy will then conduct the service.

F. After Grave Site Services

1. Bag Pipes – “Amazing Grace” will be played.
2. All officers (all agencies) will be called to ATTENTION.
3. Taps will then start.
4. Officers (all agencies) will be called to PRESENT ARMS.
5. The DeKalb County Police Honor Guard will then fold the flag (most times Taps is done before the folding of the flag is completed).
6. The flag is then presented to the Honor Guard Supervisor by an officer from the DeKalb County Police Department Honor Guard.
7. The DeKalb County Police Department Honor Guard then salutes the flag.
8. The Honor Guard Supervisor then presents the flag to the Chief of Police.
9. The Honor Guard Supervisor then salutes the flag.
10. The Chief of Police then presents the flag to the family.
11. All officers (all agencies) will be called to ORDER ARMS.
12. The rifle team will then conduct a 21-gun salute.
13. A fly over will be conducted by Aerial Support and other police helicopters.
14. All officers will then turn on their county issued radios. A 10-42 (Ending Tour of Duty) will then be broadcast over the DeKalb County Radio system.

#### **4-14.60 BODY-WORN CAMERAS (CALEA 41.3.8)**

##### **PURPOSE (CALEA 41.3.8a)**

This policy is intended to provide employees with instructions on when and how to use the body-worn camera (BWC) so that they may reliably record their contact with the public in accordance with the law.

The use of body-worn cameras to document certain incidents of employee contact with the public can assist in protecting

the employee, the department, and the public from unsubstantiated complaints and charges of inappropriate conduct. Recorders can also be utilized as an important tool in the investigative process and assist in the substantiation of certain types of evidence. The scope of this policy will also pertain to the use of any vehicle recording devices commonly referred to as dash cameras or dash cams.

## PHILOSOPHY

The organizational philosophy regarding the use of the BWC is that it will allow for accurate documentation of police-public contacts, arrests, and critical incidents. It will enhance the accuracy of reports and testimony in court, the ability to review probable cause for arrests, employee and suspect interactions, evidence for investigative and prosecutorial purposes, and to provide additional information for employee evaluation and training. The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

### 4-14.61 USING BODY-WORN CAMERAS (CALEA 41.3.8b)

1. The BWC will be used only in conjunction with the employee's official duties.
2. The BWC will be powered on prior to the operation of the marked patrol vehicle.
3. The BWC will automatically turn on when the emergency lights of the vehicle are activated and the door to the vehicle is opened. If the BWC does not automatically start recording based on a pre-determined trigger(s), the employee will manually activate the BWC to record all dispatched and self-initiated calls, as well as all contacts with citizens in the performance of official duties. This is to include while working part-time jobs.
4. The BWC will remain activated until the event is completed and the employee is no longer engaged in the event in order to ensure the integrity of the recording, unless the contact moves into an area restricted by this policy. Intentional muting is prohibited.
5. If an employee fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the employee will document why a recording was not made, was interrupted, or was terminated via a memorandum to the immediate supervisor prior to the end of the shift.
6. Once the event has ended, the employee will manually deactivate the BWC.
7. Employees will use only the BWC issued or approved by the department.
8. The use of any personal video recording equipment is prohibited while acting in the capacity of a DeKalb Police Department Employee, except as approved in writing by the Division Assistant Chief.
9. Employees assigned a BWC shall use the equipment unless otherwise instructed by supervisory personnel.
10. Officers holding the rank of Lieutenant and below will be required to wear the BWC while on duty in uniform.
11. Officers of all ranks will be required to wear the BWC while working any part-time job in uniform.
12. Officers who do not normally wear a uniform will wear the BWC when involved in activities that are likely to cause enforcement actions.
13. Spare cameras are available in the case of malfunction and can be obtained through the Advanced Technology Unit (ATU). In the event a spare camera is deemed necessary, the Watch Commander will request it via a help desk ticket and by sending the employee directly to ATU repair/replacement. Should this request be needed after hours, the on-call ATU personnel will be contacted.
14. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the department.
15. This policy does not govern the use of recording devices used in undercover operations.
16. Employees will only wear the BWC in holders specifically approved by the manufacture/ATU.
17. The Training Academy and the Criminal Investigations Units (CID and Uniform CID) will be issued a lanyard style holder that is only to be utilized in accordance with the Divisions' standard operating procedures.
18. No unit/division is authorized to supplement the use of the issued vest carrier or otherwise approved holder by ATU with the lanyard style holder when in a uniform capacity.

### 4-14.62 RESTRICTIONS ON USING BODY-WORN CAMERAS (CALEA 41.3.8b)

The BWC will be used only in conjunction with official law enforcement duties. The BWC will not generally be used to record:

1. Communications with other personnel without permission of the other person or the Chief of Police.
2. Encounters with undercover officers or confidential informants.
3. Recording when on break or otherwise engaged in personal activities.
4. The use of the BWC in any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

5. Intentional muting.
6. In officer-involved shootings, the ATU will restrict all access except to those authorized by the Chief of Police.
7. Dissemination or viewing outside the Department is strictly prohibited without the specific authorization of the Chief of Police.
8. Personnel are not authorized to playback BWC recorded media for citizen viewing.
9. The Department reserves the right to limit or restrict personnel from viewing video files.
10. Recorded data may not be used in any situation that is likely to bring disrespect or embarrassment to the DeKalb County Police Department or to any employee of the Police Department.
11. Personnel will not edit, alter, erase, duplicate, copy, share or otherwise distribute in any manner of BWC recordings without prior written authorization and approval of the Chief of Police.

#### **4-14.63 CRIMINAL AND ADMINISTRATIVE USE (CALEA Standard 41.3.8c)**

Recordings from the BWC are subject to containing evidentiary content for criminal and administrative proceedings.

1. BWC data can be used as evidence for criminal and/or administrative investigations.
2. BWC recordings are to supplement written reports.
3. Personnel shall appropriately classify all media captured on the BWC reasonably following the incident. Inclusion of case numbers or citation numbers are preferred notes whenever possible. More than 25 unclassified videos within 30 days will constitute violation of this policy.
4. All incident and accident reports shall end with a notation documenting "BWC activated."
5. Internal Affairs (IA) or the supervisor investigating a specific act of employee conduct may use BWC recording as an investigative tool.

#### **4-14.64 RETENTION OF RECORDED DATA (CALEA 41.3.8d)**

Video recordings from DeKalb County Police Department body-worn devices or devices located on or inside of DeKalb County vehicles, shall be retained and stored by the vendor for 180 days from the date of such recording except:

1. If such recording is part of a criminal investigation, shows a vehicular accident, shows the detainment or arrest of an individual, or shows a law enforcement officer's use of force, it shall be retained for a period of time as specified by current state statutory limits or beyond, and;
2. If such recording contains evidence that is or can reasonably be anticipated to be necessary for pending litigation, it shall be retained for a period of time as specified by current state statutory limits or beyond, and if litigation is commenced during such period it shall be retained until a final adjudication of such litigation.

#### **4-14.65 PURGING OF RECORDED DATA (CALEA 41.3.8d)**

Recorded data not identified as a criminal or non-criminal matter will be purged from the recording device (after upload is complete) as data recording space deems necessary to keep the recording device operational by the employee. Recorded data will not be released outside the control of the DeKalb County Police Department.

#### **4-14.66 EQUIPMENT MAINTENANCE AND INSPECTION (CALEA 41.3.8e)**

1. BWC equipment is the responsibility of individual employees and will be used with reasonable care to ensure proper functioning.
2. Employees will inspect and test the BWC prior to each shift in order to verify proper functioning and will notify their supervisor of any problems.
3. Equipment malfunctions will be brought to the attention of the employee's supervisor as soon as possible so that a replacement unit may be procured.
4. Supervisory personnel will ensure that employees equipped with the BWC devices utilize them in accordance with policy and procedures defined herein.
5. Supervisors will ensure that BWCs are operational, well maintained.
6. BWCs may require periodic charging while on-duty or working part-time jobs. Personnel may charge BWCs with portable power banks issued by the ATU instead of using an outlet.

#### **4-14.67 TRAINING REQUIREMENTS (CALEA 41.3.8f)**

1. Employees who are assigned a BWC must complete an agency approved training program to ensure proper use and operation.
2. The ATU will train employees on how to use the BWC system and equipment before issuance.
3. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the

equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.

**4-14.68 REQUIRED REVIEWS OF CAMERA CAPTURED DATA (CALEA 41.3.8g)**

1. Supervisors shall review BWC videos as part of a precinct-level administrative investigation, e.g., line-level complaint, non-shooting use of force, injury to personnel, etc.
2. Watch Commanders shall review two random recordings per week to ensure that the equipment is operating properly and subordinates are adhering to the policy. Misconduct or areas of deficiency may require additional training, guidance, or corrective actions.
3. Watch Commanders will note the inspections on their weekly reports.

**4-14.69 WHEN RECORDED DATA MAY BE VIEWED AND BY WHOM**

1. ATU as directed/requested by IA, or for the purpose of locating training videos for the betterment of the Department (said video to be forwarded to training for use).
2. Upon approval by a supervisor, any member of the department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
3. By the person who originally recorded the incident.
4. Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
5. By the media with permission of the Chief of Police.
6. In compliance with a proper public record's request pursuant to the Georgia Open Records Act.
7. Citizens will not be allowed to review recordings at the scene; they must make a formal request through the Open Records Unit of the department.
8. If an employee is suspected of wrongdoing or involved in an officer-involved shooting or other serious use of force, the department reserves the right to limit or restrict an officer from viewing the video file.

**4-14.70 OTHER CONSIDERATIONS**

1. Any recorded data of employee related activities, on or off duty, produced by equipment that is owned by an employee becomes subject to being seized as the property of the DeKalb County Police Department at the discretion of a supervisor.
2. Recorded data may not be used in any situation that is likely to bring disrespect or embarrassment to the DeKalb County Police Department or to any employee of the Police Department.
3. All employees are reminded to be aware of the DeKalb County Policy on using audio/video recording devices as it relates to unauthorized recordings of county employees.
4. Employees will provide a written explanation regarding any deviation from this policy to their immediate supervisor by the end of their shift.

**4-14.71 MISCONDUCT**

Personnel who misuse or fail to use the BWC when required will be subject to disciplinary action or other sanctions. Refer to Section 2-2.74 for a schedule of penalties.

**4-14.72 T5 THERMAL IMAGING SYSTEM – PURPOSE**

The T5 Thermal Imaging System is a law enforcement tool to be used primarily for searching for missing persons and for locating fleeing or concealed suspects. The T5 can detect a heat source at approximately 1200 feet and the user can identify that source as a person at between 600 and 900 feet. The T5 has a closed circuit digital camera along with a thermal camera. Still photographs and video with audio can be taken using this device and can be viewed on the unit or on a separate monitor by using the cables provided. The thermal imager can also be utilized to search for recently discarded evidence or lost articles.

**4-14.73 POLICY**

The T5 Thermal Imaging System may be available to sworn officers of the DeKalb County Police Department to utilize while conducting police functions. Supervisors are encouraged to carry the imagers in their assigned vehicle during their shift. The imagers will be utilized in accordance with the procedures set forth in this section. Thermal imagers are intended for official department use only and are not to be used for frivolous or personal activities.

**4-14.74 PROCEDURE**

- A. The following items of equipment are to be issued to each precinct:

1. One (1) T5 Thermal Imaging System
2. One (1) 12v D/C charger
3. One (1) 120vac smart charger
4. One (1) USB connector

**B. Use and care of imagers:**

1. The thermal imagers will be used in a manner as to properly capture audio/video for potential evidentiary use and to reduce the possibility of damaging the unit.
2. A supervisor shall sign the imager log when checking out and returning the thermal imager. The imager will be inspected for damage at the time it is checked out. Any damage or malfunctions shall be documented and reported immediately to a supervisor.
3. When returning the imager, the officer will check the battery meter. If the meter indicates the battery is low, the imager will be placed on the provided charger. No other charging device should be connected to the imager.
4. When using the thermal imagers for locating missing persons, suspected criminals or items of evidentiary value the record mode will be utilized.
5. When searching for missing persons or suspects, users will operate in a team of at least two officers, with the second officer providing cover for the operator of the thermal imager.
6. Each thermal imager has a time and date stamp and this feature shall be enabled when in record mode.
7. Officers shall use the included shoulder strap to reduce the risk of damage to the thermal imager.
8. When not in immediate use, officers shall secure the thermal imager in the provided case.
9. The imagers will not be used while operating a vehicle, during periods of heavy rain, or to conduct surveillance without a search warrant.

#### **4-14.75 AUTHORIZATION FOR USE**

**A. Equipment:**

1. Thermal Imagers are available at each precinct for supervisors to check out to utilize during their shifts. Supervisors may delegate a subordinate to operate the thermal imagers.
2. Employees shall not use any other charger or USB connector other than the one issued with each thermal imager.

**B. Activation of the thermal imager:**

1. Officers are encouraged to activate and utilize the thermal imager at any time the officer reasonably believes the imager will assist them in locating a missing person, locating a suspect, locating items of evidentiary value, or recording an incident that may be of future benefit to the department. When arriving at a scene where the thermal imagers are to be used, officers should determine which mode to utilize. If the CCD camera is to be used, officers should remove the lens cap and begin recording. Depending on the light conditions, the user could utilize the LED lights affixed to the thermal imager. If the thermal camera is to be used, the lens cap can remain affixed to the CCD lens. When utilizing the thermal camera, officers should keep in mind that the LCD monitor can cause backlighting. The monitor has a menu-operated dimming feature which greatly reduces backlighting produced by the unit and should be adjusted when the backlighting could cause risk to the operator.
  - a. At no time should an officer jeopardize his safety in order to activate the thermal imager.
  - b. Officers are prohibited from utilizing the thermal imaging recorded data for personal use (i.e. social media, video sharing).
  - c. Officers will comply with the DeKalb County Administrative Procedure for Unauthorized Recording/Video of County Communications.
  - d. No member of the department may surreptitiously record a conversation or actions of any other member of the department, except with a court order or when authorized by the Chief of Police or his authorized designee for the purpose of conducting a criminal investigation or as an administrative tool.

#### **4-14.76 RETENTION OF RECORDED DATA**

**A. Criminal:**

1. Anytime an officer records any portion of an incident which he reasonably believes constitutes evidence related to a criminal or traffic case, the officer will download the data to a compact disc and place the disc into Property and Evidence. The thermal imagers have a recording time limit of one hour per video. After an hour has elapsed, the file is saved and a new recording starts automatically without any additional commands from the user. Officers will confirm that all data from the incident they recorded is downloaded to the disc prior to placing the disc into Property and Evidence.
2. The officer will note in any related incident report that the recording has been placed into evidence.

3. Recorded data placed into evidence shall be retained through the final disposition of the related case and in accordance with departmental policy.
- B. Non-Criminal:
  1. Anytime an officer records any portion of an incident which he reasonably believes may be useful to the department for complaints and/or training purposes, the officer will download the data to a compact disc. The disc will be forwarded to the appropriate authority, Internal Affairs and /or Training.
  2. Under such circumstances, the officer will notify a supervisor of the existence of the recording as soon as reasonably possible.
  3. Recorded data that has been placed into safekeeping will be retained for a period of two years.

#### **4-14.77 PURGING OF RECORDED DATA**

Recorded data not identified as a criminal or non-criminal matter will be purged from the thermal imager as data recording space deems necessary to keep the thermal imager operational. The thermal imager has an icon in the shape of a memory card on the top right corner of the monitor which will change color to inform the user when the memory is almost full. The data cannot be erased directly from the thermal imager and must be connected to a computer with the provided USB connector to be erased. External hard drives may be used for the purpose of storing the recorded data. Division/Unit commanders will identify the standard operating procedures for the retention and purging of data on external hard drives as deemed appropriate. Recorded data will not be released outside the control of the DeKalb County Police Department, except as noted below.

#### **4-14.78 RECORDED DATA MAY BE VIEWED IN THE ANY OF THE FOLLOWING SITUATIONS**

- A) By a supervisor investigating a specific act of officer conduct;
- B) Upon approval by a supervisor, any member of the department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation;
- C) By the person who originally recorded the incident;
- D) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case;
- E) By the media with permission of the Chief of Police or his authorized designee;
- F) In compliance with a proper public records request pursuant to the Georgia Open Records Act;
- G) Dissemination or viewing outside of the department is strictly prohibited without the specific authorization of the Chief of Police or his authorized designee.

#### **4-14.79 OTHER CONSIDERATIONS**

- A) The thermal imagers are equipped with LED lights and an audible siren. The LED lights have a strobe function that can be used to temporarily disorient an attacker. Some persons have been known to have seizures or feelings of nausea after being exposed to flashing lights. If a subject who is directly or indirectly exposed to the strobe light requests medical attention or is physically incapacitated after the exposure, then Fire/Rescue shall be requested as soon as it is safe for the officer to do so.
- B) The unit's thermal core will not allow the operator to see through glass or walls. Care must be made when searching, as reflective images can appear as a person.

## CRIMINAL INVESTIGATION DIVISION

### 4-15 ORGANIZATIONS AND ADMINISTRATION

Policy: The Criminal Investigation Division will be responsible for identifying and apprehending offenders, recovering property, gathering, documenting, and evaluating facts regarding criminal activity, and assisting in the prosecution of those charged with criminal offenses.

Purpose: The purpose of the Criminal Investigation Division will be to thoroughly and professionally investigate all criminal activity assigned for investigation.

Scope: Criminal activity that will be investigated by the Criminal Investigation Division will include all cases of negligent and non-negligent homicide, rape, robbery, assault, kidnapping, burglary, criminal trespass, larceny, auto theft, molestation, indecent exposure, missing persons, stolen vehicle recovery, abandoned vehicles, forgery, financial credit card theft and fraud, harassing and obscene phone calls, youth offenses, all cases of narcotics violations, and other criminal activities that may be assigned to the division by the Chief of Police for further investigations.

The Criminal Investigation Division will be organizationally located within the Police Department. The Division Commander will report to the Chief of Police.

#### 4-15.1 Personnel Assignments and Responsibilities

##### A) DIVISION COMMANDER

The Division Commander will be responsible for the overall operation of the Criminal Investigation Division and will have the final divisional authority in matters of operation, policy, and discipline. He will exercise such lawful directives as are necessary to assure the effective performance of the Division. The Division Commander will have the authority to assign or transfer divisional personnel, as he deems necessary and beneficial to the Division.

The Division Commander assumes primary responsibility for investigation and enforcement of violations of criminal and narcotics statutes. He is responsible for development and implementation of general and special police programs within the Criminal Investigation Division. He is responsible for developing Division goals, which facilitate the achievement of Departmental goals. He will be responsible for the development, preparation and execution of the Division budget, including the management of confidential funds. He will insure that Division personnel comply with established policies, procedures, and rules of the Division and Department.

The Division Commander will be responsible for reporting monthly to the Chief of Police on the activities of the Division during the previous month, to include the type and number of arrests, seizures, major case status and fiscal accounting of Departmental funds.

##### B) SECTION COMMANDERS

Section Commanders are responsible for the assignment, direction and control of personnel under their command to assure the proper performance of duties and adherence to established rules, regulations, policies, and procedures, and the continuation of supervision in their absence.

Section Commanders are responsible to continuously seek and develop innovations and new methods relative to their operation. Section Commanders may transfer personnel, both supervisory and non-supervisory, from one investigative unit to another within their section. Section Commanders will have the responsibility to assign Unit Commanders and Assistant Unit Commanders to watch assignments, off days, and weekend duty to insure that adequate supervision is on duty at all times within their respective sections.

##### C) UNIT AND ASSISTANT UNIT COMMANDERS

Unit and Assistant Unit Commanders are responsible for individual assignments, direction and control of personnel under their command to insure the proper performance of duties and adherence to established rules, regulations, policies, and procedures. Unit and Assistant Unit Commanders will be responsible for the assignment of cases, direct supervision over major case investigations, communication between the various investigative units, watch assignments, off-day assignments, on-call and weekend duty assignments.

##### D) DATA ENTRY SUPERVISOR

The Data Entry Supervisor will be responsible for the Pawn Desk and off-day assignments of personnel assigned to the Pawn Desk.

## **CRIMINAL INVESTIGATION DIVISION**

### **E) CRIME SCENE INVESTIGATION UNIT COMMANDER**

The Crime Scene Investigation Unit Commander will be responsible for the direct supervision of the Crime Scene Investigations and Lab Unit to insure that evidence is properly received, processed, and safeguarded.

### **F) CRIME SCENE INVESTIGATION UNIT SUPERVISOR**

The Crime Scene Investigations Unit Supervisor will be responsible for the examination and evaluation of all latent prints received by the Unit including the operation of the Automated Fingerprint Identification System (AFIS), and shall serve as the Assistant Unit Commander.

### **G) CRIME SCENE INVESTIGATION SHIFT SUPERVISOR**

The Crime Scene Shift Supervisors will be responsible for the general supervision of Crime Scene Investigators on an assigned shift and participates in the gathering, processing, and classifying of evidentiary material.

### **H) MASTER CRIME SCENE INVESTIGATOR, SENIOR CRIME SCENE INVESTIGATOR AND CRIME SCENE INVESTIGATOR**

The responsibility of investigators assigned to the Crime Scene Investigation Unit is to process and photograph crimes and accident scenes in the field, lift and process latent prints, collect, analyze, and prepare evidence for courtroom presentation, receive, process, and safeguard evidence, maintain records; and conduct identification testing on suspected marijuana when submitted.

### **I) CRIME SCENE FORENSIC PHOTOGRAPHER**

The responsibility of the Crime Scene Forensic Photographer is to gather, process and develop evidence of a photographic or video nature. The Forensic Photographer will further be responsible for the generation, maintenance and inventory control of all items and materials, which relate to the operation of the C.S.I.U. photo laboratory.

### **J. LATENT PRINT EXAMINERS**

The Latent Print Examiners examine and compare latent prints from crime scenes with possible suspects and also enter quality prints into the states A.F.I.S. system for identification for identification purposes.

### **K. INVESTIGATIVE AIDES**

The Investigative Aides will be responsible for providing assistance to Unit and Assistant Unit Commanders and detectives as directed.

### **L. SENIOR OFFICE ASSISTANTS**

Senior Office Assistants are responsible for answering the phone, typing reports, supplemental reports, watch lists, investigative activity reports, and memorandums, operations of the detective radio console when necessary, pickup and distribution of departmental mail, and other traditional clerical functions.

## **4-15.2 GENERAL SECTION RESPONSIBILITY**

### **A) CRIMES AGAINST PERSON SECTION**

The Crimes Against Persons Section will be responsible for investigation of negligent and non-negligent homicide, robbery, assault, terrorist threats, kidnapping, and stalking cases. The Section will be divided into two investigative units, the Homicide/Assault Unit and the Robbery Unit. The Section will also consist of the Crime Scene Investigations and Lab Unit that will be responsible for the processing of all crime scenes and latent print examinations.

### **B) CRIMES AGAINST PROPERTY SECTION**

The Crimes Against Property Section will be responsible for investigation of burglary, criminal trespass, larceny, auto theft, stolen vehicle recovery, abandoned vehicles, forgery, credit card theft and fraud. The Section will consist of an investigative units assigned to each precinct in the County, and the Fraud/Financial Crimes Unit. The Section will also consist of the Pawn Unit that is responsible for the regulation of all pawnshops located in DeKalb County.

### **C) SPECIAL VICTIMS UNIT**

The Special Victims Unit will be responsible for investigation of rape, sexual assault, molestation, indecent exposure, child abuse, custody violations, missing persons, and harassing and obscene phone calls. The section will also assist Homicide in child death investigations and will assist DeKalb School Police as requested.

### **D) NARCOTICS SECTION**

The Narcotics Unit of this Section will be responsible for investigation of illegal narcotic and controlled substances traffic and abuse and for gathering intelligence and prosecuting illegal narcotic activity of an organized nature.

The Narcotic Unit will include the Strike Force. The Narcotics Unit will deal primarily with upper level drug dealers, distribution networks, etc. The Strike Force will direct its enforcement efforts primarily toward street-level drugs sales and possession cases. Both Units will however work in conjunction when circumstances dictate.

### **E) VICE/PERMITS UNIT**

The Vice/Permits Unit is responsible for the investigation of persons and organizations involved in prostitution, gambling, alcohol violations, other vice-related criminal activity, perform permit and license checks of locations which serve alcohol and/or provide adult entertainment.

The Unit is also responsible for issuing those permits as required by DeKalb County Ordinances and Policies.

#### **4-15.3 HOURS OF OPERATION, ON-CALL, AND WEEKEND DUTY**

The normal hours of operation of the Criminal Investigation Division will be between the hours of 8:30 a.m. and 12:30 a.m. 5 days a week and 8:30 to 1:30a.m. the remaining two days. The Day Watch will be between the hours of 8:30 a.m. and 5:00 p.m. The Evening Watch will be between the hours of 4:00 p.m. and 12:30 a.m. Sunday through Thursday and 5:00p.m. and 01:30a.m. on Friday and Saturday. Section Commanders may alter the hours of operation of Units within their Section according to operational needs and manpower allocation.

An on-call schedule will be maintained by each investigative unit for hours not falling within normal working hours and will be submitted each day to the Senior Office Assistant on duty to be included on the Evening Watch list.

A primary and secondary on-call detective will be listed for each investigative unit along with the radio number and home phone number of each detective. If a detective is called out, he/she will proceed to the location desired by the Uniform Division supervisor without further question.

A weekend duty schedule will also be maintained listing detectives and superior officers who will work on weekends. The Section Commanders will prepare a list of superior officers who will work weekend duty for a period of three (3) months in advance for both the Day Watch and the Evening Watch. Unit Commanders will prepare a list of detectives who will work weekends on both the Day Watch and the Evening Watch on a rotating basis depending on manpower allocation.

Watch lists indicating on-call detectives and weekend duty detectives and superior officers will be distributed to the Communications Division, Uniform Division, and the Record Room.

#### **The qualifications for assignment as a sworn officer in Criminal Investigations are:**

- Two (2) years experience as a DeKalb County police officer to qualify to take the eligibility exam.
- Last two (2) evaluations no less than an overall 3.0.
- Must be a Police Officer Senior or a Master Police Officer.
- Cannot be currently under any type of disciplinary investigation.
- Successful completion of the CID eligibility exam and be placed on the eligibility register.
- Residence within thirty-five (35) miles from the DeKalb County line (due to call-out responsibilities).

There is no specified period of time regarding the length of an officer's assignment in the Criminal Investigations Division. However, the policy set forth in this section shall apply to those sworn personnel assigned to the Narcotics Unit.

Personnel assigned to the Narcotics Unit are working in a highly sensitive and dangerous area of crime. Personnel are often involved in deep undercover investigations and this may place the lives of themselves and their families in danger. Even with the highest degree of security, officers become known in the drug world, which is the largest contributor of crime in DeKalb County and the nation. Therefore, after a two- (2) year limit for detectives and a three- (3) year limit for supervisors in the Narcotics Section, there will be a review of those personnel for retention or transfer by the Narcotics Commander and Division Chief.

Internal Affairs will activate security checks on a regular basis to preserve the integrity of the unit.

Personnel being transferred into or out of Narcotics should not consider present or future transfers based on anything other than sound management procedures in this high-risk area of police work, whether transferred to other areas of CID or Uniform Division.

Large police departments throughout the state and nation highly recommend this procedure in narcotics assignments, including the Governor's Handbook for Law Enforcement Executives.

#### **4-15.4 CHAIN-OF-COMMAND, POLICIES, CORRESPONDENCE, AND COMPLAINTS**

##### **A) CHAIN-OF-COMMAND**

The chain-of-command will be respected in all matters when practical. Information and communications will move up and down the chain-of-command through channels. However, there is no need for the flow of information to stop simply because the next link in the chain-of-command is unavailable. When the next supervisor in line cannot be contacted in important situations or in emergencies, then an attempt should be made to contact the next supervisor in line, and so on up

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to the Chief of Police. During times when the Chief's office is closed, an attempt will be made to call him at home, when necessary. If the Chief is not available, an attempt will be made to contact the Chief's Aide who will advise the Chief as soon as possible.

### **B) POLICIES AND PROCEDURES**

All memorandums pertaining to a new divisional policy or procedure will be distributed by the Division Commander's Office. Any recommendations for a new policy or procedure will be forwarded through the chain-of-command in writing to the Division Commander's Office for review. No memorandum pertaining to policy or procedure will be sent from one Section or Unit to another or to any other section or division without the expressed authority of the Division Commander.

### **C) CORRESPONDENCE**

All correspondence pertaining to police business going out of the Division will be authorized by a supervisor.

### **D) COMPLAINTS**

All complaints against other units, sections, divisions will be prepared in writing and forwarded through the chain-of-command to the Division Commander's Office.

## **4-15.5 DETECTIVE BADGES, IDENTIFICATION AND CLOTHING ALLOWANCE**

Upon being assigned to the Criminal Investigation Division, detectives will be issued a detective badge, badge holder, and investigative identification cards. The investigative identification cards will include the photograph and the signature of the detective, and the signature of the Chief of Police. Upon transfer to another division, the detective will be required to return their badge, badge holder and investigative identification cards to the Division Commander's Aide. It will be the responsibility of the Unit Commander to insure that this procedure is followed. In the event of lost or stolen badge or investigative identification cards, the detective will report the loss or theft as soon as possible to their immediate supervisor and turn in an incident report describing the circumstances. All detectives and supervisors assigned to C.I.D. in an investigative capacity will receive a semi-annual clothing allowance. The amount of the clothing allowance is currently \$350.00 per year.

## **4-15.6 CASE EVALUATION, ASSIGNMENT, PREPARATION, AND VICTIM NOTIFICATION**

### **A) CASE EVALUATION**

Reports assigned to the Criminal Investigation Division will first be sorted and assigned to the appropriate investigative unit. Each investigative unit is specialized and contains detectives with specialized skills to perform specific types of investigations. After reports are sent to the appropriate unit, the supervisor will then evaluate the report for investigative merit. All serious crimes will be assigned to a detective for investigation. These include all homicides, rapes, robberies, aggravated assaults, burglaries, auto thefts, arsons, kidnapping, selected larcenies, molestations, indecent exposures, some missing persons, forgery, and credit card theft and fraud. Cases that may not receive immediate follow-up investigation include simple batteries, some larcenies, some missing persons, criminal trespass, and other miscellaneous cases.

Those cases not selected for immediate follow-up are based on documented experiences of the Criminal Investigation Division to have a low solvability rate, documented experiences of other law enforcement agencies, research conducted by the Criminal Investigation Division and the results of research conducted by other police agencies. This research includes statistical data on clearance rates within the division as compared with the national average of clearance rates and clearance rates of other law enforcement agencies. Supervisors, whose job it is to assign cases, will consider the following elements in identifying cases that are and are not selected for follow-up investigation.

- Range of time of report
- Witness's report of offense
- On-view report of offense
- Usable fingerprints
- Suspect information developed, suspect or name
- Vehicle description
- Other

The supervisor will evaluate those cases not normally assigned due to their seriousness and apply the above evaluation criteria to determine whether those cases should also be assigned to a detective for follow-up investigation.

### **B) CASE ASSIGNMENT**

Cases will be assigned by a supervisor to detectives using the aforementioned criteria for follow-up investigations. Once the case has been assigned, the individual detective will assume full responsibility for the case.

After the supervisor has identified which cases merit follow-up investigation, the supervisor will then assign the case in RMS (Records Management System) to individual detectives or investigative aides. When the case is assigned, the case should then be moved to the assigned detective's Inbox folder and the following information will be entered into RMS:

1. Name and badge number of detective
2. Date case assigned
3. Disposition (case status)
4. All case notes and Court Supplemental Reports or closure supplemental
5. Arrest information
6. Additional stolen property
7. Recovered stolen property and vehicles
8. Date property/vehicle recovered
9. Jurisdiction that made recovery
10. Location where vehicle is being stored
11. Date owner notified
12. Date vehicle was released
13. Reassignment date, if any, with new detective's name and badge number

C) CASE DESIGNATION

All cases assigned to the Criminal Investigation Division will be classified into four (4) categories

1. Active-The case is currently being investigated.
2. Inactive-The case has no solvability factors and is not currently being actively investigated.
3. Closed-The case has been closed by arrest or exceptional means.
4. Suspended- if after thirty (30) days no leads, suspects, or information has developed in the case, and the case is of a non-serious nature, the case may be suspended.

D) CASE FILE CONTENTS

Detectives will be responsible for the contents of any file created as a result of any case assigned to them. A case file should include but not be limited to the following documents:

1. Incident Report
2. Arrest Report
3. Written statements provided by a complainant, victim, witness, and/or suspect(s)
4. Any documentation relating to the case excluding documents of an evidentiary nature
5. Hot file entries, modifications and/or clearances
6. Detective's supplemental report (contact sheet, closure supplemental)
7. Any State Crime Lab report, Crime Scene Investigations report, or latent print examiner's report
8. Detailed supplemental report, approved by a supervisor (Court Supplemental)
9. All court appearance documents

Cases assigned for follow-up investigation will have a supplemental report filed no later than 30 days from assignment date or within 30 days of an arrest in the case. The detective will file a supplemental report detailing the investigation of the case up to that point. Further supplemental reports will be filed as leads and other developments occur.

E) CASE FILE DISTRIBUTION PROCEDURES

1. In each case where an arrest has been made, the case detective will complete a court supplemental report within 30 working days of the arrest, or 10 days if a jail case. Cases referred to the Juvenile Court will require a preliminary supplemental report within 72 hours.
  - a. Court (Original)
    - 1) The Court will receive the original detailed supplemental report (approved by a supervisor) along with all original exhibits and supporting documentation (Exhibits will not include evidentiary material). This material must be organized in a clear and concise manner, bound and secured in a file folder or binder.
    - 2) The supplemental report (depending on size) should be bound or secured, or placed in a manila clasp envelope, labeled and sealed for delivery to the court.
    - 3) Print the case number, victim's, defendant's and investigating detective's names prominently on the envelope or binder, stamping all arrests "ARRESTED".
    - 4) Place the court package in the designated basket or pickup area of central headquarters CID and complete the appropriate receipt log for either State or Superior Court.
    - 5) Place Juvenile Court supplemental packets for delivery in the Special Victims Unit pickup basket.
  - b. Record's Copy

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- 1) The Record Room will receive copies of the original detailed supplemental report along with all original exhibits and supporting documentation.
  - 2) Seal the copy with a manila clasp envelope (or other approved container) stamping both the face sheet of the report and outside envelope with "CONFIDENTIAL" in red ink.
  - 3) Print the case number, victim, defendant's and detective's name prominently on the envelope.
  - 4) Place in the designated delivery basket or pickup area of Central CID, routing the file copy to the Records Section.
2. In cases where the detective has obtained an arrest warrant but no arrest has been made after 30 days, a supplemental report should be prepared including all information regarding the investigation up to that time. This sealed packet should have stamped or printed on it "NOT ARRESTED". The package will then be forwarded to the office of the Division Commander for storage. When a detective is notified of an arrest, they will contact the Division Commander's Aide in order to retrieve the file. Once an arrest is made and the post-arrest investigation is completed, an additional supplemental report will be prepared providing the District Attorney or Solicitor General's Office with updated information and documentation. These case files should be distributed in the same manner as if an arrest had been made earlier.
  3. In felony and some misdemeanor cases where there has been no investigative activity for 30 days, or sooner at the detective's discretion, a supplemental report will be completed by the case detective. The report will contain all the pertinent facts discovered during the investigation. Sufficient information should be included to permit any future investigation to begin at the point the initial investigation ended.

When the supplemental report is completed, the following disposition will be made:

- a. Copies will be attached to all original documentation;
- b. Stamp all appropriate documents with the "CONFIDENTIAL" stamp in red ink and;
- c. Forward the original case file to the records section.
- d. In addition to the original file documents, a copy of the file may be maintained in a secure storage area designated by the Section Commander. The documents must be sealed in an approved manila clasp envelope or other approved container.
- e. Supervisors will be responsible for the purging of suspended cases after five (5) years with the following exceptions:
  1. Aggravated Assault involving serious bodily injury
  2. Armed Robbery involving serious bodily injury
  3. Aggravated Battery
  4. Rape
  5. Aggravated Sodomy
  6. Aggravated Child Molestation
  7. Aggravated Sexual Battery
  8. Any felony case deemed by a supervisor to be of such nature as to warrant prosecution after five years.

Case files of sensitive nature may be sealed in an approved manner with the approval of a supervisor. Open homicide cases will be sealed and clearly marked "OPEN HOMICIDE CASE" in red ink on the exterior of the package. All open homicide cases will be stored in their entirety at the County's Archive facility in accordance with their established guidelines.

The case detective may retain the C.I.D. and Chief's copies of the report and copies of any documentation that they feel are appropriate; however, this copy of the case is the sole responsibility of the case detective. The department will not provide storage for these files.

All original items of evidentiary material (i.e., forged checks, credit cards, video and audio tapes, original photo line-ups, etc.) will be placed in the Property and Evidence Section. Only copies of this evidence will be maintained in the detective's case file.

Access to case files stored in the Records Sections will be limited to authorized personnel of the DeKalb County Police Department and personnel assigned to the Criminal Investigation Division.

Exceptions to any part of this policy must be approved by a CID supervisor of the rank of Lieutenant or higher after a case-by-case review of the circumstances on which the request for exception is based. Whenever an exception is granted to this policy, a notation will be made on the inside cover of the case file noting the reason for the exception and the name and title of the person approving the exception.

### F. CASE PREPARATION

Case preparation is very important to the successful prosecution of any criminal case. Detectives should insure that their case files are complete and contain everything required by the prosecutor's office. In order to accomplish this a checklist should be utilized. In any event, certain documents are critical to every case file:

1. Statements- Each case file sent to the prosecutor (Office of the District Attorney, Solicitor's Office or Juvenile Court) must include the victim's formal statement as well as any and all other written or taped statements provided to detectives. Likewise every written or taped statement obtained from any witness must be included. It must be remembered that counsel for the defense, through discovery, must have access to any statements made by the defendant that will be used during the prosecution within 10 days of the trial. If a detective testifies to statements made by the defendant that were not included in the reports given to the defense attorney through a motion of discovery, the trial may end in a mistrial, or the statement may be inadmissible. Therefore, it is important to include any statements made by the defendant, which may be used at trial in the case file, sent to the prosecuting attorney.
2. All official reports relating to the case will be included in the detective's case file to be reviewed by the prosecuting attorney. These reports include the following:
  - a. Reports
    - 1) Original Incident Report
    - 2) Arrest Reports
    - 3) Supplemental Reports
    - 4) Inventory of physical evidence
    - 5) List of witnesses and their statements
    - 6) Statements of victim(s)
    - 7) Crime lab reports
    - 8) Statement of perpetrator(s), if any
    - 9) Affidavits for Search Warrants
    - 10) Copies of arrest and/or search warrants
    - 11) Advisement forms (Miranda Warnings, etc)
    - 12) Criminal History records
    - 13) Completed line up identification forms
    - 14) Any other official report relating to the case
  - b. Exhibits
    - 1) Photographs and/or sketches of the crime scene, victim, perpetrator, etc.
    - 2) Photocopies of canceled checks, credit card receipts, etc
    - 3) Photocopies or photographs of evidence in the Property Section

#### G. VICTIM NOTIFICATION

It will be the responsibility of the detective or investigative aide assigned to the case to contact each victim, complainant, and witnesses as close to the date the case is assigned as possible. If a case is assigned on an off day, the detective will contact the victim, complainant, and witnesses on the next working date. If a detective is on vacation, military leave, or taking extended time off, the supervisor will not assign a case to that detective. All contacts with victims, complainants, and witnesses will be made in person when possible and practical. Notification on inactive cases will be made by phone or by letter.

The detective will inform the victim, complainant, and witness of the detective's name, office phone number, times when the detective can be contacted, the case number of the case, and status of the case. During this initial contact, the detective will inquire as to further information regarding the case, clarify information initially reported, and document any addition information of stolen property to be sent to N.C.I.C. Any significant change in the case status should be communicated to the victim, complainant, and witness on the date of the status change or when leads develop. Dates and times of notification will be noted and recorded in the detective's case file.

The victim, complainant, and witnesses will be contacted a second time within a 72 hour period, when practical to update them on the case's progress. This policy will enhance the relationship between the Criminal Investigation Division and victims, complainants, and witnesses and instill public confidence that everything is being done to bring their case to a successful close.

#### 4-15.7 DAILY ACTIVITY REPORTS

Each Unit Commander will be responsible for preparing a daily activity report of the activities of the individual detectives assigned to the unit for each day. This report will include a short synopsis of the case, including the crime type, incident location, time of day, case number, victim's name, address, sex, race, and age, offender's address, name, race, sex, and

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age, weapon used, description of offender (if not arrested), description of vehicle, extent of injuries (if any), where hospitalized, condition of victim(s), and disposition of case.

The daily activity report will be compiled into a weekly activity highlights report for distribution to each Unit Commander, Section Commander, Division Commander, Precinct Commanders, Uniform Division Commander, the Public Information Officer, the Chief of Police, and all Crime Prevention Specialist.

The Section Commander or his designee working the Day Watch will be responsible for editing the daily and weekly activity reports to insure that sensitive material is not distributed outside the Department. Information to be edited will include, but not be limited to, name and address of rape victims, names of juveniles, and any information that might be prejudicial to a criminal prosecution.

### **4-15.8 CONDUCTING PRELIMINARY INVESTIGATIONS**

The success or failure of a criminal investigation depends upon the immediacy of the preliminary investigation. What the detective does or fails to do during this critical stage of the investigation may determine whether the case is solved and the perpetrator is apprehended. Upon the arrival at a crime scene, the detective will take the following actions during the preliminary stage of the investigation. These procedures should be considered basic and may be augmented depending upon the complexity of the case.

- A) Insure that medical services have been provided to all injured parties;
- B) Determine if a crime has actually occurred;
- C) Insure that all lookouts have been issued on the suspect, suspect vehicle, etc.;
- D) Insure that the crime scene is being preserved;
- E) Make sure that all witnesses and victims have been identified and separated to avoid compromising their statements;
- F) Insure that all offenders have been separated so that they will not be able to communicate between each other;
- G) Insure that the crime scene is processed for evidence and that the crime scene will be secured;
- H) Make sure that all witnesses have been interviewed, all evidence has been collected, and that all known facts have been documented. This information will be compiled into a thorough and accurate written report.

### **4-15.9 UTILIZATION OF UNIFORM OFFICERS DURING PRELIMINARY INVESTIGATIONS**

Usually the uniform officer will be the first on the crime scene. What he observes and what initial steps are taken are most important to the criminal investigation. The first responding officer(s) may render emergency aid to the injured, determine that a crime has been committed, arrest suspects at the scene or vicinity, make initial interviews of witnesses and/or victims, identify evidence, place lookouts on suspects and vehicles and protect and preserve the crime scene. Once the detective(s) arrive on the crime scene, the case will then be turned over to the detective. The detective should record any observations made by the uniform officer(s) and any statements made by the victims, witnesses, and/or perpetrator to the uniform officer. Statements should be taken from the uniform officer detailing their activity at the crime scene.

### **4-15.10 PRESERVATION OF THE CRIME SCENE**

Although Crime Scene Investigators will be called to process the crime scene, the detective(s) responding to the crime scene must be aware of certain responsibilities in preserving the crime scene. The crime scene must be left in the same condition as the perpetrator left it. Therefore, any obliteration of evidence, the touching of objects, walking on stains, etc., will destroy important clues in the case. The detective will insure that crime scene tape is used to secure the crime scene area until Crime Scene Investigation Unit personnel have arrived. No one is to be allowed within the crime scene area until it has been properly photographed and evidence recorded. Only those uniform officers and detectives necessary to conduct the preliminary investigations will be admitted into the crime scene area. Some scenes will require search warrants prior to processing. CID personnel will make decisions regarding this issue on the scene.

In the case of homicide, suicide, accidental, and questionable or suspicious deaths, the Medical Examiner's Office will be notified. Except in an emergency situation no body will be removed from the crime scene without authorization from the Medical Examiner's Office. However, Fire Rescue may remove the body if it is determined that emergency treatment is necessary, even though, from all outward appearances, the person is presumed to be dead.

The detective, upon arrival on the scene of a death, will insure that the Medical Examiner's Office has been properly notified. The detective will document his appearance and briefly describe their participation, any evidence recovered, and which detective assumed charge of the crime scene. This report will be documented in the form of case notes, which will eventually become part of the detective's supplemental report.

If for any reason a detective is contacted after the fact regarding the case known to be assigned to the Medical Examiner's Office, he/she will document any call or inquiry and forward the information through their chain of command. A copy of this report will be sent to the Medical Examiner's Office. By the end of each month, the detective will contact the Medical Examiner's Office for a preliminary determination and disposition of the Medical Examiner's findings.

#### **4-15.11 CONDUCTING FOLLOW-UP INVESTIGATIONS**

After the completion of the preliminary investigation, the detective will be responsible for conducting a thorough follow-up investigation.

A) The detective assigned to the case will conduct the investigation as follows, however the sequence is at the discretion of the detective depending on the type of crime and circumstances of the case:

1. Become familiar with the offense in order to develop and follow-up leads.
2. Review all evidence and insure that the appropriate evidence has been submitted to the State Crime Lab for analysis.
3. Re-interview all victims, witnesses, and complainants as necessary, in order to develop new information and clarify any information that is in question.
4. Evaluate the legal significance of any statements, evidence, and laboratory findings.
5. Review previous incident reports regarding similar offenses, suspects, M.O.'s, crime analysis, existing investigative software, etc
6. Canvas area in order to develop witnesses.
7. Search the crime scene again in order to discover additional evidence.
8. Contact sources of information, other law enforcement agencies, informants, recent prison parolees, etc.
9. Employ, where appropriate, specialized techniques, i.e. physical and/or electronic surveillance, CVSA examinations, etc.
10. Obtain and execute search warrants when appropriate.
11. Collect and disseminate any additional information regarding suspect/vehicle in the form of lookouts.
12. Conduct photo and physical line-ups when appropriate.
13. Identify, locate, and arrest suspect(s).
14. Obtain handwriting samples, head hair, blood, saliva, pubic hair, etc.
15. Check Criminal History records of suspect.
16. Conduct in-custody interrogation of suspect within Constitutional guidelines.
17. Recover any additional evidence or stolen property.
18. Prepare necessary supplemental reports and prepare court presentation.
19. Assist the State in prosecution.

B) During the follow-up phase of the investigation, developments at this critical stage may determine whether the case is brought to a successful conclusion or not. The detective must make intelligent use of all informational sources at his disposal. Examples of these additional sources are:

1. Internal Sources - The detective should be familiar with the daily crime reports, B.O.L.O.'s, and criminal activity reports submitted by the Uniform Division.
2. External Sources - Tag files, motor vehicle registration, boards of education and school administrators, Bureau of Vital Statistics, tax records, utilities, G.C.I.C., and N.C.I.C. These sources are only limited by the imagination of the detective.

Once the detective develops an information source, he should collect and evaluate the information.

#### **4-15.12 CONDUCTING INTERVIEWS AND INTERROGATIONS**

Conducting an interview and interrogating a suspect(s) is one of the most important phases of the investigation. The purpose of conducting interviews and interrogations is to gain information critical to the offense and subsequent prosecution. Detectives assigned to the Criminal Investigation Division will use the following procedures when conducting interviews and interrogations:

A) In a Custodial Interview the detective will inform the suspect of his constitutional rights according to Miranda, regardless of whether another detective or uniform officer has previously informed the suspect of his rights. These rights

should be read from the standard “Statement of Miranda Rights” form. In addition, if the suspect chooses to make a written or taped statement, the Miranda Rights will be included at the beginning of the written or taped statement and a “Waiver of Rights” form will be signed by the suspect indicating that he voluntarily and intelligently waives their constitutional rights. Each page of the suspect’s statement should contain the signature. Detectives will attempt to audiotape any statement of confession or admission once a written statement has been obtained. When practical and after conferring with a supervisor, detectives will also attempt to videotape a suspect’s statement of admission or confession.

B) If a suspect cannot read or write or understand English, a translator/interpreter will be located and provided prior to any questioning. When possible, bilingual police officers should be utilized for this purpose. If necessary, the Department subscribes to the AT&T Language Line, an interpreter service that can be conducted by telephone. In some instances it might be necessary to utilize the county’s language bank. A complete listing of county employees and volunteers can be obtained through Communications.

C) Under no circumstances will a detective of the Criminal Investigation Division use any tactics to coerce or induce an involuntary statement from a suspect or witness. In addition, any suspect or defendant interviewed by the Division shall have a Defendant/Arrest/Interview Log prepared and completed for the purpose of documenting any and all treatment during the police interview. The original of this log should be attached to any subsequent written statement, and both originals included in the court supplemental report along with all other original exhibits.

D) In the event that a suspect requests counsel, the detective may allow the suspect to contact his/her attorney by phone if the detective desires to continue his interrogation or interview. If the suspect does not have an attorney, the suspect may be given the opportunity to use the telephone and telephone directory to obtain counsel. If the suspect is indigent, the proper course of action will be followed through the DeKalb County Public Defender’s Office.

E) Once a suspect is arrested and charged with an offense, he will be brought before a Magistrate Judge or other judicial officer within 24 hours for the “first appearance hearing.” CID Captains may if necessary authorize the extension of the first appearance hearing to 48 hours.

F) It will be the policy of this Division that no detective will make any pretrial statements to the media that may be prejudicial and/or may jeopardize the possibility of a fair trial.

### **4-15.13 SURVEILLANCE AND UNDERCOVER OPERATIONS**

There are many investigative methods available to the detective to aid an investigation. Because no specific procedure can be written to govern investigations in all cases, the following guidelines are included to assist Criminal Investigation Division detectives in investigations involving crime activity.

#### **A. SURVEILLANCE**

Surveillance is an important aspect of criminal investigations. Important information can be developed from surveillance such as the identity of suspects, vehicles used, suspect’s associations, and other critical information in a criminal investigation.

1. Surveillance can be defined as the secretive, continuous and sometimes periodic watching of persons, vehicles and places or objects to obtain information concerning activities and identities of individuals. Oftentimes, surveillance is the only investigative method available to identify the sources, couriers or recipients of narcotics, narcotics stashes and the co-defendants in an operation. The four (4) main types of surveillance are:
  - a. The moving surveillance where the detective follows the subject on foot or in a vehicle.
  - b. Stationary surveillance where the continuous watching of a place, object or person occurs from a fixed point.
  - c. Photographic surveillance is used to identify persons, violations of laws or to provide evidence of such violations of the law to illustrate the testimony of a surveillance officer.
  - d. Electronic surveillance is used to identify co-conspirators and gather evidence on well-organized criminal violations. No electronic surveillance will be conducted without the approval of the Division Commander, Chief of Police, and the appropriate judicial authority.
2. Surveillance may be established to assist in identifying and analyzing offenders and their habits, associates, vehicles, methods of operation or other pertinent information. Surveillance should only be initiated after a thorough analysis of crime patterns and victimology in order to insure that any surveillance is a reasonable solution to a problem and has a reasonable chance of producing useful information. In addition, the requesting detective will be responsible for familiarizing himself with the target location in order to brief other detectives prior to assignment. Long term surveillance requires planning and budget considerations.

Prior to the initiation of a long-term surveillance the detective will submit an estimate on initial and relief manpower needs, communication, surveillance equipment and vehicle requirements, surveillance expenses and court authorizations when applicable. The requesting detective will also establish operational procedures for

observation, arrests, tails, etc., to fit the circumstances and goals of the surveillance. Prior approval for long-term surveillance must be obtained from the Unit Commander.

**B. CONTROLLED DRUG AND EVIDENCE PURCHASES**

1. This investigative technique may be used when a hand-to-hand purchase is not possible and the possibility of the person making the controlled drug purchase testifying in court at a later date exists.
2. Satisfactory identification of the violator should be obtained prior to making a controlled purchase, if possible.
3. Controlled identification is primarily used for obtaining search warrants.
  - a. An informant must be qualified as reliable prior to using a controlled buy as the basis for a search warrant.
  - b. When utilizing informants for controlled purchases, the informant must be properly documented according to the standard informant procedures.
    - 1) The informant must be thoroughly searched prior to making a controlled purchase. The search should be made in the presence of at least one (1) other witness. The only monies in his possession will be official advance funds, which will be photocopied when possible. The informant will not have any controlled substance in his possession prior to the controlled purchase and also will not be in possession of any type of firearm.
    - 2) Once the search of the informant is made, the informant must be visually observed up to the point where the purchase is made if technically possible. All entrances and exits should be under surveillance at the time of the controlled purchases in order to safeguard the physical well being of the informant and to insure truthful testimony in court at a later date. This requirement must be met when the manpower to accomplish the same is available.
    - 3) After the purchase, the informant must be visually observed from the point of exit until he is relieved of the purchased controlled substance. Another thorough search of the informant should be conducted in the presence of another witness. The strictness of complying with this requirement will depend on the availability of manpower.
    - 4) Any physical evidence taken as a result of a controlled purchase will be handled in the same manner as all contraband controlled substances.
    - 5) A complete description of the premises and an exact address should be obtained for future reference in obtaining a search warrant.
    - 6) Under no circumstances will the informant be allowed to consume or keep any of the controlled substances.

**C. UNDERCOVER OPERATIONS**

1. Prior to undercover contact with any suspect, all available data on the target will be made available if known, to the Section Commander or Assistant Commander, including name, address, age, date-of-birth, type of suspected activity, etc.
2. All officers responsible for conducting undercover investigations will be furnished with the necessary false identification to complete the assignment. This identification will be kept confidential and revealed only in an undercover capacity and will be changed when necessary.
3. Investigative expense funds will be furnished in accordance with the S.I.E.F. procedures.
4. Specialized equipment and vehicles may be requested from the Section Commanders and Assistant Commanders for specific assignments
5. The undercover officer prior to the (undercover) operation will establish specific physical and audio signals for takedowns or emergencies.
6. Cover officers will attempt to maintain a visual contact at all times with the undercover officer.
7. When possible, two (2) undercover officers will be deployed for security and safety reasons, as well as the enhancement of the investigation.
8. While acting in an undercover capacity, it will be the responsibility of the undercover officer to conduct himself in a professional manner and maintain the standards of this Department.

**D. DIRECT PURCHASES**

1. This procedure is used by the detective to purchase controlled substances or evidence directly from the violator and should be utilized as frequently as possible. This method gives the detective direct access to the defendant and is much more reliable in culpability and drug seizures than search warrants.
  - a. If an informant is utilized for introduction purposes, he must be documented according to the informant procedure.
  - b. The detective should make every effort to reduce the informant's role in the case to that of merely making the introduction.

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The detective should advise the informant in advance not to participate in the purchase conversation nor handle the money or controlled substance or evidence to be purchased if at all possible. If the informant does more than make the introduction, his status may change from that of a confidential informant to that of a witness who may have to testify in open court.

- c. If the violator is not to be arrested at the time of the initial purchase, the investigator must obtain a satisfactory description or address of the violator so that his arrest can be effected if future attempts to purchase controlled substances or evidence from him fail.
- d. Detectives will record the serial numbers of the funds issued prior to the transaction by making photocopies of these funds.
- e. After the detective has gained control of the controlled substance, under no circumstances will they return any of the drugs or evidence to the suspect.

### E. DECOY

On occasion, decoy operations (disguising officers to look like victims) may be necessary to accomplish the police mission. Decoy operations, while valuable in certain cases, should only be used after traditional investigative methods have been exhausted. No decoy or reverse operations will be conducted without approval of the Division Commander. Decoy personnel will, to the extent possible, be kept under observation and closely supervised. The procedural guidelines of undercover operations will apply to decoy operations with the additional factors governed by the particular situation and the officers involved. No decoy operation will be conducted without the knowledge of the responsible precinct commander. All participating personnel will be identified and will not participate without prior approval of the Division Commander.

### 4-15.14 NOTIFICATION OF CERTAIN EVENTS

The Chief of Police will be notified through the chain-of-command of certain events or unusual circumstances that the Criminal Investigation Division may become involved. These include:

- A) Murder – When the perpetrator is unknown or if the victim or perpetrator is a notable figure.
- B) Armed Robbery - When a person is seriously injured.
- C) Kidnapping or Missing Person – When foul play is suspected.
- D) Wanted Person Located – When suspect is wanted for a serious offense, i.e., Murder, Rape, Armed Robbery, Kidnapping, etc.
- E) Suicides and Attempts – Serious injuries or death to public officials or other notables.
- F) Person Dead – When there are violent or unusual circumstances involved.
- G) Police Officer seriously injured.
- H) Persons seriously injured by police officers.
- I) Arrests – When there is an arrest of notable person, government or public officials.
- J) Jail Escapes – DeKalb County (does not include rehabs.)

### 4-15.15 ROLL CALL BRIEFINGS BY DETECTIVES

Detectives assigned to the Criminal Investigation Division will conduct periodic briefings at the Uniform Division roll call. These joint roll call briefings will insure cooperation between the two divisions and enhance the exchange of information. These briefings should include handout material on B.O.L.O.'s, crime patterns, and criminal activity. Each detective will make a notation of the date, time, and subject of the roll call briefing and be recorded in the case file. Each Unit Commander will be responsible for monitoring these roll call briefings to insure adherence to this policy.

### 4-15.16 CRIME ANALYSIS

The crime analysis function is the joint responsibility of the Uniform and Criminal Investigation Division. The database will be stored on the departmental computers of the Unit/Precinct to which they are assigned. The Uniform Division, through the Crime Analysis Officers, (CAO's) will be responsible for the collection, entry and dissemination of information originating in the Division. CID personnel, through Unit Commanders, will be responsible for entry of intelligence and clearance information originating within the Division. The source documents will be incident reports, crime analysis worksheets, and any other documents devised by the crime analysis function. These reports will include data identifying the frequency of crimes by type, geographic and chronological factors, victim/target descriptors, suspect/vehicle descriptors modus operandi information and physical evidence information.

Watch Commanders will be responsible for identifying crime patterns and trends and disseminating information to line personnel on a periodic basis as needed.

All Divisions and Units will use the Crime Analysis Database for generation of all reports utilizing crime data. The Precinct CAO or the Crime Analysis Committee will resolve any problems or discrepancies between the database and any other reporting sources.

Data from these reports will be collected, collated, analyzed, and presented in the form of reports to be disseminated to the Chief Executive Officer (CEO), the Chief of Police, Assistant Chiefs of Police, Uniform Precinct Commanders, Section Commanders, individual Investigative Units, Crime Awareness Officers and to the Public Information Officer. These reports will assist them in developing tactics, strategies, and long rang plans for crime suppression, manpower and resource projections for the future. It also assists in identifying police hazards in the Department's service area(s).

Feedback is necessary to evaluate the effectiveness of the crime analysis function. All feedback from the Chief of Police, Division, and Unit Commanders and officers will be carefully reviewed as it applies to their respective mission and responsibilities in order to ascertain whether crime analysis, as it is performed, is an effective tool for combating and suppressing crime, or planning for manpower and resource allocation.

Information generated by the crime analysis function will be disseminated to the public, news media, or other interested individuals with the approval of the Chief of Police and the Division Commander or their designees. All such information will also be made available to other law enforcement or community agencies to assist them in their crime prevention or planning activities.

#### **4-15.17 COMPUTER VOICE STRESS ANALYSIS**

For policy and procedures concerning the use of computer voice stress analysis as an investigative tool in a criminal matter, refer to Chapter 4-1, Internal Affairs Policy.

#### **4-15.18 FIELD INTERVIEWS AND INTERROGATIONS**

Field interviews and interrogations are an important component of the criminal investigation process. Valuable information critical to the investigation may be gained through the use of effective and thorough field interviews and interrogations. There is however certain precautions and procedures that must be followed in order to insure the safety of the detective, and at the same time, obtain important information.

A) The detective will go out of service on the radio. The exact location will be given to the dispatcher and the number of persons, sex, approximate age, description of clothing, vehicle description including model, color, and tag number will be given. Wait until the operator acknowledges the radio transmission.

B) The detective will obtain the assistance of a uniform officer before stopping a suspicious motorist or the assistance of another detective before stopping a pedestrian. To insure safety, each detective or officer will perform a certain portion of the check. One detective or officer will guard the suspicious person(s). The other detective or officer will frisk the suspicious person(s), when applicable. The detective should then fill out a field interview report when appropriate. The detective will check any suspicious person(s) on the computer.

C) Precautions should be taken while conducting a "stop and frisk" of a suspicious person:

1. Watch the suspect closely when approaching them.
2. Advise the suspect to keep their hands away from their pockets or purse and in view at all times.
3. Remember to frisk first and ask questions later.
4. Always begin to frisk of the suspect from the rear, use appropriate search techniques.
5. Remain out of striking distance as much as possible.
6. Avoid as much physical contact with the suspect as possible.
7. During the frisk for weapons or destructible evidence, do not merely glide the hands over the suspect, but feel for any objects that may be a weapon or evidence.
8. Do not attempt to search a suspect while inside the detective vehicle. Numerous injuries have occurred to detectives attempting to search a suspect while inside of the vehicle. This practice gives the suspect confidence that he/she can elude or overcome the detective. Additionally, it is impossible to make a thorough and complete search of a person sitting in a vehicle.

D) Results of the criminal activity, if no arrest is made, or field interview should then be recorded on the Criminal Activity and Field Interview Report and forwarded to the appropriate investigative unit for follow-up or as a matter of fact of information. The various investigative units will keep these reports until the information has been acted upon or otherwise resolved.

**4-15.19 BACKGROUND INVESTIGATIONS**

Personnel of the Criminal Investigation Division will on occasion conduct background investigations of persons and organizations during the course of their duties. Investigations may be conducted to gain intelligence information, establish known associates, develop M.O.'s, etc. These investigations should be conducted as discreetly and as confidentially as possible in order to protect innocent persons. Background investigation may warrant judicial assistance in the form of a subpoena, wiretap or court order. In these situations it will be necessary to request assistance from the District Attorney's Office in order to aid the detective in following the proper procedure in securing the subpoena or court order.

Potential sources for background information are public utilities records, past employee records, credit information, criminal history records, license applications, driver's license information, other police agencies, electronic and visual surveillance, and informants.

Once the information is collected, it will then be evaluated as to criminal activity and its potential for use during any prosecution of the suspect. Background information collected should become a permanent part of the investigative file and be preserved by the investigating detective.

**4-15.20 WARRANT PROCEDURES**

A) Detectives will have departmental uniform officers present during the execution of arrest and search warrants. Exceptions to this rule, such as using the element of surprise in order to effect an arrest or search, whether done periodically or on a routine bases, will be made only after approval of a Division or Section Commander.

B) No detective will attempt to serve a warrant outside DeKalb County unless a law enforcement officer from that jurisdiction is present during the execution of the warrant.

C) No detective will attempt to serve a search or an arrest warrant by themselves regardless of the charge or circumstances.

D) Warrants that are generated or obtained as a result of an investigation by this Division will be turned over to the DeKalb County Sheriff's Office if the warrant cannot be served by the end of the detective's shift. Exceptions to this policy must be approved by a CID Lieutenant or above.

E) Warrants turned over to the Sheriff's Department will be in a Warrant Jacket with "Misdemeanor" or "Felony" clearly written on the jacket in red ink. The jacket will contain a completed Warrant Information Sheet, a copy of any information, photographs or other items that will assist in the identification of the subject, a copy of the original Field Case report relating to the warrant and any other information the detective feels would aid in service of the warrant.

F) Detectives should keep a copy of all items placed in a Warrant Jacket in their case file. Any copies of the original warrant will be marked "Copy" in red ink on the front side of the warrant.

G) Detectives will not assist or execute any arrest warrant issued for violations of city or county ordinance other than violations of DeKalb County ordinances. However, detectives may assist or execute arrest warrants for violations of any State or Federal offense regardless of what type form is used to write the warrant, so long as it is valid on its face.

H) When a search warrant is executed, a supervisor will be present. If a supervisor is not available from the investigative unit that is executing the search warrant, a supervisor from another investigative unit will be asked to assist. The supervisor has a responsibility to review the affidavit and circumstances to insure that the requirements of the law are being met.

I) No requests for wiretap warrants will be made without the specific approval of the Division Commander.

J) All persons arrested on a warrant by personnel of this Division will be checked on G.C.I.C. and N.C.I.C. before being placed in jail.

K) Any time a felony warrant (not foreign to our agency) is obtained from the DeKalb Sheriff's Office and served by DeKalb Police Uniform personnel, the 24-hour rule for the first appearance (preliminary) hearing applies.

L) Whenever a warrant originates within CID, the detective must complete a "Warrant Information" form that shall accompany the original warrant to the Sheriff's Office for service. The warrant information form will contain information concerning the defendant, vehicles, and previous attempts at service. In addition, it provides a list of CID Unit/Precinct phone numbers to assist Fugitive Squad investigators or deputies in contacting CID detectives following an arrest to insure that a defendant meets the 24-hour rule. Under no circumstances should those felony or misdemeanor warrants already served go with the report to Central Records.

M) It will be the responsibility of each CID Lieutenant on each shift to see that all new arrest warrants are delivered to the Sheriff's Office Warrant Section at least once during the shift. In addition, all warrants served by the Sheriff's Office indicating that the defendant is awaiting a first appearance court appearance hearing shall be picked up, returned to

CID and distributed to the respective unit's supervisor or on-duty personnel so that a hearing can be conducted as soon as possible. There will also be a log maintained at CID Central to record this responsibility by the respective CID Lieutenant that requires the Lieutenant's initials.

N) If a DeKalb felony warrant has no detective's name on it, it shall be routed to the appropriate section for assignment by a supervisor.

#### **4-15.21 SEARCH WARRANT PROCEDURES**

A) All investigations that may result in a search warrant being executed will require a Search Warrant Criteria List being completed by the case detective during the investigation and prior to obtaining the search warrant. The Search Warrant Criteria list will assist the case detective in his/her investigation to insure all legal requirements are met to verify the location to be searched and to insure search warrants are complete, accurate and contain all necessary information prior to the execution of the warrant.

All requests by a case detective to obtain a search warrant will be reviewed and approved by a Sergeant and fully discussed with the Lieutenant prior to obtaining the warrant. No search warrant will be approved if the exact location to be searched cannot be confirmed through the detective's investigation and personal observation.

The search warrant will not only be approved by a supervisor, but executed with a supervisor also. This included document searches, safe deposit boxes, and bank accounts and other actions requiring a court order.

##### **B) SEARCH WARRANT CRITERIA LIST**

1. All probable cause will be stated in the affidavit to include the informant's reliability, if one exists, in the past.
2. Real Estate records on the target location will be checked.
3. Utility Companies, (water, power, sanitation, etc.) will be checked on the target location.
4. IRIS files will be checked on the target location.
5. Criminal History files will be checked on all suspects.
6. Photographs and video will be taken of target location.
7. Personal observation of the target location will be done by the case detective.
8. Any available tag numbers will be checked on NCIC for registration information.
9. Full legal and physical description will be listed in the search warrant to include correct spelling of streets and correct streets numbers indicating location of numbers (house, mail box, curb, etc.) at target location.
10. Full description of known suspects to include real names, street names or full physical description of suspects will be listed in the search warrant.
11. Case detective will perform a ride-by the target location with a Supervisor or another detective.
12. If the Strike Force Unit is needed for entry, the case detective will ride with them to the location.
13. Arrest warrants will be obtained prior to the execution of a search warrant by the case detective on any and all suspects whom for which charges are already decided during the investigation. Legal names will be used on arrest warrants if available or known street names can be used with a full physical description stated in the warrant.

All search warrants will be obtained within forty-eight (48) hours of probable cause being received, whether that probable cause is direct observation or informant information.

#### **4-15.22 RAID PROCEDURES**

A) When in the course of any operation by the Criminal Investigation Division, it becomes necessary to conduct a raid; the Division Commander or his designee will be empowered to grant authorization for such raid.

B) The Commander or designee will be the supervisor and coordinator of any raid operation. Personnel will be closely supervised.

C) The Raid Commander will be responsible for analyzing any raid operation in order to develop appropriate strategies and tactics for each operation. Included in this analysis should be the best means of approaching and entering the selected location, securing the location during the operation and leaving upon completion of the operation.

D) The Commander or his designee will assign duties and deployment of all personnel involved in any raid. This should include security, search, and arrest teams and personnel designated to handle documentation of arrests and seizures. The Commander or his designee will select any specialized support units needed to conduct the raid (Uniform, Aerial Support, SWAT, EMS, etc.) and be responsible for establishing communications with the units. The Commander or his designee will select any specialized equipment needed for the operation.

E) In the course of any raid operation the search and seizure of evidence and/or contraband, arrest of suspect, and the use of force will be governed by the DeKalb County Police Department Employee Manual and departmental policy.

F) The Criminal Investigation Division Commander or his designee will authorize the use of chemical agents, explosives, selective fire or any other specialized tactic necessary for the operation.

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G) The Raid Commander will make all assignments of personnel and insure that all points of entry/exit are covered as well as possible.

H) The Raid Commander will make assignments of order of entry and search before entry is obtained and will personally see that different detectives search all areas of the raid location at least twice.

### 4-15.23 G.C.I.C. AND N.C.I.C. INQUIRY HITS AND HOLDS

A) When a detective initiates a G.C.I.C. or N.C.I.C. inquiry and receives a hit, the following will apply, unless the suspect is a juvenile:

1. If the hit is a G.C.I.C. or in state hit, the detective will first receive confirmation from the originating agency that the person is still wanted. The detective will then place a hold on the person and identify the wanting agency's name when booking the suspect into jail.
2. If the hit is a N.C.I.C. or out-of-state hit and the detective has local charges, the detective will attach a copy of the N.C.I.C. hit to the jail ticket and mark "Fugitive From Justice" in the hold section.
3. If the hit is a N.C.I.C. or out-of-state hit and the detective does not have local charges, the detective will then obtain a Fugitive From Justice warrant. The warrant and the N.C.I.C. printout should then be attached to the original jail ticket. (This is normally done by the DeKalb Sheriff's Fugitive Squad).
4. Once the detective places a person in jail for Fugitive From Justice, the detective's responsibility will end. The DeKalb County Sheriff's Department will be responsible for arranging any court appearances.

B) When a hold is placed on a person in the custody of another jurisdiction, the detective will furnish to that agency their name and how they can be reached, the charges on the warrant, and the warrant number.

C) Detectives are reminded that placing "holds" on any person must be in accordance with all applicable laws, policies, and procedures. Placing holds for I.D. or for another detective is discouraged. No detective will place a hold on a person merely to keep that person in jail.

D) All arrest warrants will be placed or removed from G.C.I.C./N.C.I.C. by the DeKalb County Sheriff's Office.

### 4-15.24 PRISONER SECURITY AND RESPONSIBILITY

A) The following procedures will be utilized in the use of handcuffs:

1. All felony prisoners will be handcuffed while being transported or moved from one place to another. This means prisoners moved within the Public Safety Building or within the Precincts.
2. The use of handcuffs on persons arrested for a misdemeanor is encouraged, however, it will be left to the detective's discretion whether the prisoner should be handcuffed, except in the case of violent, hostile or aggravated circumstances.
3. When using handcuffs, the prisoner will be handcuffed with his hands behind his back. If the arrested person is wearing a belt, the handcuffs should be looped through the prisoner's belt so that the hands cannot be moved to the front.
4. Any prisoner who is brought into the Criminal Investigation Division in the Headquarters Building or any of the investigative offices at any of the various precincts, and is being interviewed at the detective's desk, will be handcuffed. Interview rooms should be used when available.

B) One (1) detective will check no more than one (1) prisoner out of the DeKalb County Jail.

If more than one (1) prisoner is checked out, more than one (1) detective will be utilized.

C) All prisoners checked out of the DeKalb County Jail by detectives of this Division will be for the sole purpose of conducting official police business. Under no circumstances will a detective check out a prisoner for the purpose of arranging or allowing visiting privileges with the prisoner's friends or relatives.

D) Interview rooms at Headquarters or any CID precinct are for interviews only and will not be used for holding prisoners.

E) When a juvenile is taken into custody, he or she must be taken with all reasonable speed and without taking the child elsewhere, to:

- 1) the child's parents, guardians, or other custodians upon their promise to bring the child before the court when requested by the court, -or-
- 2) a medical facility if the child requires prompt medical attention (the officer/detective must notify the juvenile intake officer that the child was taken to a medical facility). -or-
- 3) the Court. -However-
- 4) if the juvenile should express a desire to cooperate in an on-going investigation, then the officer or detective may delay transport to Juvenile Intake. Said cooperation includes, but is not limited to: locating evidence and/or co-

defendants. The juvenile should be transported to Juvenile Intake immediately upon completion of said cooperation.

The Official Code of Georgia 15-11-60 amended in 1998, O.C.G.A. 15-11-83, requires **EVERY JUVENILE, who has been arrested for ANY FELONY offense to be fingerprinted and photographed at the time of his/her arrest.**

- F) Arresting Officers/Detectives will comply with the following:
- 1) Juvenile offenders, (felony offenses only), will be transported to the DeKalb County Sheriff's Intake area. Prior notification should be made via radio or telephone to insure that the area is clear of adult prisoners.
  - 2) Sheriff's Department personnel will process the juvenile's prints supplying two (2) identical print cards and one (1) photograph (front and side-view) without identifying numbers (PID).
  - 3) During the fingerprinting process, arresting officers/detectives will complete the Juvenile Fingerprint/Photograph Information Form provided in the intake area and write the juvenile's name on the back of the photograph. The arresting officer/detective will then attach the photograph, print-cards and information sheet with a staple in the left corner and place it in the file basket provided. The print card will then be stamped at the top using the inked "juvenile" stamp provided.
  - 4) Upon completion of this process, the juvenile arrestee's name, date of birth, date of arrest, and the arresting officer's name will then be recorded on the log provided indicating that the prints were left in the appropriate basket. (DeKalb County Police Crime Scene Unit will be responsible for collection, and the storage of the juvenile print cards and photographs.)

Juveniles 13 to 17 years old and charge with the following offenses under Georgia law **MUST be CHARGED AS AN ADULT**; and will be under the jurisdiction of the Superior Court for trial (15-11-28): Murder, Voluntary Manslaughter, Rape, Aggravated Sodomy, Aggravated Child Molestation, Aggravated Sexual Battery, and Armed Robbery if committed with a firearm. (The Seven Deadly Sins)

- 5) A juvenile should not be interrogated without a parent or guardian's presence, when said presence is possible. The officer/detective must make all reasonable efforts to contact the juvenile's parents or guardian as soon as possible after the juvenile is taken into custody. If a parent or guardian can not be located or refuses to meet with the officer/detective and the officer/detective intends to question the juvenile, then the officer/detective must document all efforts made to locate the parent or guardian. The officer/detective will administer the "Advise to Rights to Juvenile-Waiver of Rights" form will be used. The officer/detective should explain these rights clearly and in a manner in which the juvenile can understand them. The officer/detective should also explain the charges with which the juvenile has been charged. If the juvenile, on his/her own or after consulting with his/her parent or guardian, requests an attorney before making any statements or exercises his/her right to remain silent, the interview will be terminated. The officer or detective will also explain to the juvenile and his/her parents or guardian relevant procedures regarding juvenile interviews, detention and arrest.
- 6) If a juvenile should be released into the custody of his/her parents, it will be necessary for the detective to have the parent or legal guardian complete and sign a release agreement.

#### 4-15.25 EXTRADITION PROCEDURES

A) Whenever a person who is wanted by this Division is arrested in another state, and waives extradition, the detective involved will discuss the case with the District Attorney or one of his assistants as to whether or not the person should be returned for prosecution. If it is determined that the person should be extradited, the detective will insure that the District Attorney or his assistant approves of the extradition and signs the Extradition Form. This will be done before any requests for travel funds are submitted for approval. Normally the DeKalb County Sheriff's Office and the District Attorney would co-ordinate this procedure.

B) Whenever a person who is arrested out of state refuses extradition, the detective will discuss the case with the District Attorney or his assistant. It will be the decision and responsibility of the District Attorney's Office to institute extradition proceedings.

C) Whenever a prisoner is to be brought back to this jurisdiction for prosecution, he/she will be accompanied by at least two (2) detectives, one of which will be familiar with the case. If the person to be returned is a female, at least one of the detectives will also be a female.

D) The DeKalb County Sheriff's Office may be utilized when it is not necessary to conduct a follow-up investigation in another state; there is no intention of trying to interview/interrogate the person until they arrive in our jurisdiction, or due to manpower shortages. Unit supervisors will use good judgment in deciding whether DSO is appropriate for extradition on a case-by-case basis.

#### **4-15.26 REQUEST FOR FUNDS FOR TRAINING AND TRAVEL EXPENSES**

A) When requesting travel funds for any investigative purpose, a memorandum explaining the purpose of the trip will be submitted through the chain-of-command for approval. All pertinent information as to destination, purpose of the trip, length of stay, departure and return dates, name of participants and a list of itemized expenses should be included in the memorandum. If the travel funds are requested for the purpose of extradition, the Extradition Form signed by the District Attorney or one of his assistants will accompany the memorandum. The completed forms will then be forwarded to Fiscal Management Section for dispersal of funds. The Travel Expense Report issued with the requested funds will be completed and returned to Fiscal Management Section office no later than five (5) working days after returning from the trip.

B) When requesting the training funds for schools, training sessions, seminars, etc., existing procedures provided by the Administrative Services Division will be followed.

#### **4-15.27 USE OF COUNTY ISSUED CREDIT CARDS**

A credit card may be issued to the Division in order to supplement the County issued gas credit card. This credit card provides a great deal more flexibility; however, since it carries special requirements regarding signatures, payments, and credit limits, special guidelines are necessary concerning its use.

The following guidelines are to be strictly adhered to in the use of a credit card:

- A) Emergency Extradition's and Investigative Travel
  1. Emergency Extradition – When, after approval for extradition has been granted, time limitations preclude the following of normal procedures for the procurement of travel funds, i.e., weekends and after normal office hours.
  2. Major Investigations – When follow-up investigations of a major case require immediate out-of-town travel.
- B) Training and Conference Travel
  1. Travel requiring a rental vehicle – When vehicle rental has been approved, the credit card may be used for the rental deposit. Rental expenses, however, should be paid for out of the normal travel funds.
  2. Advanced Lodging Reservations – The credit card may be used when a deposit for lodging is required. Lodging expenses, again, should be paid out of the normal travel funds. Use of the credit card for advanced reservations should be done only after travel has been approved. Charges will not be approved for canceled reservations.
  3. Out-of-state travel in county vehicle –The credit card may be used to purchase gas while operating a county vehicle and a gas credit card has been issued and either a service station honoring that particular card can not be located or the particular station is closed due to time of day or day of week.
- C) A log will be maintained by the Section Commanders indicating the date and time that the card is issued, the user's name, date and time of return, and total expenditures during its issue. Users will sign a copy of these guidelines and the card on each issue.
- D) A letter of authorization will be provided each time that the credit card is issued to identify and authenticate the user. A copy of this authorization will be kept on file in the Division Commander's Office.
- E) The user will maintain all charge receipts from the use of the card and these are to be turned into the Section Commander, along with the card, upon completion of travel.
- F) A monthly file of charge receipts will be maintained by the Section Commanders for use in reconciliation of the credit card statements maintained by the Fiscal Management Section.

A credit card will not be used in any way to shortcut or circumvent the County's normal travel approval procedures and guidelines. Under no circumstances will a credit card be used for the purchase of items other than those directly related to travel. Users of credit card should be reminded of these guidelines at the time of the card's issue by the supervisor authorizing the travel. Users will be held personally liable for any purchases made outside the scope of these guidelines.

#### **4-15.28 COUNTY ISSUED OR ASSIGNED GAS CREDIT CARDS**

County operated fueling sites will be used for all routine fuelling purposes.

Gas credit cards are available for use by authorized personnel who must travel away from the County as a part of their assignment. Personnel operating vehicles that require fuel that is not available through the county fueling sites may be issued gas cards for those vehicles.

The County issued Gas credit cards are for the purchase of fuel only and only for use in authorized vehicles.

##### **A) CARD DISTRIBUTION AND ACCOUNTABILITY**

Gas credit cards are issued through the County Fleet Maintenance Department. The Police Department Fleet Officer is the authorized liaison for the department gas cards. When the Fleet Officer receives gas cards, they will be distributed to the Divisions as needed. Each Division receiving gas cards will assign a supervisor to maintain and monitor the cards and

will agree to the terms of use. The division supervisor must sign for the cards and maintain an inventory documenting the location of each card.

1. Cards may be permanently assigned to individual officers based on specific need. An officer assigned a permanent gas card must abide by the terms of gas card usage in "B" below; an assigned card may be revoked at any time.

**B) GAS CARD USAGE**

Gas cards can be signed out from another division (based on that division's needs and availability), but officers should attempt to sign out cards through their respective divisions first.

1. Officers signing out a gas card for authorized travel will complete and sign the sign out form. A receipt is required for each card use and all fuel receipts must be marked with;
  - a. The motor maintenance number of the vehicle,
  - b. The mileage at the time of fueling and
  - c. The officer's initials and badge number
2. When returning the gas card, the officer must sign and date the original sign out form and attach the fuel receipts.
3. All gas card receipts and forms must be reviewed by an assigned supervisor within the Division and the completed documents must be forwarded to the department Fleet officer by the 5<sup>th</sup> day of each month. The Fleet Officer will forward all documents to the Fleet Maintenance department.
  - a. Supervisor approval is required for personnel who cannot meet the monthly deadline.

**4-15.29 AIRLINE PROCEDURES – IN FLIGHT**

A) Before any travel by use of commercial airlines, a FIREARM AUTHORIZATION FORM will be filled out certifying the detective is on "Official Police Business" and is authorized to carry a firearm. The Division Commander will sign this form. Authority to carry weapons on airplanes may differ with each airline. Detectives should check with the airline before entering security to determine if their regulations permit the possession of a firearm in flight.

B) Detectives should check with the airline to determine their policy of allowing prisoners to be handcuffed in flight prior to attempting to board the plane.

**4-15.30 PROPERTY AND EVIDENCE PROCEDURES**

A) All evidence recovered by members of this Division will be turned into the Property and Evidence Section, returned to the rightful owner, or taken to the State Crime Lab, according to circumstances, as soon as possible, and in all cases not later than the end of the detective's tour of duty.

B) Property that is received or found by a member of this Division that is not evidence, regardless of its value, will be returned to the rightful owner or turned into the Property Section. In all cases, the detective will make every attempt to locate and notify the rightful owner of the property and its disposition. If the owner is unknown or in cases where the owner is known but wants to dispose of the property, the property will be turned into the Property Section as soon as possible, and in all cases not later than the end of the detective's tour of duty.

C) Vehicles that are to be processed by the Crime Scene Investigation Unit will be towed to the C.S.I.U. lot at the South Precinct for processing and then, if the vehicle will not be used as evidence, it will be towed to the wrecker service as soon as possible. The wrecker service originally towing the vehicle will be called to pick up the vehicle. When vehicles are towed to the State Crime Lab to be processed, the detective will make a notation in his case file of the date that the vehicle was delivered to the Crime Lab. It will be the responsibility of the detective assigned to the case to inform his supervisor if the vehicle remains at the Crime Lab for more than one (1) week.

Once the vehicle is released from the Crime Lab, the detective will contact the original wrecker service to pick up the vehicle from the Crime Lab and take it to the wrecker lot if it is not going to be used as evidence. The detective will then notify the owner that the vehicle is ready to be released.

If the vehicle is to be used as evidence at trial, it will be towed from the crime scene or the Crime Lab to the fenced in area of the C.S.I.U. Lab. The detective will then obtain a letter signed by the District Attorney or his assistant authorizing the detective to hold the vehicle. The owner will be notified of the hold and any possible release date.

D) In extraordinary situations defined as, but not limited to Homicide, Kidnapping, Rape, etc., where a victim's vehicle is impounded for investigative purposes, the county contract wrecker service will grant a waiver of all related fees. When a supervisor believes that a case exists which fits this criteria and desires waiver of wrecker fees, the supervisor shall contact either the Department Wrecker Service Compliance Officer, at (404) 294-2087 or the Division Commander's Aide at (404) 294-2308, who will make contact with the wrecker service to have the charges waived. These two individuals will hold the responsibility of liaison between the division and the wrecker services and will review

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all requests to insure compliance with policy. Under no circumstances should a detective contact the wrecker service directly. Only a supervisor may authorize the request.

E) In all cases, an Incident Report will be made and a Property Sheet completed on all property or evidence received by this Division. The Property Sheet, along with the property, will then be turned into the Property Custodian. The detective should group items that are evidence and cannot be released apart from items that can be released.

F) When property or evidence is released to the owner, the detective will require the owner to sign the Property Sheet.

### **4-15.31 MONEY SEIZURE FOR FORFEITURE**

A) At the time of the seizure of the money, photographs will be made of its original condition and location of seizure, noting the case number when possible in the photograph. Narcotics Section personnel will be contacted immediately.

B) For moneys, which appear to be in the amount of over \$1,500.00, the money will be placed in an approved, securable container by the assigned detective and witnessed by a superior officer if available, if not an additional detective.

C) On this container will be affixed evidence tape noting the case number, date, location seized, and officer's name.

D) The next available banking day, the container with the money will be transported by two (2) officers to the bank where the "seized account" is maintained. Large sums of money (several thousands) will be counted by bank personnel while officers are present. At the discretion of a supervisor, routine deposits not involving large sums or numerous bills will be counted at the Narcotics office by a supervisor and detective just prior to transporting to the bank. Bank personnel will then verify and issue the supervisor a deposit receipt showing the money deposited into the account as well as the case number and defendant's name.

E) This deposit receipt should be copied and maintained in the case file, and the other copy placed in the Seized Account File. This memo/report should contain: date and place of seizure, officer's name involved in the securing of the money, officers who transported to the bank, date and time of transport to the bank, name of bank personnel who received and counted the money, and the case number.

F) In the event that the seizure of money occurs during non-banking hours and the money must be kept overnight(s), the above procedure will be followed and in the memo/report it will be noted that the money was kept in the Division or Narcotics Section vault and proper chain of custody will be maintained until the next banking day.

G) If the money seized appears to be less than \$1,500.00, the assigned detective will follow proper procedure for having the money counted and forwarded immediately to the Property and Evidence Section.

### **4-15.32 VEHICLE CONDEMNATION PROCEDURES**

All vehicle condemnations will be coordinated with Narcotics Section personnel. When condemnation papers are filed on a vehicle, the following procedures are to be followed:

A) File the seizure form with the District Attorney's Office as soon as possible following the seizure (not to exceed 10 days) and photocopy the form prior to delivery to the District Attorney's Office.

B) Photocopy the Arrest Report pertaining to the seizure.

C) Verify all information pertaining to the vehicle particularly the V.I.N. number by physically comparing the number of the vehicle to the seizure form.

D) Furnish the Section Commander with copies of all papers pertaining to the vehicle including arrest reports, seizure form and orders or other correspondence so that he can maintain a separate file on that vehicle. A thorough inventory search of any seized vehicle will be made by the detective working the case and the keys will be turned over to the Administrative Aide or Division designee.

### **4-15.33 INFORMANTS**

The following will be the Standard Operating Procedure for informant procedures:

A) The use of informants in undercover investigations is essential and plays a vital role in whether an investigation is a success or a failure. The object of information that is gathered from informants will be to obtain evidence of unreported crimes or criminal activity and an informational basis for a legal search or an arrest.

B) It is imperative that the identity of the informants not be revealed. To protect their identity the detective will assign a code number and the detective initials to the informant. The detective will advise the Commander and the Assistant Commander of information pertaining to the informant: Full name if possible, date-of-birth, address, race, sex, employer if any, occupation, telephone number, criminal history and information. IF the informant has worked with other

law enforcement agencies, a check with that agency should be made to establish the reliability of the informant. The detective will include any and all street names that the informant is known by.

C) This information will be put on an informant information card and kept in one master file with the confidential code number and placed in the Narcotics safe. The control, upkeep and security will be the responsibility of the Commander and Section Commanders of the Criminal Investigations Division.

D) When a detective meets with an informant, they should make every attempt to have another detective accompany them if the informant is of the same sex. If a detective is meeting an informant of the opposite sex the detective will be accompanied by another detective as a witness to prevent any false allegations that might be made. If the detective is unable to have another detective accompany them, the detective will notify the Section Commander or the Assistant Commander of the informant's name, the location of the meeting place and the approximate time of the meeting.

E) No detective will work with an informant who has any type of outstanding criminal warrant against him or her until the arrest has been made. No detective will utilize an informant when they determine that the informant has given false information to any law enforcement agency in the past or has proven unreliable.

F) A permanent record of all information obtained by informants will be maintained.

G) When a detective meets with an informant for the purpose of the informant conducting a controlled buy, a detective of the same sex as the informant will perform a search of the informant prior to the informant purchasing the drugs.

H) When the detectives meet with an informant, a detective will explain the investigative plan and guidelines to be followed. It is important that the informant understands these guidelines from the beginning.

I) When the detectives are to meet with an informant they will advise the Commander or the Assistant Commander of which informant they are meeting, where the meeting is to take place, and if known from the beginning, where they will be going and the approximate length of time the investigation will last.

J) When a confidential and reliable informant contacts the detective with knowledge of where they have observed controlled substances within seventy-two (72) hours of the observance, the detective(s) will make every attempt to meet with the informant and let the informant point out the location to them to substantiate the information.

K) When the detective(s) meet with an informant it should be determined why the informant is giving the information (example: dislike of violator, wanting to be compensated with money, working off a criminal case, etc.). If the informant wishes to be compensated, the detective will explain the procedures and amount of payments to the informant. A payment to an informant of over \$500.00 must be approved by the Commander or a Section Commander of Criminal Investigation Division. The informant will be compensated only after giving information or assistance to the detective.

L) When the detective(s) has an occasion to become involved with a juvenile informant, the Commander or the Section Commander of the Criminal Investigation Division must approve this. Before utilizing a juvenile, the juvenile's parent or guardian must approve of the juvenile working as an informant.

M) The use of informants who are on probation is acceptable, if the informant meets all other criteria. There is no requirement that the informant's probation officer be notified prior to the informant providing information or participating in an investigation.

N) The use of informants who are on parole is not allowed unless permission is granted from the informant's parole officer. The detective will notify the parole officer in writing of the subject's desire to participate as an informant. The notification will detail the exact amount of cooperation and the extent of the parolee's involvement. Only after receiving a clearance letter from the parole officer can the parolee begin participating in an investigation. All correspondence will be maintained in the master file.

#### **4-15.34 OFFICIAL INVESTIGATIVE FUNDS**

##### **A) GENERAL**

1. This section was previously titled, Special Investigative Expense Funds, or S.I.E.F. These policies and procedures are to be followed by all members of the Department in the handling and use of official funds in routine investigative activities and the general day-to-day operational expenditures. Current State laws will prevail over any conflicting procedures within this document. The terms, "Commander", "Issuing Officer", and "Accounting Officer" shall refer to the individual counterparts in the Precincts/Sections/Units.
2. The Commander shall reimburse employees for all authorized expenditures incurred during the course of their official duties, providing that the expenditures are proper and just, and the employee adheres to the requirements set forth in this policy.
3. Expenditures incurred outside these requirements may result in such expenses not being reimbursed. The use of official funds for unauthorized purposes or personnel may result in adverse/disciplinary action.

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4. The use of official funds creates operational, supervisory, and administrative situations with a potential for adverse consequences. Experience has demonstrated that careful and precise documentation of expense funds diminishes these concerns. Properly managed funds and accurate information of income and expenses can also provide an accurate forecast of projected needs.
5. The Commander and/or their designee shall maintain control of the Official Investigative Funds (OIF), and the documentation of expenditures and reimbursements. At his direction, the Commander may impose additional requirements when appropriate.

### B) OFFICIAL INVESTIGATIVE FUNDS (OIF)

Investigative expenses are those expenditures incurred that are directly related to and are vital to the continuing development of an investigation and/or established informants and/or sources.

#### 1. Advanced Funds

- a. Detectives requesting OIF advances shall document the request, in duplicate, on a Request for Investigative Funds (OIF) Voucher. After the detective's immediate supervisor has signed approval on the voucher, the funds may be issued. Prior written approval of the Commander or his designee must be obtained for OIF expenditures over \$500.00 (five hundred dollars).
  - 1) A copy of the request for OIF voucher shall be retained by the issuing officer. A duplicate copy of the request shall bear the case number and be retained with the case file.
  - 2) Each request voucher shall include a brief narrative stating how the expense is necessary to the investigation. By signing the voucher, the approving supervisor is attesting to the validity and necessity to all items on the voucher.
  - 3) Final approval/disapproval of all OIF vouchers will be made by the Unit supervisor and the Commander or his designee.
  - 4) A cash receipt voucher will be signed by the detective in duplicate upon receipt of the funds. The detective shall receive a copy of the case receipt, which is to be placed in the case file.
  - 5) The original copy of the cash receipt shall be retained by the issuing officer, who will maintain a current log of all detective's expenses and a total outstanding balance.
  - 6) There will be a maximum limit of \$100.00 (one hundred dollars) from the OIF assigned to an employee as an outstanding balance of funds for nonspecific investigations. This will be handled, as advance money and the detective will "Zero Out" the outstanding balance weekly. These monies may be reissued upon completion of a request voucher as indicated above.
- b. Except in emergency situations, investigative funds are not to be used for travel expenses. All travel will be handled through Financial Services.
- c. Written authorization from the Commander or his designee will be required prior to advanced OIF funds placed in any type of interest bearing account, financial and/or savings institution.
- d. Advanced money will not be used to obtain any type of consideration, gratuity and/or benefit, without prior authorization from a section supervisor.
- e. Expenditures of OIF will be documented by three (3) budgetary categories:
  - 1) Purchase of Evidence (PE)
  - 2) Purchase of Information (PI)
  - 3) Miscellaneous Investigative Expenses (ME)
- f. It is important that expenditures which conceptually should be charged to "PE/PI/ME" are in fact so charged. It is only in this matter that these funds can be properly managed at all levels and accurate forecasts of needs projected.
- g. All requests for Investigative Funds Vouchers shall document the circumstances intended for the advanced funds; i.e. PI, PE, and ME along with justification of the necessity of the expense.
- h. Issuing of all advanced monies shall be limited to \$500.00 (five hundred dollars), without first receiving written approval from the Commander or his designee.
- i. Investigative funds identified for a specific reason and not expended for that purpose must be returned to the issuing officer as soon as reasonably possible.
- j. Accountability for investigative funds is the sole responsibility of the employee who signs for and is issued the cash receipt.
- k. "Flash Rolls/Buy Bust" funds are to be processed in the same manner as advanced funds.

#### 2. Reimbursement of Expenses

All employees expending OIF and those requesting reimbursement of OIF shall prepare in duplicate the Expenditure of OIF Report. This report shall include a statement as to how the funds were spent and the necessity of these funds to the investigation.

- a. The detective will identify the purpose for the expenses on the Expenditure of OIF report by using one of the three (3) budgetary categories:
  - 1) Purchase of Evidence (PE)
  - 2) Purchase of Information (PI)
  - 3) Miscellaneous Investigative Expenses (ME)
- b. A copy of the Expenditure of OIF report shall be retained by the issuing officer. A duplicate copy of the OIF report shall bear the case number and be retained with the case file.
- c. By signing the report, the employee and their approving supervisor are attesting to the validity and necessity of the items on the voucher.
- d. Final written approval/disapproval of all Expenditure of OIF vouchers will be made by the section supervisor and the Commander or his designee.
- e. When funds are returned to the issuing officer, a cash receipt will be retained in the case file.
- f. The original copy of the cash receipt will be retained by the issuing supervisor, who shall maintain a log of the detective's expenses and the total outstanding balance.

**3. Miscellaneous Investigative Expenses (ME):**

- a. ME are services required to further an investigation, and must be directly related and vital to the continued development of the investigation.
- b. These expenses may include such items as: rental of undercover premises, cars, file development, parking, phone calls, etc.
  - 1) ME must be authorized by the unit supervisor.
  - 2) Request for ME funds will be requested as advanced funds and will be identified as ME.
- c. Expenses in excess of \$500.00 (five hundred dollars) will require authorization from the Commander or his designee prior to the disbursement of funds.
- d. Miscellaneous expenditures of funds must be receipted unless doing so would jeopardize the investigation.
- e. All original receipts will be attached to the Request for Reimbursement Report.
  - 1) Accountability for expenses are the responsibility of the employee who signed the cash receipt and are best justified by original receipts.
  - 2) Expenditures without a receipt will be documented in duplicate on the Request for Reimbursement Report. A brief statement will describe how these expenditures were necessary to further the investigations.
- f. Neither the costs of personal comfort items such as toiletries, prescriptions, clothing, luggage, etc., nor the replacement costs for personal property lost or damaged are expenditures for which an employee can be reimbursed.

**4. Meal, Beverages, and Investigative Rentals:**

- a. Expenditures for food and beverages based solely upon an employee having to work unusual hours, or stemming from meetings and/or conferences are not reimbursable. Typical investigative expenses include meals and beverages at commercial establishments such as bars and restaurants, or the renting of rooms for undercover purposes.
  - 1) If the undercover room is used as lodging, the employee may not claim the lodging as part of the investigative expenses.
  - 2) The cost of meals consumed by an employee during normal meal times, while directly related to the continuing development of an active investigation, and/or to establish informants and/or sources, will be reimbursed, minus the current rate of daily subsistence established by DeKalb County Government.
- b. Reimbursement for meals and beverages will be listed separately on the Expenditure of OIF Report. The costs of beverages purchased during a surveillance in other than a commercial establishment, such as an automobile, cannot be reimbursed unless a suspect is present as a passenger and the purchase can be justified as being directly related and vital to the continuing development of an active investigation, and/or to establish informants and/or sources.

**5. Gambling Losses and/or Profits**

Official Investigative Funds expended on undercover non-narcotics or gambling activities are reimbursable if these activities have prior authorization.

- a. Participation in minor gambling in pool halls or at low-stakes card games and lotteries require prior authorization from the employee's unit supervisor.
- b. If the amount of the stakes is to exceed \$100.00 (one hundred dollar), prior authorization must be obtained from the Commander or his designee.

- c. Gambling profits and/or winnings obtained from activities and not designated, as evidence shall become the property of DeKalb County Government. These winnings shall be submitted to the Unit Commander or his designee for accountability recording and deposit.

**6. Lost Funds-Reporting and Investigations:**

- a. In an activity involving the use of official funds, a key element of its planning and execution will be to safeguard the funds as to prevent loss. In the event that a loss does occur, every reasonable and legitimate effort will be made to cover the loss. Any loss of official funds will be immediately reported through the Chain of Command to the Chief of Police or his designee. Prior to the end of the employee's tour of duty, a written report of the loss will be submitted by each employee involved, setting forth the details surrounding the loss.
- b. The Chief of Police shall appoint a Board of Investigators within five (5) days of the loss. The Board (based on reports submitted, interviews and/or whatever else deemed necessary) will determine the following:
  - 1) Whether the employee was acting within his scope of employment;
  - 2) Whether the employee's actions surrounding the loss were in accordance with established policies, procedures, and/or supervisory instructions; or
  - 3) Whether the loss was attributable to fault or negligence by the employee.
- c. The Board will submit its findings in writing to the Chief of Police. Such findings must be explicitly documented. A package consisting of all reports generated and/or associated with the loss of official funds will be submitted to Internal Affairs within ten (10) days of the loss. The transmittal memo will contain the Chief's recommendation regarding contributory negligence, culpability and/or liability.

**7. Flash Rolls:**

- a. Detective's requests for an advance to be used as a "flash roll" require a memo from the Commander or his designee to the Chief of Detectives or his designee for approval.
  - 1) The Commander's memo to the Chief of Detectives or his designee will have a brief narrative describing the purpose of the flash roll.
  - 2) The Administrative Services Manager will be notified as soon as possible, indicating that the section will need cash for a flash roll and the amount requested. **NOTE:** Administrative Services should be given as much advance notice as possible in order to make preparations with the issuing bank.
- b. Upon approval of the Commander's memo to the Chief of Detectives or his designee, the Administrative Services Division will issue a check in the amount requested to an employee of the requesting section. A minimum of two (2) armed personnel is required to transport a flash roll.
- c. Flash rolls will be returned to the bank as soon as possible, and in no event shall they be returned no later than the last business day of the week in which it was issued. Upon return of the flash roll to the bank, two (2) deposit slips will be obtained. One is submitted to Administrative Services and the other to the accounting officer.
- d. If employees in charge of a flash roll are unable to return it to the bank immediately after use, arrangements will be made to store it in the unit safe until such time that it can be returned to the bank.

**8. Confidential Informants:**

Payment from OIF to confidential informants or sources will require an Informant Voucher for documentation.

- a. Detectives requesting OIF shall document the request on the proper Request for OIF Form. Upon approval of the detective's immediate supervisor, the funds will be issued. A cash receipt will be signed by the detective, in duplicate upon receipt of the funds. The detective will receive the original copy of the receipt to be placed in the case file. The copy will be retained by the issuing clerk, who will keep a log of all detectives' expenses and a total balance outstanding.
  - 1) The Request of OIF Form will only identify the confidential informant And/or source by his confidential file number only.
  - 2) The request form will briefly describe the request for funds.
- b. At the time of payment, a confidential informant must sign an appropriate portion of the voucher form this payment must be made in the presence of the issuing detective as well as a witnessing detective or supervisor. The remainder of the form shall be completed as circumstances necessitate. The issuing detective will sign the informant voucher at the time payment is made:
  - 1) With the approval of the controlling detective, an informant may sign a fictitious name to the receipt provided:
    - a) The controlling officer prepared a memo stating that the informant needs to sign a particular fictitious name;

- b) The controlling officer authenticated the memo with his authentic signature and provide (on the memo) a sample of the fictitious signature; and
- c) The controlling officer identifies the signature with the proper informant or source's identification number.
- 2) At the time of reimbursement for expenses incurred, the source must affix his signature to the informant voucher, indicating that payment was received. The remainder of the form will be completed as circumstances warrant. The receipt will bear the source's confidential number.
- 3) Original copies of receipts will be required if payment is for reimbursement of expenses incurred. If the payment represents an advance to meet authorized, anticipated expenses, the controlling detective will await the delivery of the original receipt before seeking reimbursement (via expense voucher).
- 4) Signed receipts and memos will be filed in the confidential informant's and/or source's file (in chronological order).
- 5) The controlling detective shall prepare and sign an expenditure of OIF form. Upon written approval by his supervisor, the form will be submitted to the issuing officer who disbursed the original funds. The expenditure of funds will be deleted from the detective's outstanding balance.
- 6) Expenditure of OIF will be indicated in the detective's report of memorandums, if the appropriate circumstances warrant. If deemed essential to protect the identity of the confidential informant and/or source, original receipts and/or copies that might betray their identity may be retained in the informant's /source's confidential files.

**9. Termination of Service:**

Activity files of confidential informants are maintained and serviced by the administrative secretary to the Commander or his designee. When it becomes necessary to discontinue active use of an informant or source, several administrative procedures must be accomplished:

- a. Confidential informants cease to be a unit asset when their services are no longer needed, they exhibit behavior that brings their credibility into doubt, or they express a desire to terminate their status.
- b. When a unit supervisor determines that the services of an informant shall not henceforth be required or they voluntarily desire to sever their association, their services shall be discontinued.
  - 1) A closing memo of the informant's file will be completed and signed. The reason for severing the relationship must be stated.
  - 2) Other appropriate documents will be prepared, as circumstances require. A checklist of all reports within the file will be documented and signed by the controlling detective and their supervisor and placed in the informant's file.
  - 3) Once the file is closed, it will be sealed for retention. It shall not be available for examination except with the permission of the original controlling detective and/or the Commander or his designee.
  - 4) Cross Index Files will be changed to reflect the discontinued status of the informant by typing the word "DEACTIVATED" and the current date on all confidential informant cross-reference files.
- c. When the behavior of an informant brings their credibility into doubt, the Commander or his designee may elect to sever their relationship with prejudice. The term, "DISQUALIFIED" shall be used to denote this procedure.
  - 1) The controlling detective will prepare a memo for the Commander's signature, Successfully detailing the informant's aberrant and objectionable behavior. It shall clearly state that the informant's services are terminated. The memo will be retained in the confidential informant's file. The file will then be sealed for retention as indicated in the above procedure.
  - 2) The cross-reference file will reflect that the confidential informant has been "Disqualified" and the date of that action.
- d. Sealed files of confidential informants and sources will be retained on a permanent basis within the locked confidential informants files.
- e. "Disqualified" confidential informants or sources may only be reinstated for use with the written concurrence of the Commander and the Chief of Detectives.

**10. Audit Procedures:**

- a. The Commander shall insure that a minimum, a quarterly audit and report of OIF, including the proper documentation of expenditures and reimbursements is conducted and the results included in the Quarterly Inspection Report submitted to the Chief of Police.
- b. Annually, the OIF accounts will be audited by a representative of the DeKalb County Finance Department and a report of the findings will be submitted to the Chief of Police for review.

**4-15.35 MINIMUM TRAINING FOR CRIMINAL INVESTIGATION DIVISION PERSONNEL**

The following guideline will establish minimum training requirements for employee assigned to the Criminal Investigation Division:

**A) MINIMUM REQUIREMENTS FOR ALL SWORN DETECTIVE PERSONNEL**

1. Criminal Procedure (40 hours)
2. Search Warrants and Affidavits (16 hours)
3. Interviews and Interrogations (40 hours)
4. G.C.I.C. Certification (2 hours)
5. Criminal Investigations (80 hours)

**B) MINIMUM REQUIREMENTS FOR EMPLOYEES ASSIGNED TO THE COMPUTER SECTION, CLERICAL PERSONNEL, AND INVESTIGATIVE AIDES** shall be G.C.I.C. Certification (40 hours) and re-certification (2 hours).

**C) MINIMUM REQUIREMENTS FOR CRIME SCENE INVESTIGATION UNIT PERSONNEL**

1. G.C.I.C. Certification (40 hours)
2. Fingerprint Classification (40 hours)
3. Crime Scene Technician Course (40 hours)
4. Evidence Presentation (16 hours)
5. Photography For Criminal Investigation (40 hours)
6. Criminal History Records (4 hours)
7. F.B.I. Advanced Fingerprint Course (40 hours) -or-  
F.B.I. Latent Print Identification (24 hours) and F.B.I. Latent Print Development (24 hours)
8. Privacy and Security Act (4 hours)
9. Periodic In-Service training as required by the C.S.I.U. Commander

Personnel who have not completed the training listed above may, at the discretion of the Division Commander, be allowed to complete the training after being assigned to the Criminal Investigation Division. However, those employees will make every effort to obtain the required training as soon as possible after assignment to CID.

The aforementioned training will take priority over other requested training except in the event of specific instructions by the Division Commander or Chief of Police or in the event the training cannot be scheduled because of lack of vacancies or availability.

**D) DIVISION TRAINING FOR ALL SWORN DETECTIVE PERSONNEL**

Each detective will receive in-house training each year. The specific training and duration will be determined by the Division Commander and will be sufficient to maintain proficiency in the following areas:

1. Procedures in the collection, preservation, handling and development of evidence.
2. Policy and procedure changes.
3. Recent court decisions.
4. Changes in GCIC/NCIC and property procedures.
5. Safety and Loss Prevention

**4-15.36 PERSONNEL ASSIGNED TO OUTSIDE AGENCIES OR INVESTIGATIVE TASK FORCES**

To further the goals of the DeKalb County Police Department and to promote an atmosphere of cooperative spirit, it may at times be necessary to assign personnel on a temporary basis to other law enforcement agencies or investigative task forces. In such cases, the following guidelines will be strictly adhered to:

**A)** The outside assignment of personnel or the formation of an investigative task force will be approved by the Chief of Police.

**B)** The outside assignment or formation of an investigative task force will be for a specific purpose and for a specific period of time, up to one year. All assignments of this nature will be reviewed annually by the approving authorities and may be continued as needed based on continuing necessity and demonstrated success in achieving the unit's stated goals

**C)** While assigned to an investigative task force, personnel may fall under the day-to-day supervision of persons other than their normal chain-of-command. This will differ according to the particular operation to which personnel are assigned. In such cases, all rules and regulations of this department will be strictly adhered to, as well as those of the governing agency or component. Any policies which conflict with those of this department will immediately be brought

to the attention of the task force supervisor, as well as the employee's department supervisor. Personnel who are unclear on any operational procedures being followed within the task force are to seek immediate clarification from the supervisors of both the task force and the department.

D) Personnel assigned to other agencies will keep the Division Commander, through his supervisors, apprised of any on-going investigation, activity, etc., that he is involved.

E) Requests for sick days, holidays, or vacation days will be made through the detective's normal supervisor. Daily work hours will also be communicated to the detective's supervisor for F.L.S.A. purposes.

F) Personnel assigned to outside agencies will be responsible for completing a monthly report outlining their activities for the previous month.

G) Guidelines for fiscal accountability, resource needs and liability will be established prior to the formation of any task force or the assignment of personnel to an outside agency.

#### **4-15.36 SPECIAL VICTIMS UNIT**

Policy: The Special Victims Unit will have the responsibility to investigate ALL Sex Crimes, adult and juvenile. The section will maintain a juvenile operations function within the Criminal Investigations Division, to assist personnel of the Police Department, the DeKalb County Government, the courts, other police jurisdictions, and various other organizations and agencies in matters related to child abuse and/or neglect. All agency personnel will share in this responsibility and their dealings with juveniles. This agency's juvenile operations are shared by all components and personnel within the DeKalb County Police Department.

Purpose: The purpose of this policy is to establish standards and procedures for Department personnel that investigate crimes against or by juveniles and handling the juvenile offender, and the investigation of all sex crimes.

The Special Victims Unit will be responsible for missing persons investigation, regardless of age, runaway juvenile investigations and sex crimes to include rape, attempt rape, child molestation, incest, sodomy, public indecency, peeping tom, and harassing and obscene phone calls, cases where juveniles are the victim of child abuse and/or neglect, and offenses that are primarily family oriented.

Further, it will be the responsibility of the various entities to evaluate annually both quantitative and qualitative elements of all juvenile protocols and procedures that fall within their purview, to determine if those protocols and procedures should be modified or discontinued.

#### **4-15.37 HANDLING THE JUVENILE OFFENDER**

##### **A) TAKING A JUVENILE INTO CUSTODY**

To protect the community and to reduce the incidents of delinquent acts, it will be the policy of the DeKalb County Police Department to identify, apprehend, arrest, and seek conviction of any juvenile that commits an act that, if committed by an adult, would constitute a criminal offense defined by the State of Georgia or ordinances of DeKalb County. Enforcement and prevention should be exercised with neither at the expense of the other.

To prevent the unnecessary detention of a juvenile, the following guidelines will offer factors that should be considered when deciding whether to release or to detain a juvenile by personnel of this Division when a juvenile has been taken into custody and has been formally charged by a complaint:

1. The age of the child.
2. The severity of the alleged act clearly indicated an indifference to the physical well-being of the child.
3. The frequency and quality of contacts with the police.
4. Whether the juvenile is on probation.
5. The juvenile's attitude and cooperation with efforts to rehabilitate them.
6. The willingness and/or the ability of the juvenile's parents to acknowledge the seriousness of the juvenile's act and their willingness and/or ability to control the juvenile.

##### **B) DETENTION OF A JUVENILE**

The following guidelines will be followed if the juvenile is not to be released when it has been determined that the release of the juvenile would constitute unreasonable danger to property or to others, there is probable cause to believe that the juvenile has run away from home, or committed a status offense, there is a court order or warrant on file for the juvenile, or that there is an indication that if the child is released that there is a clear and substantial danger to the juvenile's welfare:

1. The juvenile should be transported to Juvenile Intake as soon as possible considering all circumstances. However, if the juvenile should express a desire to cooperate in an on-going investigation, then the officer or detective may delay transport to Juvenile Intake. Said cooperation includes, but is not limited to: locating evidence and/or co-defendants. The juvenile should be transported to Juvenile Intake immediately upon completion of said cooperation. Exceptions to this would be to obtain emergency medical treatment first when necessary.
2. If the Intake Officer detains the child, the arresting officer or detective will transport the juvenile to the Youth Development Center (YDC) on Panthersville Road. If another RYDC is chosen, then the DeKalb Sheriff's Office will normally transport.

C) FINGERPRINTING AND PHOTOGRAPHING A JUVENILE

1. **ALL JUVENILES** who are charged with an act, which would be a felony if committed by an adult, will be fingerprinted and photographed when taken into custody. Juvenile offenders (felony cases only) will be transported to the DeKalb County Sheriff's Intake area. Prior notification should be made via radio or telephone to ensure that the area is clear of adult prisoners. Sheriff Department personnel will process the juvenile's prints supplying two (2) identical print cards and one (1) photograph (front and side-view) without identifying numbers (PID). During the fingerprint process, arresting officers/detectives will complete the "Juvenile Fingerprint/Photograph Information Form provided in the intake area and write the juvenile's name on the back of the photograph, print-cards and information sheet with a staple in the left corner and place it in file basket provided. The print card will then be stamped at the top using the inked "Juvenile" stamp provided. Upon the completion of this process, the juvenile arrestee's name, date of birth, charge, date of arrest, and the arresting officer's name will then be recorded on the log provided indication that the prints were left in the appropriate basket.
2. O.C.G.A. 15-11-60 was amended in 1998 (see Code Section 15-11-83). The Crime Scene Unit will be responsible for collecting the two (2) fingerprint cards, and the one (1) photograph (front and side-view with no identifying numbers or markings) and information sheet of juveniles who are arrested with felony charges. The Crime Scene Unit will mail one (1) fingerprint card to the Georgia Crime Information Center, as the above code section names them as the central depository of such juvenile information. The Crime Scene Unit will file the remaining fingerprint card, photograph, and information sheet, which **shall be separate to any adult files**. These files may be inspected by law enforcement officers for criminal justice purposes.

It should be noted that the DeKalb Sheriff's Department utilizes a computerized imaging process entitled "Live Scan" which is an inkless, electronic process enabling the transmission of fingerprints to the Georgia Crime Information Center (GCIC) who is the entity designated as the central repository for all fingerprints, adult and juvenile. At this time, the GCIC is not equipped to receive either fingerprints or photographs electronically, but will be in the future.

3. Juveniles arrested and not charged with a felony will not be fingerprinted or photographed after they are taken into custody unless the case is to be transferred to another court for prosecution or a court order is issued to have the juvenile fingerprinted or photographed. If court authorization is obtained, the Juvenile Fingerprint/Photograph Information Form will be completed and the fingerprints and photographs will be routed and stored as previously indicated.
4. Upon application, a juvenile's fingerprints may be removed from the file and destroyed if:
  - a. A petition alleging delinquency is not filed, or the proceedings are dismissed after either a petition is filed or the case is transferred to the Juvenile Court or the child is adjudicated not be a delinquent child.
  - b. The juvenile reaches 21 years of age and there is no record that they committed a criminal offense after reaching 17 years of age.
  - c. If comparison prints are taken and the comparison is negative, the fingerprint card and other copies of the fingerprints will be immediately destroyed.
  - d. If the comparison is positive and the juvenile is transferred to the Juvenile Court, the fingerprints will be delivered to the Court for decision. If the juvenile is not referred to the Court, the fingerprints will be immediately destroyed.

D) RIGHTS OF A JUVENILE AND SPECIAL CIRCUMSTANCES

1. A juvenile may not be interrogated without a parent or guardian's presence, when said presence is possible. The officer/detective must make all reasonable efforts to contact the juvenile's parent or guardian as soon as possible after the juvenile is taken into custody. If a parent or guardian can not be located or refuses to meet with an officer/detective and the intention is to question the juvenile, then the officer/detective must document all efforts made to locate the parent or guardian

2. The officer or detective will administer the Advise of Rights to Juvenile form to the juvenile suspect. The officer/detective should explain these rights clearly and in a manner in which the juvenile can understand them. The officer/detective should explain the charges with which the juvenile has been charged. If the juvenile, on his own or after consulting with his/her parents or guardian, requests an attorney before making any statements, or exercises his/her rights to remain silent, the interview will be terminated. The officer/detective will also explain to the juvenile and their parent or guardian, relevant procedures regarding juvenile interviews, detention and arrest. Any interview with juveniles will be limited to a reasonable period of time with breaks and rest periods. The number of officers/detectives actively engaged in an interview with a juvenile will be limited to no more than two at any time as not to create a coercive environment. The officer/detective should also tape record the interview with the juvenile, when possible.
3. A juvenile offender will not be transported in a police vehicle with an adult prisoner.
4. Juveniles that are taken into custody for Driving Under the Influence (DUI) will be given their rights under the Georgia Implied Consent Law for purpose of conducting an appropriate chemical test for the presence of alcohol or drugs in their body.
  - a. The juvenile does not have to be a licensed driver to take a test.
  - b. If the juvenile refuses to take the appropriate chemical test, the officer or detective will complete the required form and file a complaint with the Juvenile Court.
  - c. If the juvenile takes the appropriate chemical test, the test results will be noted in the officer's field case report and a complaint will then be filed with the Juvenile Court for DUI.
  - d. If a breath test is administered in the In-Tox Room at the Jail, it will be as expeditious as possible and under no circumstances will a juvenile be placed in a holding cell. All adults (other than the arresting officer and the in-tox operator) must be removed from the room while the juvenile is being tested.
  - e. If the juvenile is found to be under the influence, the parent/guardian will be contacted and the juvenile released as soon as possible after the appropriate charges have been made.
5. If a driver is a juvenile, with or without a valid driver's license, and they have violated a traffic law or ordinance governing the operation of a motor vehicle upon the highway or street and a citation is written; the citation will be directed to the Juvenile Court. No court date or time will be given. The Juvenile Court will handle notification as to when the juvenile is to appear in court. Under no circumstances will a traffic citation be forwarded to Recorder's Court. A field case will accompany the following violations regardless of whether the juvenile is arrested or released with a citation:
  - a. Homicide by Vehicle
  - b. Manslaughter by Vehicle
  - c. Driving Under the Influence
  - d. Failure to Stop and Render Aid
  - e. False Affidavit Relating to Ownership of a Vehicle
  - f. A Felony in the Commission of a Crime in which a motor vehicle was used
  - g. Racing on the Highway or Street
  - h. Fleeing or Attempting to Elude a Police Officer
  - i. Fraudulent or Fictitious Use of a License
  - j. Hit and Run or Leaving the Scene of an Accident
  - k. Laying Drags
  - l. The Display of Another's Drivers License

A field case will also accompany any other citation where the officer or detective feels that additional information surrounding the circumstances of the violation would be beneficial to the Court.

#### **4-15.38 HANDLING A JUVENILE OFFENDER**

Juveniles **13 or older**, charged with Murder, Voluntary Manslaughter, Rape, Aggravated Sodomy, Aggravated Child Molestation, Aggravated Sexual Battery, or Armed Robbery with a Firearm, are under the exclusive jurisdiction of the **Superior Court**. Juveniles **under 13 years of age** or older charged with Kidnapping with Bodily Injury or Armed Robbery with any weapon other than a Firearm are under the concurrent jurisdiction of both Superior Court and Juvenile Court. These cases should proceed in Juvenile Court, unless the officer/detective receives the approval of the District Attorney's Office for the taking of adult warrants. Juveniles under 13 years of age charged with the above offenses and all juveniles charged with any other offense are under the jurisdiction of the Juvenile Court. Warrant applications (written warrants) for any juvenile 13 years old or older charged with any of the above offenses under the jurisdiction of the Superior Court will be charged on the yellow juvenile warrants available at Magistrate's Court.

**4-15.39 JUVENILE COURT PROCEDURES**

All detention cases must be set for trial within ten (10) days after a petition is filed. The case may be tried either in the County where the offense occurred or the County of the child's residence.

**4-15.40 INVESTIGATION OF CHILD ABUSE OR NEGLECT CASES**

Investigation of Child Abuse or Child Neglect cases are unique in the sense that the officer or detective must have some training and experience in the identification of physical abuse, sexual abuse, emotional abuse and neglect, its indicators, and special procedures to follow in interviewing the abused or neglected child.

**A) PHYSICAL ABUSE**

1. Physical abuse is defined as any non-accidental injury that requires medical attention.
2. Abuse may involve hitting, kicking, inflicting burns, shaking, or throwing the child.
3. Indicators of physical abuse are:
  - a. injuries on the surface area of the body;
  - b. old injuries that are in various stages of healing;
  - c. non-accidental bruising patterns;
  - d. cigar or cigarette burns;
  - e. serious physical injuries that cannot be explained.

**B) SEXUAL ABUSE**

1. Sexual abuse is defined as the exploitation of a child for sexual gratification.
2. Sexual exploitation may be in the form of fondling, child molestation, incest, or rape.
3. Indicators of Sexual Abuse are:
  - a. poor peer relations
  - b. delinquent acts
  - c. runaway
  - d. unusual sexual behaviors
  - e. withdrawal from friends and parents

**C) EMOTIONAL ABUSE**

Emotional abuse is very hard to prove and is usually exhibited by severe emotional behavioral patterns of the child.

Indicators of emotional abuse may include:

1. habit disorders including sucking of the thumb, biting fingernails, etc.;
2. conduct disorders including skipping school, poor grades, etc.;
3. neurotic traits including withdrawal patterns and the inability to play with others;
4. behavior extremes, which may include constant arguing with parents, drug use, runaway, and delinquent offenses.

**D) NEGLECT**

Neglect can often be identified by filthy living conditions, inadequate medical care, insufficient or inappropriate clothing, deficient nourishment, and a total lack of supervision. The detective or officer must consider the complete environment.

Indicators of neglect are:

1. unsanitary conditions
2. lack of heat in the winter
3. lack of food, water, gas, or electricity
4. infestation of rodents
5. malnutrition of the child
6. lack of medical attention

**E) PROCEDURES FOR HANDLING CHILD ABUSE AND/OR NEGLECT CASES**

1. Non-emergency Cases
  - a. Make a report.
  - b. Note the physical condition of the child and degree of injury, if any, the living conditions, and the attitude of the parents.
  - c. Contact the Department of Family and Children Services or the Juvenile Court
  - d. Interview the complainant, if any, the child, and any relatives present.
  - e. Check the past criminal history of parents or relatives living with the child.
  - f. Evaluate all the evidence to determine if there is a potential for further abuse of the child.
2. Emergency Cases
  - a. Insure that the child receives immediate medical attention.

- b. Remove the child immediately if the child has been seriously harmed or is at risk of serious harm to the protective custody of the Juvenile Court.
- c. Collect physical evidence, including the instrument used to inflict the injury, and photographs of any injuries. Where there is probable cause to believe that physical evidence is in the possession of a criminal suspect, a search warrant will be sought.
- d. A detailed written report will be made and be kept on file by the DeKalb County Police Department.
- e. Check the child's medical history.
- f. Interview the parents, relatives, guardian or suspects.
- g. File the appropriate petition or arrest the perpetrator if the child is severely injured, evidence suggests that a serious crime has been committed, there is reason to believe the perpetrator will flee, the perpetrator is considered dangerous to others, or if the arrest is necessary to preserve the peace.

In all cases of physical abuse when an arrest warrant for Cruelty to Children has been issued, the child will have a physical examination. In all cases of emotional abuse resulting in an arrest warrant for Cruelty to Children, a psychological or psychiatric examination of the child will be obtained.

A conditional bond may be requested by the police, as representatives of the prosecutor on a case-by-case basis. A police officer or detective must be prepared to state the status of the parallel juvenile court proceedings.

**F) GUIDELINES FOR INTERVIEWING ABUSED AND NEGLECTED CHILDREN**

- 1. Begin by building a trust with the child.
- 2. Conduct the interview in private, however video tape when possible.
- 3. Sit next to the child, not across the table or behind the desk.
- 4. Depending on the age of the child, explain how the information will be used.
- 5. Conduct the interview in language that the child will understand.
- 6. Clarify words or terms that the child does not understand.

**4-15.42      PROTOCOL FOR THE HANDLING OF INTRA-FAMILY CHILD SEXUAL ABUSE CASES**

The majority of child sexual abuse referrals in DeKalb County are made by the schools to the Department of Family and Children Services Child Protective Services Intake Unit. The school principal or the designated person in charge should report immediately to the school social worker when a child is alleging sexual abuse. The school social worker will give priority to these cases and will go to the child's school as soon as possible following the referral. The school social worker will discuss the child's allegations with the staff person to who she/he revealed the sexual abuse (the details of the abuse will be obtained during the detective-caseworker joint interview).

Immediately following this discussion, the school social worker will make a referral to Child Protective Services. Early reporting will set the tone for expediting these cases throughout the various systems. The school social worker should be prepared to share with the detective and Child Protective Services information about their involvement with the child.

A) The DeKalb County Department of Family and Children Services and/or the police will respond to a referral alleging intra-family child sexual abuse. A caseworker or a Special Victims Unit detective will go to the school or to where the child is found. They will conduct a brief interview with the child to establish that the child is alleging sexual abuse. The school social worker may wish to be present during this interview.

B) The child will be transported to the special interviewing room and will be interviewed by the Special Victims Unit detective or caseworker. The detective and the caseworker should determine which one of them will act as the interviewer. This determination may be based on the age and sex of the victim and the sex of the offender. The interview will be videotaped. Anatomically correct dolls will be available to assist the child and the interviewers.

C) Based on this interview and any collateral information (reports from school, neighbors, etc.) the referral will be either ruled out or validated.

D) If the referral is ruled valid, and if the offender has potential contact with the child, the Special Victims Unit detective will file a deprived child complaint. The child may then be taken into protective custody. The Department of Family and Children Services will place the child in shelter care.

E) The non-abusing parent will be notified that the police and the Department of Family and Children Services believe the child's allegations. The reasons for taking the child into protective custody will then be explained, if necessary.

F) The offender may be called and interviewed by a detective of the Special Victims Unit. If the offender denies the abuse, the videotape may be played in the offender's presence.

G) If probable cause exists, the detective will then secure the appropriate warrant and execute an arrest.

## CRIMINAL INVESTIGATION DIVISION

H) In particularly difficult cases, the detective may request that an investigator from the District Attorney's Office be present during the adjudicatory hearing in the Juvenile Court. This can be accomplished by the prior approval of the District Attorney.

I) In order to promote security and privacy of child abuse information, the Special Victims Unit shall be responsible for reviewing referrals from DFCS. It is this entity that these referrals shall be communicated.

### 1. Immediate Response Time

- a. An immediate joint investigation by the police and protective services will be required when a referral contains allegations of any of the following:
  - 1) Serious physical injury to a child three (3) years of age or younger.
  - 2) Serious physical injury to a child six (6) years older or under, where there is an unrelated adult male living in the home?
  - 3) Any case of abuse resulting in injuries to the child where they are admitted to a hospital intensive care unit.
  - 4) Any case of sexual abuse which results in physical injury to the child, or any case where the child is immediately accessible to the alleged abuser.
  - 5) Any case in which there have been three (3) or more previous referrals of severe abuse or neglect within the preceding 24 month period in the same family as the current referral, or any case in which there has been **any** report of abuse as delineated in 1,2,3, or 4 above at any time in the same family as the current referral.
- b. When an immediate joint investigation is required, DFCS will immediately notify the police by phone in addition to sending notification by fax.
- c. When an immediate response is mandated by DFCS but a joint investigation with the police is not, the joint investigation may be requested when deemed necessary by DFCS or when needed for the protection of the caseworker.
  - 1) Upon notification to the police, an officer will review the report. The officer may call DFCS for clarification as necessary and will assign the case to a detective or other designated officer, if applicable.
  - 2) The protective services caseworker will phone the detective or other designated officer immediately following a non-joint investigation to make an oral report on the results of the investigation.

### 2. Response within 24 hours

- a. When a response by DFCS is mandated within 24 hours, a joint investigation will not be required, but may be requested when deemed necessary by DFCS or when necessary for the protection of the caseworker.
- b. Upon notification to the police, an officer will review the report. The officer may call DFCS for clarification as necessary and will assign the case to a detective if applicable.
- c. The protective services caseworker will phone the detective or other designated officer immediately following a non-joint investigation to make an oral report on the results of the investigation.

### 3. Response Within 5 Working Days of the Receipt of the Referral

- a. When a response by DFCS is mandated within 24 hours, a joint investigation will not be required but may be requested when deemed necessary by DFCS or when needed for the protection of the caseworker.
  - b. Upon notification to the police, a designated officer or detective will review the report and may call DFCS if clarification is necessary.
4. In all cases, if the police and protective services cannot agree as to whether a joint investigation is necessary, the investigation shall be made jointly.
  5. In all cases, the safety of the child shall be the primary concern of both police departments and the Department of Family and Children Services. If the police and protective services cannot agree as to the necessary response time, or if coordination between agencies would unduly delay a response, no agency shall be prevented from unilaterally taking emergency actions to insure the safety of the child.
  6. In physical and sexual abuse cases, the appropriate authority will commence the investigation by going to where the child is found.

## 4-15.43 POLICE DIVERSION OF JUVENILE OFFENDERS

Pre-judicial disposition is recognized as a valid aspect of the police function. Experts agree that it is unfair, unnecessary, and counter-productive to the juvenile justice system to bring to the Juvenile Court's attention every juvenile who is taken into custody. In addition, matters of little consequence should be handled in such a way as to avoid conferring the stigma of Juvenile Court action upon a juvenile unnecessarily.

**4-15.44.1 GUIDELINES FOR HANDLING RUNAWAYS AND MISSING PERSONS**

Each runaway and missing person case, unless immediately canceled, will have a contact sheet attached to the Incident Report. Each time an individual is contacted in regard to the case, the detective or investigative aide will note the date, name of the individual, and a brief narrative on the individual's comments. Contact sheets have been used in the past and have been found to very helpful, especially when inquiries are made concerning the cases when the assigned detective is off duty.

A file will be maintained on all out-of-county and out-of-state teletypes received by this Department in regards to missing person, runaways, and unidentified bodies. Unless the case is canceled, the teletypes will be kept for a period of six (6) months or longer if the situation warrants. This file will be beneficial in the event of unidentified bodies are found in DeKalb County or if family members of a missing person or runaway delays in filing a report.

Missing persons or runaway cases under the age of twelve (12) years old will receive immediate and continuous follow-up investigation. Each detective or investigative aide will document with a Supplemental Report the details of the investigation, follow-up, interviews, etc. This information will be maintained in the detective's case folder.

Contact will be made on runaways or missing person between the ages of twelve (12) and fourteen (14) years old. However, investigation of these cases may depend upon the circumstances and maturity of the child. A normal investigation will be conducted on runaways between the age of fifteen (15) and sixteen (16) years old. On first time runaways, the investigation will be extensive and well documented.

Runaway or missing person cases, where circumstances surrounding the disappearance are suspicious or unusual, will be thoroughly documented and extensively investigated.

**4-15.44.2 POLICY FOR ENTERING MISSING PERSONS ON N.C.I.C**

The National Crime Information Center policy concerning the requirements for entering missing person on the N.C.I.C. computer are as follows.

A record for a missing person who is declared emancipated as defined by the laws of their State of residence may be entered in the missing person file provided that the entering agency has documentation in the agency's possession supporting the State's conditions under which the person was declared missing. This documentation ensures that individual's right to privacy will not be violated.

The documentation must be from a source other than the investigating police agency. Some examples are:

- A) A written statement from a physician or other authoritative source corroborating the missing person's physical/mental disability.
- B) A written statement from a parent, legal guardian, next of kin, or other authoritative source advising that the missing person is in the company of another person under circumstances indicating that their physical safety is in danger.
- C) A written statement from a parent, legal guardian, next of kin, or other authoritative source advising that the missing person's disappearance was not voluntary.

The Missing Person Report Form will be used as an official document for requesting missing persons to be entered on N.C.I.C. This form will be filled out by the complainant reporting the missing person, and witnessed by the officer or detective making the missing person report. After completion of the form, it will be retained by the reporting officer or detective and attached to the original Incident Report.

All personnel will immediately notify Central Records G.C.I.C./N.C.I.C. when a person age 21 and under is reported missing, regardless of the circumstances surrounding the incident. This will allow for the temporary entry of the missing person into the N.C.I.C. database as allowed by federal law.

**4-15.46 PURPOSE – INTERNET CRIMES AGAINST CHILDREN UNIT**

To establish the policies and procedures of the Internet Crimes Against Children Unit (I.C.A.C.).

**4-15.47 POLICY**

The Internet Crimes Against Children Unit (I.C.A.C.) conducts investigations in the field of online child exploitation. The I.C.A.C. Unit will also assist other investigative units in the investigation of complaints of any crime that involves the use of computers, enhance investigations where computers are a factor in the crime, preserve the integrity of seized computer evidence, and provide expert testimony in court.

**4-15.48 RESPONSIBILITIES**

The I.C.A.C. Unit exists to conduct investigations in the field of online child exploitation, as specified in O.C.G.A. 16-12-100. I.C.A.C. Unit detectives will conduct proactive investigations, which are generated by I.C.A.C. Unit detectives, and reactive investigations, which are generated by citizen or other complaints. I.C.A.C. Unit detectives will utilize specialized equipment and investigative techniques when investigating crimes of online child exploitation.

Additionally, the I.C.A.C. Unit provides investigative and technical support to officers and detectives in the area of high technology crime (i.e. computer crime, computer media evidence). I.C.A.C. Unit members will coordinate with the Special Victims Unit commander on conducting casework and forensic examinations.

I.C.A.C. Unit detectives will be a liaison with the Georgia Internet Crimes Against Children Taskforce and provide support to Department investigations to include but not limited to the following: computer-related criminal investigations; preparation of search warrants for electronic media; on-site support for the execution of search warrants; and initial review of electronic media in situations that are beyond the capabilities of the case detective.

Employees will follow this directive when coming into contact with computer-related crimes or evidence.

**4-15.49 COMPUTER RELATED EVIDENCE**

A) Computers and digital media are increasingly used in unlawful activities. The computer may be contraband, fruits of the crime, or a storage container holding evidence of the offense.

B) Investigation of any criminal activity may produce electronic evidence. Computers and related evidence range from the mainframe computer, to the pocket-sized personal data assistant, to the floppy diskette, CD, or the smallest electronic chip device. Images, audio, text, and other data on these media are easily altered or destroyed.

C) It is imperative that law enforcement officers recognize, protect, seize and search such devices in accordance with applicable statutes, policies and best practices.

**4-15.50 REQUESTS FOR ASSISTANCE**

- A. Requests for assistance will be routed to an I.C.A.C. Unit supervisor or his designee.
  - 1. Requests will be handled according to priority, and I.C.A.C. Unit availability.
  - 2. The Special Victims Unit will provide after-hours contact information for the I.C.A.C. Unit detective to the Communications Section. The Special Victims Unit commander or designee must authorize compensatory time or overtime.
- B I.C.A.C. Unit employees can provide telephone consultation and/or respond to the scene in situations where evidence-related computer equipment is powered on and such equipment involves standard operating systems.
- C. The unit supervisor can authorize other responses, as warranted by circumstances.
- D. I.C.A.C. Unit members will not usually respond to assist with routine seizures of computer evidence.
- E. When I.C.A.C. Unit members respond to scenes to assist with computer related evidence, they will have final authority on the handling, collection, and preservation of such evidence.
- F. When I.C.A.C. Unit detectives are not on the scene:
  - 1. Department employees are cautioned not to turn on computer equipment that is off, and not to disturb any equipment already on, except for powering it down properly.
  - 2. Employees not familiar with procedures for the proper shutdown/powering off computer equipment should confer with an I.C.A.C. Unit member before doing so.
  - 3. Employees should not attempt to view files, or operate software on any computer equipment that potentially contains criminal evidence. Doing so may damage evidence, compromise the integrity of an investigation, and limit any digital evidence that can be forensically recovered.
- G. Computer Equipment
  - 1. Before handling or moving any equipment, officers will contact a detective. Photograph or videotape the equipment in its original position, including any information displayed on any monitors or output devices.
  - 2. Do not remove any disks from any drives. All software, disks and manuals in the area of the equipment being recovered will also be collected.
  - 3. Leave the non-networked equipment on and unplug the power source only from the back of the equipment. Once the power is disconnected, all wires and connections will be labeled so that they can be reconnected later exactly as they were found.

**4-15.51 PREPARING FOR THE SEARCH AND/OR SEIZURE**

Using evidence obtained from a computer in a legal proceeding requires:

- A. Probable cause for the issuance of a warrant or an exception to the warrant requirement.

Caution: When encountering potential evidence that may be outside the scope of the existing warrant or legal authority, contact the I.C.A.C. Unit, as an additional warrant may be necessary.

- B. Use of appropriate collection techniques, so as not to alter or destroy evidence.
- C. Forensic examination of the system completed by trained personnel in a speedy fashion, with expert testimony available at trial.

**4-15.52 CONDUCTING THE SEARCH AND/OR SEIZURE**

- A. Once the computer's role is understood and legal requirements are fulfilled, secure the scene:
  - 1. Officer safety is paramount.
  - 2. Preserve the area for potential fingerprints.
  - 3. Immediately restrict access to computer(s).
  - 4. Isolate from phone lines (because data on the computer can be accessed remotely.)
- B. Stand-Alone Computer (non-network):
  - 1. Consult an I.C.A.C. Unit detective.
  - 2. If an I.C.A.C. Unit detective is not available:
    - a. Photograph the screen, then disconnect all power sources; unplug from the wall and the back of the computer.
    - b. Place evidence tape over each drive slot.
    - c. Photograph/diagram and label back of computer components with existing connections.
    - d. All digital photographs taken by the on scene officer will be uploaded into RMS under the associated case.
  - 3. Label all connectors/cable ends to allow reassembly as needed.
- C. Networked Computers
  - 1. Consult an I.C.A.C. Unit detective for further assistance; do not take action without I.C.A.C. Unit guidance.
  - 2. Pulling the plug could:
    - a. Severely damage the system
    - b. Disrupt legitimate business
    - c. Create officer and Department liability
  - 3. All items connected to the computer being recovered, such as mouse, printers, monitors, scanners, etc., should be recovered as well.
- D. Other Electronic Storage Devices

Electronic devices may contain viable evidence associated with criminal activity. Unless an emergency exists, the device should not be accessed. Should it become necessary to access the device, all actions associated with the manipulation of the device should be noted, in order to document the chain of custody and ensure its admission in court.

**E. Facsimile Machines**

- 1. Potential Evidence contained in Fax machines:
  - a. Speed dial list
  - b. Stored faxes (incoming and outgoing)
  - c. Fax transmission logs (incoming and outgoing)
  - d. Header line
  - e. Clock setting
- 2. Best Practices – Fax Machines:
 

If fax a machine is found "ON," leave it "ON". Powering down may cause the loss of last number dialed and/or stored faxes. Pull the plug directly from the wall.
- 3. Other Considerations:
  - a. Record the telephone line number to which the machine is attached.
  - b. Header line should be the same as the phone line (user sets header line.)
  - c. All manuals should be seized with equipment, if possible

**4-15.53 TRANSPORTING COMPUTER-RELATED EQUIPMENT**

If transporting is required, package components and transport/store components as fragile cargo. Keep away from magnets, radio transmitters and otherwise hostile environments.

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Do not transport any electronic equipment in the trunk of a vehicle that has any kind of Police radio; this can cause damage to the evidence. It is best placed on the back seat.

Protect the equipment from the weather and transport it as soon as possible to the Property Room.

Place all the discs and other electronic storage devices in a paper bag or leave them in their own holders.

### **4-15.54 FORENSIC ANALYSIS**

A. The forensic analysis of digital evidence is guided by the request of the submitting officer and the scope of the search warrant/waiver, where applicable.

1. Analyzing digital media is for the recovery of both incriminating and exculpatory evidence.
2. Examinations will be conducted in an unbiased approach.
3. Each analysis is different, and the methods used to recover evidence will vary somewhat from case to case.

B. Forensic examinations of computer related media for digital evidence will be conducted upon written request, utilizing the Computer Evidence Submission form available on the intranet and accompanied by the required documents (i.e. waivers, warrant affidavits, supplements, etc.).

1. Computer analysis requests must be routed through an I.C.A.C. Unit supervisor or the Special Victims Unit commander.
  2. Examinations will be scheduled in the order they are received, unless specific needs are articulated that require certain cases be handled before others.
- C. I.C.A.C. Unit members will coordinate with the Special Victims Unit commander on conducting casework and forensic examinations.

1. In-Lab forensic examinations of computer media will be performed as time allows or on overtime, as appropriate.
2. The I.C.A.C. Unit equipment will be kept secure and in a locked location.

D. When conducting analyses of computers and/or digital media, the I.C.A.C. Unit will follow generally accepted forensic examination practices as employed by federal, state, and local law enforcement agencies across the United States.

### **4-15.55 FORENSIC IMAGES OF ELECTRONIC EVIDENCE**

A. All forensic images (copies) of electronic evidence will be handled in the same manner as original electronic evidence.

B. All forensic images (copies) of original evidence will be stored for 90 days after the case is turned over to the District Attorney's office.

C. If the District Attorney requires the images (copies) to be maintained longer than the 90 days, they should be required to provide storage space for the forensic images (copies) and they will be turned over to the District Attorney's office for storage.

Original electronic evidence should be maintained until the case is adjudicated following the current property control guidelines. Since some electronic evidence may be in fact contraband (i.e. Child Pornography), or personnel information covered by the HIPPA, NO electronic evidence will be released to the public, unless ordered by the court, without it being securely wiped (erased) to Department of Defense Standards. Original evidence returned to the original owner will not automatically be wiped (erased), unless it contained contraband (i.e., Child Pornography,) or unless ordered by the court. It is the responsibility of the case detective to coordinate with the I.C.A.C. Unit in instances when it is necessary to wipe the hard drive.

### **4-15.56 TRAINING**

The I.C.A.C. Unit will seek specialized training opportunities, regarding online child exploitation and computer forensic analysis, to maintain skills and knowledge.

The I.C.A.C. Unit will be knowledgeable of statutes, case law, and guidelines (state and federal) pertaining to computer crime and digital evidence.

### **4-15.57 REPORTING**

I.C.A.C. Unit members will follow the general Department protocols for any investigative reports and/or court supplemental reports they prepare.

Forensic analysis reports generated by I.C.A.C. Unit detectives will be prepared according to established Unit protocols.

Special Victims Unit supervisors will forward copies of any incident reports, or completed investigations, involving online child exploitation to the I.C.A.C. Unit.

The I.C.A.C. Unit will maintain statistics regarding online child exploitation investigations and computer forensic analysis.

#### **4-15.58 EYEWITNESS IDENTIFICATION**

##### **A) EYEWITNESS IDENTIFICATION**

Eyewitness identification is the process of obtaining positive identification of a criminal suspect by having a witness/victim view either the person suspected or a photograph of that person.

##### **B) METHODS OF EYEWITNESS IDENTIFICATION**

##### **1. Show-up or Confrontation**

##### **a. Definition**

A show-up or confrontation occurs when a witness/victim views an individual(s) for purposes of identification.

##### **b. When Permissible**

An officer may arrange a show-up between a suspect and a witness/victim whenever a suspect is arrested or has been temporarily detained within two hours of the offense, and the witness/victim is cooperative and states that he/she might recognize the person who committed the offense.

Once a suspect has been detained for a show-up, within the two-hour limit, the suspect will only be kept in the officer's custody for a period not to exceed twenty (20) minutes unless the suspect is under arrest.

A show-up should usually be conducted within a few minutes after a criminal event has occurred and when a suspect is apprehended nearby. Participants are generally limited to the apprehending officer(s), the victim/witness, and the suspect. The purpose of a show-up is to obtain quick identification of a possible offender in order to aid in the determination of need for further detention or arrest.

##### **c. Location of Show-up**

The location of a show-up will be determined by the type of crime, condition of the witness/victim, distance between the site of the crime and the site of detention, availability of transport, and the reasonableness of actions in general. When at all possible, the suspect, if not under arrest, should remain at the place of detention and the witness/victim should be transported to that location. Unless the suspect consents, he should not be taken to the witness/victim's location.

If an officer has probable cause to arrest a suspect of the crime being investigated or for any other criminal offense or local ordinance, the officer should make the arrest and avoid the show-up. Time would then become available for further investigation and the possibility of a photographic or physical line-up to occur.

##### **d. Detention of Show-Up**

If an officer reasonably suspects that a person located, within the two-hour limit of an offense, has committed the offense, but probable cause to arrest the person is not present, the officer may detain the suspect for a maximum of twenty minutes for confrontation purposes. In exercising this authority, the officer may use such force—short of deadly force—as is reasonably necessary to stop the person or to cause the person to remain in the officer's presence.

The suspect cannot be detained for longer than twenty minutes unless: (1) probable cause to believe the suspect committed the offense has developed during the detention or (2) the suspect, after being clearly informed that he is not required to cooperate, consents to take part in the confrontation.

##### **e. Witness/Victim Participation**

Witness/victim participation in a show-up must be carefully controlled to prevent violence and to obtain fair identification. Officers should:

- 1) Inform witness/victim that you want him to look at a person, but do not say the person is a suspect.
- 2) Avoid, or at least keep to a minimum, any display of force (e.g. weapons, handcuffs, etc.)
- 3) Be sure lighting is adequate and allow witness/victim enough time for thoughtful identification.
- 4) Separate witnesses/victims if more than one, so identifications are not based on group opinion.
- 5) Witness/victim must be positive to provide probable cause for further detention.
- 6) When presenting a suspect to a witness/victim for identification, an officer should not say or do anything to lead the witness to believe that the suspect has been formally arrested or detained, that

- he has confessed, that he possessed incriminating items on his person when searched or “frisked,” or that he is believed to be the perpetrator.
- 7) In the event uniform officers use a show-up, an appropriate detective must be notified of the witness/victims who participated in the show-up along with all circumstances leading up to their participation.
  - 8) The suspect shall not be secured in the back of a patrol unit for the purposes of a show-up. This is highly suggestive to a victim/witness and shall not be done.
- f. **Cruising Area of Offense**  
In certain situations, officers may transport witnesses/victims in police cars to cruise the general area in which a crime has occurred in hopes of spotting the perpetrator and arranging a confrontation. (When following this practice, it is important that the officer avoid implicating anyone on the street or suggesting that a certain person looks suspicious. This is done regardless.)
  - g. **Right to Counsel**  
No person has a right to have a lawyer present at any show-up or confrontation procedure.
  - h. **Release After Confrontation**  
If the suspect is not identified, he should be released, unless probable cause still exists to believe the suspect committed the offense. If an identification and/or arrest are not made, the officer at the scene should obtain as much information about the suspect that is possible and if time and procedure allows, photograph the suspect. This information should then be forwarded to the appropriate investigative component.
  - i. **When Appropriate**  
This means of identification is inherently suggestive and has been widely criticized by the courts when used by law enforcement officers. Show-ups should only be used as a last resort. If there is probable cause for an arrest or time for further investigation by a detective, then a show-up should be avoided.
  - j. **Juvenile Involvement**  
In the event that a juvenile becomes a suspect, and a decision is made to conduct a show-up using the juvenile suspect, the same procedure will follow as mentioned above. However, the officer in charge of the show-up will notify a detective from the Special Victims Unit and photographs of the juvenile suspect will not be taken without prior consent from a Juvenile Court Judge, Magistrate Court Judge, or Superior Court Judge, whichever is applicable.
  - k. **Documentation**  
As a part of their investigation, detectives will obtain written statements from all officers and witnesses involved in a show-up lineup that results in a positive or negative identification.
    - l. **Probable Cause**  
Whenever a show-up is conducted, and a positive identification has been made, then probable cause exists for an arrest.
2. **Photographic Line-up**
    - a. **Definition**  
A photographic line-up is the next best method for identifying a suspect from among a group. It is dependent upon the availability of photographs of neutral participants and the suspect. It consists of a group of photographs of individuals being shown to a witness/victim in order to attempt to identify the perpetrator of a specific crime.
    - b. **When Permissible**  
Anytime an individual becomes a suspect in a criminal investigation and a photograph is located of the suspect, the investigating officer may create a photographic line-up to show the witnesses/victims. The use of photographic line-up to identify criminal suspects is permissible only when a physical line-up is impractical. (e.g., there is no suspect; there is a suspect but probable cause to arrest him is absent; the suspect cannot be found; a suspect or witness refuses to cooperate; or the suspect is in custody some distance from the prospective viewer.)  
Should the only available photograph of a suspect be protected under the provisions of the Georgia First Offenders Act, permission to use the photo must be obtained from the Commander of the Crimes Against Persons (Major Felony) Section.
    - c. **Location of a Photographic Line-up**  
A photographic line-up may be shown at anytime and at any location convenient to the witness/victim and officer.
    - d. **Right to Counsel**  
No person has a right to have a lawyer present during a photographic line-up.

- e. **Primary Responsibility of Photographic Line-ups**  
Primary responsibility of conducting photographic line-ups will rest with officers serving in an investigating capacity. Uniform officers will not conduct a photographic line-up on any case commonly assigned to a detective for investigation. Uniform officers will not conduct a photographic line-up on any street or line level investigation unless approved by a superior officer.
- f. **Photograph Source**  
Officers responsible for conducting photographic line-up may: Use any photograph kept within the Department, including Criminal History Section; use any photographs used by other departments, agencies, or organizations; use any photographs used for identification purposes such as driver's license, school or employment I.D.; use any photograph maintained in a Law Enforcement Computer database; use any photograph used in a yearbook, directory or other information document; use any photographs taken by an officer or any other person, whether current or not and whether taken voluntarily or not and; use any photographs coming into the possession of the investigating officer, whether criminal arrest photographs or not.  
Each investigative function of the Department may maintain a photographic file of individual's photographs and if possible, the file will be broken down by sex, race, facial hair, hair length, age, etc. These photographs may be used as "fillers" in order to complete a photographic line-up.
- g. **Composing a Photographic Line-up**  
When composing a photographic line-up, officers should use one (1) photograph of the suspect and the other photographs should be of other individuals that are "similar". Similar does not mean identical or so close as to confuse any witness or victim. Similar means that all photographs in the photographic line-up be:
  - 1) of the same sex
  - 2) of the same race
  - 3) within the same age range
  - 4) similar in facial features, such as facial hair, glasses, injuries, jewelry, etc.
  - 5) similar in hair color and length
  - 6) similar in photograph size and make-up (e.g.-color vs. black and white)
  - 7) similar in photographic background (e.g.-mug shots vs. facial shots)
  - 8) similar in body size, especially if the photographs consist of an entire body shot, and
  - 9) similar in the amount of body portions shown
  - 10) similar in profile if arrest or mug shot photographs are used.
 All photographs that contain written information such as criminal history, personnel information, etc., will have said information covered and the covering will be uniform in appearance and position.
- h. **Number of Photographs in a Photographic Line-up**  
In creating a photographic line-up, officers should use a minimum of six (6) photographs including the suspect. Each photographic line-up should contain one (1) photograph of the suspect. In the case of multi-suspects, additional photographic line-ups should be developed for each suspect. Care should be taken to insure the same filler photographs do not appear in additional line-ups for the same case.
- i. **Numbering of Photographs**  
Each photograph will be numbered #1 through #6. Numbers will be placed on the front side of the photograph and will not cover any of the facial features of each photograph.
- j. **Presentation of the Photographic Line-up**  
Once the photographic line-up has been prepared, certain instructions must be given to the witnesses/victims prior to their examination through the use of the *Photographic Lineup Admonition Form*. This form should be read aloud to each witness, individually, and each witness should be allowed to review the admonition form prior to viewing the line-up. This process as well as the viewing of the line-up should be recorded on audiotape if circumstances allow. This form as well as the audiotape will be preserved as a part of the detective's investigative file.
- k. **Photograph Identification**  
If a witness/victim identifies a photograph from the line-up they will be required to record their selection as positive or tentative on the *Photographic Lineup Admonition Form*. If no identification is made, that occurrence will also be indicated on the same form in the space provided. The process will be completed by the victim/witness signing the admonition form. The form will also be witnessed by the detective conducting the line-up and one additional witness.
- l. **After Identification**

- Upon completion of the photographic line-up, the investigating officer will be responsible for preserving and maintaining the line-up for future court use, as the line-up itself is considered evidence.
- m. Use of a "Mug Book", Yearbook, etc.  
The use of a mug shot book, yearbook, or any other book or directory with numerous photographs is appropriate when there is not a particular suspect. To insure an accurate identification, a reasonable number of photographs should be shown. If identification is made from a mug shot book, yearbook, etc., the investigating officer will insure that either the book or a copy of the book used is preserved and maintained for future court proceedings.
  - n. Probable Cause  
If a positive identification is made of a suspect in a photographic line-up, then this in itself will be considered probable cause. If a tentative identification is made, then additional information will be required to establish probable cause.
3. Physical or Formal Line-up
- a. Definition  
A physical or formal line-up is an identification procedure in which a suspect is placed in a live group setting and presented to a witness/victim. This line-up is the traditional method used to obtain identification.
  - b. When Permissible  
Whenever identification by a witness/victim might be obtained, a physical line-up should be held following the arrest of a suspect, unless one of the following makes a line-up unwise or impractical;
    - 1) Unusual Appearance of Suspect. Lack of suitable persons to include in the line-up group (e.g., the suspect is very tall or very short, very young or very old; the suspect's hair length or facial hair is unusual).
    - 2) Prior Knowledge. The witness knew the identity of the suspect before the offense occurred (e.g., personal acquaintance, relative, neighbor, coworker); or learns his identity without police assistance after the offense (e.g., a victim spots the suspect at his place of employment, or an eyewitness recognizes the suspect's picture in the newspaper); or the prospective viewer has had an opportunity to identify the suspect in an earlier confrontation procedure.
    - 3) Inconvenience. The suspect is in custody at a place too far from the witness.
    - 4) Lack of Viewers. There is no witness willing or able to view a line-up.
    - 5) Uncooperative Suspect. The suspect threatens to disrupt the line-up.
    - 6) Suspect Released from Custody. The suspect was released on bond or recognizance before he could be viewed, or
    - 7) For any other reason based on timing, or inconvenience for the viewers or officers conducting the line-up.
  - c. Location of a Physical Line-up  
All physical line-ups will be conducted at the physical line-up room located on the ground floor of the DeKalb County Jail.
  - d. Primary Responsibility for Conducting a Physical Line-up  
Primary responsibility of conducting physical line-ups will rest with officers serving in an investigative capacity. Uniform officers will not, under any circumstances, conduct a physical line-up.
  - e. Coordinating With Other Criminal Justice Agencies  
Prior to setting a time and date for a physical line-up, the primary detective should confer with the Sheriff's Department as to arrange a convenient time and date.
  - f. Arranging a Physical Line-up  
Once a suspect is in police custody, a time and date should be set in order to conduct a physical line-up. The primary detective assigned to the criminal investigation should contact every witness/victim that might be able to identify the perpetrator and arrange for them to attend the line-up.  
In that physical line-ups should only be conducted once, any other departmental or outside agency's criminal investigator should be notified of the physical line-up, if there is reason to believe that the suspect may have been involved in other criminal acts.  
When numerous witnesses/victims are to attend a physical line-up, a schedule should be developed and the witnesses/victims should be scheduled five (5) minutes apart. This will reduce the chance of witnesses/victims communicating with each other prior to and after the line-up. Witnesses/victims attending a physical line-up should be separated to prevent any communications from occurring.
  - g. Developing the Physical Line-up: Suspect

Once a suspect has been arrested and is still within police custody, the suspect has no right to refuse to participate in a physical line-up.

The suspect must be advised, at least 24 hours in advance, of the physical line-up and that his presence is required. The suspect should be told that he had no right to refuse to participate and that he has a constitutional right to contact an attorney, the detective will advise the defense attorney, at least 24 hours in advance, of the line-up. If the suspect has not retained an attorney, the detective will advise the Office of the Public Defender, at least 24 hours in advance. The detective will also notify the District Attorney's Office at least 24 hours in advance.

The suspect should be dressed in the standard jail inmate uniform prior to the line-up.

h. Developing the Physical Line-up: Fillers

Each physical line-up will have a minimum of six (6) participants, including the suspect. In the event of multi-suspects, the line-up should contain only one suspect, if possible.

Others participating in the physical line-up will be known as "fillers". Fillers will be selected from the jail, if possible, and this process should be carefully coordinated with the Sheriff's Department. In selecting fillers, the officer must understand that no one, other than the suspect, can be required to participate in a physical line-up. The officer must also select fillers that are similar. Similar does not mean identical or so close as to confuse any witness or victim. Similar means that all participants in the physical line-up be:

- 1) of the same sex
- 2) of the same race
- 3) within the same age range
- 4) similar in facial and body features, such as facial hair, glasses, injuries, jewelry, amputations, deformities, etc.
- 5) similar in hair color and length
- 6) similar in height, weight, and body size, and
- 7) similar in the clothing worn, such as type, style, color, etc., (participants in a physical line-up from the jail will all wear the same clothing).

Each participant in the line-up, including the suspect will be assigned a number so as to be identified. The suspect will be allowed to choose which number he desires.

i. Once the makeup of the line-up is set, the names of all participants will be recorded on the *Physical Lineup Report Form*. This form will also be used to record the date, time, and location of the line-up, and the names of any defense counsel, and/or District Attorney's Office representative present.

j. Conducting the Physical Line-up

All participants in the line-up will stand side by side, in numerical order. Participants may be asked to speak certain words, move or turn in certain ways, or try on articles of clothing during the line-up. It is important to note that if any request of the participants is made, each participant, including the suspect must complete the request. Participant #1 should first complete the request and the last participant should end the request. Participants can be required to make any reasonable display of physical characteristics if it does not unduly embarrass or harass them. For example, display of a tattoo, scar, deformity, or other identifying feature recognizable to a witness.

The underlying idea is that the procedure must be FAIR and NEUTRAL. There must be no suggestion to the witness/victim that a certain person is to be identified. The procedure is intended to obtain identification of a suspect-nothing more.

k. Legal Counsel Participation

The courts encourage legal counsel to be present during a physical line-up. Any action on the part of law enforcement officers which might be interpreted as interfering with the suspect's expressed desire for assistance of counsel may be judged as a violation of constitutional rights.

**Counsel present at a physical line-up is only there to observe. Counsel may not interview, question, comment, object or otherwise interfere with the physical line-up or the viewing by witnesses/victims.**

l. Witness/Victim Participation

Witness/Victim participation in a physical line-up should be carefully controlled by the officer in charge.

- 1) Witnesses/victims must be kept separated from each other and should not be able to overhear any conversation between other witnesses or officers.
- 2) Witnesses/victims must not be able to see the line-up participants, even briefly, prior to actual viewing of the line-up.
- 3) Questioning of witnesses/victims must be done individually and privately.

- 4) Each witness/victim may request the line-up participants to speak certain words, move or turn in certain ways, or try on articles of clothing.
- m. Certain instructions must be given to the witnesses/victims present prior to viewing the line-up through use of the *Physical Lineup Admonition Form*. This form should be read aloud to each witness, individually or collectively, and each witness/victim should be allowed to review the admonition form prior to viewing the line-up. This process should be recorded on audio tape if circumstances allow.
- n. If a witness/victim identifies the suspect as the perpetrator, the witness/victim will then be required to record their selection as positive or tentative on the *Physical Lineup Admonition Form*. If no identification is made, that occurrence will also be noted on the same form in the space provided. The detective conducting the line-up, and one additional detective. The completion of the admonition form will be recorded on audio tape, and that tape as well as the completed *Physical Lineup Admonition Form* and the *Physical Lineup Report Form* will be preserved as part of the detective's investigative file.
- o. Photographing the Line-up  
Photographs and video recordings will be taken of all physical line-ups.
- p. Presence of a Supervisor  
A C.I.D. supervisor will be present at all physical line-ups.
- q. Juvenile Participation in a Physical Line-up  
If a decision is made to conduct a physical line-up and use a juvenile or juveniles, the prior permission must be granted from the Juvenile Court Judge before the line-up may be conducted. If permission had been granted a member of the Department's Special Victim Unit must be present along with the juvenile(s) parent or guardian. Permission must also be obtained from a Juveniles Court Judge prior to any photographing of the line-up. Juveniles will have the same rights of counsel at a physical line-up and all waivers obtained will be witnessed by a Special Victims Unit detective and the juvenile(s) parent or guardian.
- r. Probable Cause  
Any positive identification in a physical line-up will be considered probable cause. Any tentative identification must have additional information in order to establish probable cause.

#### **4-15.59 COLLECTION AND PRESERVATION OF EVIDENCE, PHOTOGRAPHY AND LATENT FINGERPRINTS**

Crime Scene Investigations and Lab Unit will have the primary responsibility to locate, recover, and preserve latent fingerprints, collect evidentiary material, prepare sketches, and photograph both still and videotape crime scenes, incident or events as directed. Crime Scene Investigators will maintain a 24-hour/ 7-day operation. When called, investigators will proceed promptly arriving as soon as possible with all equipment needed to photograph or process the scene. Investigators will have the responsibility of photographing and processing scenes and the police shall be responsible for maintaining and preserving the scene prior to their arrival. Upon their arrival, investigators shall first meet with the lead investigating officer or supervisor directing the investigation in order that they might be briefed regarding the crime or incident, or critical evidence that could deteriorate or require special care. Crime Scene Investigators shall work in concert with all other investigative personnel with respect to their various assignments.

##### **A) PROCESSING PHYSICAL EVIDENCE IN THE FIELD**

1. Evidence collection is usually accomplished after the search of the crime scene has been completed, a rough sketch has been made, and photographing and/or videotaping have been completed.
2. The Crime Scene Investigator's first priority during the initial crime scene search is to collect and preserve any evidence that may be contaminated during the search or has a potentially limited life span.
3. When collecting evidence at the crime scene for laboratory analysis, the amounts needed will depend upon the type of evidence and the tests to be conducted.
4. For proper evaluation of stains by laboratory technicians, control samples must be submitted in addition to the collected stains. For example, a stain on a waxed surface should be collected and identified as control samples. The integrity (unimpaired condition) of the control sample must be preserved as carefully as that of the evidence.

##### **B) CRIME SCENE SKETCHES**

Crime scene sketches are prepared in order to supplement notes and photographs. A sketch should provide accurate measurements of sizes and distances of objects and their relationship to other objects so that a crime scene might be accurately re-constructed. The sketch should include any bodies, weapons, tools or other objects used in the commission of the crime. Basic elements that will be included in the sketch are:

1. Dimensions
2. The relation of the crime scene to other buildings
3. The address, floor, or room number
4. The location of significant features of the scene, including the victim

5. The date and time of the preparation
6. The name(s) of the Crime Scene Investigator(s) preparing the sketch
7. Direction of North
8. The location of physical evidence recovered
9. Legends describing items too small or too difficult in their exact shape or scale

After a rough sketch has been completed, this information will then be recorded on a final sketch. If the technology is available, a computer-generated sketch will be acceptable. Both the original rough sketch and a copy of the final sketch will be maintained in the investigator's case file. The original final sketch and a copy of the rough sketch shall be forwarded to the case detective and made a part of the original case file.

#### C) CRIME SCENE PHOTOGRAPHY

Crime scene photography is utilized as a comprehensive aid to clarify and supplement written reports, to provide a permanent record of fragile or transitory evidence and to identify person(s) at the scene. Whenever possible, when investigating major scenes or events, back-up photographs shall be taken by a secondary photographer working behind the primary photographer in the event the first photographs are unable to be processed due to technical difficulties during processing.

1. Photographing the Crime Scene
  - a. The crime scene will be photographed systematically to guarantee a visual image of the entire crime scene as well as minute or circumstantial trace evidence.
  - b. Over-all crime scene photographs encompassing the geographical area and adjacent tract of land should be taken. These photographs should be taken from a distance that will include the entire area involved in the crime scene.
  - c. 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.
  - d. Close-up photographs will be used to identify and record 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.
  - e. 1 to 1 photographs with and without scale will be taken of latent prints, footwear impressions, tire impressions, blood stains or patterns, tool marks, hair and fiber evidence, and any other items of trace evidence which would not normally appear in other photographs.
  - f. Artificial light in the form of floodlights or electric flash may be necessary in dark or poorly lit areas.
  - g. When appropriate, videotaping may supplement, but not replace, still photography at a crime scene in order to properly record particular elements that are not easily depicted in a photograph. All death investigations and officer-involved situations where deadly force was utilized shall be video taped in addition to still photography.
  - h. Aerial photographs will be taken of all major outdoor scenes or incidents. Key ground locations to be photographed from the air should be marked with a highly visible fluorescent orange spray paint. The aerial photographer should first familiarize themselves with the marked locations prior to taking the aerial shots.
  - i. Graffiti at any crime scene or incident location shall be photographed.
  - j. Dead bodies shall be photographed in full length, front, back, and profile with attention to hands, feet and face.
  - k. Suspects or defendants standing in a physical line-up shall be photographed or videotaped as directed by the case detective or supervisor directing the line-up.
  - l. Officers involved in use of force cases will be photographed both front and rear for identification purposes to depict uniform, badges, sidearm, etc. In addition, hands and any visible injuries will be photographed along with any damage to clothing, uniforms or equipment. Firearms or other non-lethal weapons or equipment used by officers shall be photographed with ammunition visible. A close up photograph depicting the firearm's serial number shall be taken.
2. Court Admissibility
 

Legal precedents require that the use of photographs in a court of law must meet certain guidelines.

  - a. The object photographed must be material, competent and relevant to the crime scene.
  - b. The photograph must not be planned to excite emotional reactions from the viewer nor should they attempt to prejudice the court or jury.
  - c. The photograph must show the natural configuration of the crime scene without distortion

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- d. The photographer must be able to testify to the accuracy of the crime scene as depicted in the crime scene photographs.
- e. There must be a traceable chain of custody of the photographs from the photographer, the photo lab, the detective, and finally, to the courts.
- f. The photographer must be knowledgeable in the mechanisms of the camera used and the processes involved in the creating of the photograph.

### 3. Photographing victims of sexual assault or sexual abuse

Whenever injuries, scars, or marks of a victim must be photographed as a result of sexual assault or abuse the victim or injured party shall at all times be treated with dignity and in a sensitive manner. Photographs shall always be taken by someone of the same sex. If a male/female investigator is not available, a sworn male/female detective shall take the photographs. A witness shall always be present.

- a. Full-length body shots for the purpose of establishing identity and general condition of the victim.
- b. Perspective shots to show the mark or injury in relation to some other identifiable body part, and close-ups of the affected area.
- c. When photographing private areas or in close proximity to private areas, it is imperative that the photographer use discretion and common sense.
- d. Private areas would generally refer to the female breast and the pubic and buttock area of both males and females.
- e. Only the affected area need to be exposed for photography. Surrounding or private areas should be covered or draped with a solid sheet or blanket in an appropriate manner.
- f. In most instances, underclothing should be treated as bare skin and should be supplemented with some other covering such as outing clothing or sheet.

### D. INFORMATION TO BE RECORDED AFTER EVIDENTIARY PHOTOGRAPHS OR VIDEOTAPES ARE TAKEN

The Crime Scene Investigator who took the photographs at any scene will seal the exposed film in a photographic envelope, enter all required information on the envelope (case number, location, number of photographs taken, date, case detective's name, development instruction, etc.) and turn the exposed film package over to the Forensic Photographer or their designee.

All videotape will be shot on "Super 8". The original tape of all videotape will be placed into the police property room after any copies are made for investigative purposes.

All film will be processed in the C.S.I.U. photo lab unless otherwise authorized by the C.S.I.U. supervisor.

The Forensic Photographer or their designee will log the photographic evidence in the evidentiary logbook. The exposed film will be processed as requested. For "negative processing only" the processed negatives will be logged and filed within the unit. For case where "prints" have been requested, and authorized by a supervisor, the prints and negatives will be logged. The negatives will be filed in the C.S.I.U. and the prints will be forwarded to the requesting detective. All prints will be reviewed prior to delivery and the photographer shall initial, date and write the case number on the back of each print.

Photographs will be printed on a routine basis only in homicides, sex crimes, and employee related incidents.

The Forensic Photographer shall be responsible for the storage and safeguarding of all evidentiary photographic negatives as they would any other evidentiary material.

### E. RESPONSIBILITY FOR REQUESTING LABORATORY EXAMINATIONS

The detective who will eventually be assigned the particular case will be the lead detective and will have responsibility for requesting laboratory examinations. At the time of the request, the lead detective will sign a Forensic Analysis Request form, which indicates what forensic test(s) the detective requests.

The Forensic Analysis Request form will be forwarded to the C.S.I.U. The Crime Scene Investigator who transports the evidence to the Crime Lab will complete the bottom portion of the form and send a copy of the completed form to the requesting detective. If the evidence is transported to the Crime Lab by a detective, a copy of the form will be forwarded to C.S.I.U.

### F. SUBMITTING EVIDENCE TO THE CRIME LAB

Maximum benefit can be derived from physical evidence if it has been properly collected, handled, and preserved for the development of leads, laboratory examination and for presentation in court. The handling and care of evidence involves preserving the evidence so as to retain the integrity of the evidence in its original condition, maintaining a chain of custody to ensure its evidentiary value, the proper packaging and submittal of the evidence to the laboratory for analysis, when appropriate, and disposition of the evidence when it is no longer of evidentiary value.

The Crime Scene Investigator 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 court.

1. The Crime Scene Investigator will mark all items of evidence with a case number, date, time, and initials. In the event that item is too small, fragile, or evidence adhering to the item precludes marking it directly or marking the item would damage it or decrease its value, the item will be placed in a container and the container marked.
2. The Crime Scene Investigator will describe in his report how and where the item was marked, the description of the item including the make, model and serial number, if appropriate.
3. Bloodstain articles should not be packed for submission to the State Crime Lab until it has thoroughly dried at normal room temperature. Clean paper should be placed under the drying object to catch any falling trace evidence. When the object is dried and ready for packaging, the paper should be carefully folded to secure the trace evidence and placed in the wrapping with the article in a paper bag.
4. For bloodstains appearing on fixed objects or on an object too bulky to transport to the laboratory, the Crime Scene Investigator will 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 pillbox or onto a clean piece of paper. The paper will then be folded carefully and placed into a container.
5. For bloodstains appearing on porous objects such as wood or earth, the bloodstain as well as a 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.
6. All items for 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 also will completely destroy the weaker antigen systems and enzyme groups.
7. Articles bearing semen stains will be placed between sheets of paper, cardboard or similar material and then secured in such a manner that friction is avoided. Semen stains should be allowed to dry before being packaged.
8. All other body fluids including saliva, urine, perspiration, pus, human milk, nasal mucous, and tears will be handled with the same precautions as blood and semen.
9. Blood samples taken from living victims and suspects will be placed in a 5ml Vacutainer tube with a yellow stopper, which has ACD, added as an anticoagulant, or a gray stopper tube which has potassium oxalate. Blood samples collected in a tube with a red stopper are not preferred. Properly sealed and label the tube with the subject's or victim's name, date, name or initial of the Crime Scene Investigator, and the doctor, or medical technician. Keep blood samples refrigerated. **DO NOT FREEZE.** Blood samples will be delivered to the Crime Laboratory as soon as possible.
10. In order to obtain maximum value from blood and bloodstain evidence, the Crime Laboratory must have a sample of known blood from both the victim and the suspects. 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 systems to be run on case material which will provide the greatest population differentiation and distribution.
11. Saliva samples taken from live victims or suspects will be collected in a clean tube or container that can be tightly closed. 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 subjects or victim's name, date, name or initial of Crime Scene Investigator and doctor or 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.
12. Hair samples will be placed in a zip-lock bag or other seal able bag. A minimum of Twenty five (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 hair provided the brush or comb is clean. If combed/brushed hair is collected, they will be submitted in a plastic bag separate from the pulled hair or in a separate paper bag.
13. 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 excretions. If seminal stains are present on bed clothing these should be collected for examination. Do not collect the mattress pad unless there is no sheet on top of the pad. If seminal stains are still wet, these stains should be circled just outside the boundary of the stain and noted to the Crime Lab serologists who receive the case.  
Dried semen on an immovable object should be scraped carefully using a razor blade into a sheet of clean white paper, which is then folded into a secure packet to prevent loss of scrapings. 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. The

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gauze should be thoroughly air dried before packing into a paper bag or envelope. Liquid semen should be wiped onto clean gauze and allowed to dry.

14. Serologic evidence will be transported to the Crime Lab as soon as possible. If a delay is absolutely necessary, blood samples will be placed in the Crime Scene Investigation Unit's refrigerator. Clothing that is wet or bloody will be allowed to air dry and package in paper bags. Other physiological fluids will be frozen as soon as possible and maintained in the Crime Scene Investigation Unit refrigerator until it can be transported. Do not allow this evidence to thaw.
15. Other evidence collected and not sent immediately to the Crime Lab, for example when waiting for comparison items will either be placed in the Property Room or maintained in the Crime Scene Investigators evidence locker until it can be transported to the Crime Lab. No evidence will remain in the evidence lockers more than two (2) working days. No evidence will be placed in personal lockers.

### G) CRIME SCENE INVESTIGATOR'S REPORT

Any Crime Scene Investigator called to the scene of a crime, fire, disaster, or traffic accident will complete a Crime Scene Unit Investigation Report to include the following:

1. Offense type
2. Scene location
3. Case Number
4. Victim's Name
5. Victim's Date of Birth/Race/Sex
6. Day of the week
7. Date
8. Requested Time
9. Arrival Time
10. Completion Time
11. Weather Conditions
12. Light Conditions
13. Officer(s) at the scene
14. Detective(s) at the scene
15. Any other at the scene
16. Latent lifted
17. Photographs taken
18. Vehicle year, make, model, body style, color, VIN, State of Tag, Tag number, mileage, and vehicle point of entry
19. Burglary type
20. Point of entry, type, and method
21. Safe Burglary, type, and method
22. Evidence disposition
23. Measurements taken
24. Comments to include what evidence was recovered, where, and its disposition, 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 will be included outlining the reasons why physical evidence was not recovered or photographs were not taken
25. 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
26. Any subsequent action taken during the investigation by the Crime Scene Investigator will be written on a supplemental report to be attached to the original Crime Scene Investigation Report.

### H) RECORDS OF EVIDENCE CUSTODY TRANSFER AND PRIOR CUSTODY INFORMATION

1. A record will be maintained of evidence custody transfer to include the following:
  - a. Date and time of transfer
  - b. Receiving person's name and assignment
  - c. Reason for the transfer
2. A record of evidence sent to the Crime Lab will include:
  - a. Name and the location of the laboratory
  - b. Synopsis of the event
  - c. Examinations desired
  - d. Date and time of submission or mailing and method of submission to the Crime Lab

- e. Date and time of receipt of the Crime Lab
- f. Name of the Crime Scene Investigator last having custody of the evidence
- g. Name and signature of the person at the Crime Lab receiving the evidence.

**I) REQUESTS FOR CRIME LAB TESTS, RESULTS OR FINDINGS**

A written request for results or findings of laboratory analysis will be made at the same time evidence is submitted to the Crime Lab by the lead investigator. Any verbal results from the Crime Lab will be followed-up by written results from the Crime Lab.

**J) COORDINATION WITH OTHER AGENCIES AND DEPARTMENTAL PERSONNEL**

Crime Scene Investigation Unit personnel will in all cases work with representatives of other agencies or units in order to insure that effective crime scene investigations are conducted. Unit personnel will, in addition, provide departmental personnel, through memorandum, periodic in-service training or personal contact, with refresher training in crime scene procedures and information on new equipment or examination procedures available to the department. The Crime Scene Investigation Unit/Unit Commander shall meet with representatives of the GBI State Crime Lab, the District Attorney's Office and our training division every six (6) months in order to be apprised of the latest information concerning the abilities of the unit regarding presentation of evidence or giving testimony, new procedures, techniques or services, new training material or courses available for related training.

**K) CRIME SCENE UNIT RESPONSE**

Crime Scene Investigators will respond to the following:

1. Incidents of death for the general purpose of taking photographs, and to perform other services as requested by a superior officer, a detective, or the medical examiner's officer.
  - a. Homicides
  - b. Suicides
  - c. Accidental deaths
  - d. Suspicious deaths
2. All felony assault cases, including child abuse, in which the Crime Scene Unit is needed to take photographs and/or collect physical evidence from the scene. Often times, these services can best be performed at detective headquarters.
3. All rape cases in which the Crime Scene Unit is needed to take photographs and/or collect physical evidence.
4. Robbery and Armed Robbery cases in which the officer, after taking into account the physical scene and the victim and witnesses statements, determines that a reasonable probability exists that physical evidence (latent prints, foot prints, items left by perpetrators, etc.) can be obtained.
5. The scene of a burglary when the circumstances meet any one of the following criteria and the officer has consulted with a superior officer.
  - a. Incidents in which there is a known suspect
  - b. All incidents involving a dollar loss of \$10,000. 00 or more
  - c. 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 a certain precinct or defined area. These instances will usually have been preceded by a precinct superior officer or a detective bringing this burglar's pattern or M.O. to the attention of the patrol division.
  - d. Multiple incidents of burglary within the same apartment or business complex occurring in the same day or night.
  - e. Cat burglaries in which a reasonable probability of obtaining physical evidence exists.
  - f. All incidents of burglary in which the officer, after taking into consideration the physical evidence, statements of victims or witnesses, and the overall circumstances, determines that a reasonable probability exists that valuable physical evidence can be obtained.
6. Recovered Stolen Autos
  - a. All vehicles stolen in DeKalb County and recovered in DeKalb County in which there are known suspects
  - b. Vehicles recovered under circumstances, which give the officer some fairly specific indication that the vehicle in question was stolen as part of a rash of thefts being perpetrated by the same individual or group of individuals. Examples of this may include, but not be limited to, type of vehicle stolen, same recovery location being repeatedly used or method of theft.
  - c. Vehicles stolen in DeKalb County and recovered in DeKalb County, which have had the wheels or other external parts, removed, thereby lending to the possibility of recovering Latent's on the exterior of the vehicle.
  - d. Vehicles stolen in another jurisdiction and recovered in DeKalb County should only be processed at the request of CID or the reporting agency, or if there are known suspects.

7. Incidents of child abuse, deprivation, etc., in which the Crime Scene Unit is needed to process for evidentiary items or to take photographs depicting injuries, living conditions, etc.
8. Traffic related incidents according to the following guidelines:
  - a. All traffic fatalities and other serious accidents in which the injuries sustained indicate that death may be imminent.
  - b. County vehicle accidents involving injury or complaint of injury
  - c. County vehicles accidents, which are clearly in dispute by either party while still at the scene and where photographs may prove useful for later, court purposes.
  - d. County vehicle accidents, which involve damage estimates in excess of \$2,500.00 to a single vehicle.
  - e. Any other County vehicle in which a superior officer had personally viewed the scene and determined the need for photographs.
9. 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 supplied to most theft cases.
10. Again, discretion should be used in determining the need for the Crime Scene Unit 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.
11. Exceptions:
  - a. Realizing that there are crime categories not included in the above guidelines and that there will always be incidents involving extenuating circumstances which present a valid need for the Crime Scene Unit, but do not meet the preceding guidelines, a special stipulation is hereby included which allow a superior officer to call for the Crime Scene Unit after he has been personally advised of the circumstances or has personally viewed the scene.
  - b. Detectives have the authority to call for the Crime Scene Unit at their own discretion. They should, however, use the same general criteria listed in the preceding in determining that need.
  - c. Detectives and superior officers, may, at their discretion, request the immediate services of the Crime Scene Investigation Unit. In such cases, unit personnel will give the call priority over all others and respond to that scene immediately as safely and as soon as possible depending upon traffic, road and weather conditions.

#### **L. DNA EVIDENCE COLLECTION**

Every officer, from the first responding patrol officer to the experienced detective and crime scene investigators should be aware of important issues involved in the identification, collection, transportation and storage of DNA evidence. Because extremely small samples of DNA can be used as evidence, greater attention to contamination issues is necessary.

Evidence can be contaminated when DNA from another source gets mixed with DNA relevant to the case. This can happen when someone sneezes or coughs over the evidence or touches his mouth, nose or other part of the face and then touches the area of the evidence containing the DNA. DNA evidence must be protected from contamination by the public, any other person at the scene and from inclement weather conditions.

The primary responsibility of the first responder is to render the scene safe and then secure all potential evidence.

First responders should be aware of the different types of evidence that can contain DNA, such as cigarette butts, combs, brushes, food and drink containers, hair, skin, bodily fluids, etc. All personnel should be familiar with the Department's policy on infectious materials (Employee Manual 3-4.4) prior to handling any possible DNA evidence. The only reason a first responder should handle DNA evidence is to protect it from loss, damage or contamination. If possible, the evidence should be photographed before it is moved, and the exact location noted in the report. The DNA evidence should then be turned over to the detective or preferably the Crime Scene Unit personnel.

When transporting and storing DNA evidence, it must be kept dry and at room temperature. The evidence must be secured in paper bags or envelopes, sealed, labeled and transported in such a way that ensures proper identification and proper chain of custody. Never place DNA evidence in plastic bags because the moisture retained in the bags can be damaging to the DNA. Direct sunlight and hot conditions, such as a patrol vehicle without air conditioning, may also be harmful to the DNA.

To avoid contamination of evidence that may contain DNA, always take the following precautions:

- Wear gloves, changing them before and after obtaining a sample
- Use disposable instruments or clean instruments thoroughly before and after handling each sample
- Avoid touching the area of the evidence where you believe DNA may exist
- Avoid talking, sneezing, scratching and coughing over evidence

- Avoid touching your face, nose and mouth when collecting and packaging evidence
- Air-dry evidence thoroughly before packaging
- Place evidence in new paper bags or envelopes; do not use plastic bags or staples

As with fingerprints, the effective use of DNA evidence may require the collection and analysis of elimination samples. These samples are necessary to determine whether the evidence came from the suspect or someone else.

All evidence should be submitted to the Georgia Bureau of Investigations, an accredited laboratory, in accordance with their standard procedures.

All Crime Scene Unit personnel will receive formal training in DNA collection, storage, transportation and submission to an accredited laboratory from an institute that meets the standards on DNA collection.

#### M. SEIZURE OF COMPUTER/ELECTRONIC STORAGE DEVICE EVIDENCE

The DeKalb County Police Department does not conduct the forensic examination of computer equipment for evidentiary purposes. The Georgia Bureau of Investigation High Technology Crime Unit is available to conduct these examinations.

Officers should be alert to the presence of computer equipment at crime scenes. If it is suspected that a computer may contain evidence, the officer will not touch the computer or alter its condition in any way. Officers should not disturb the area around the computer or any peripheral hardware. Normal crime scene procedures should be followed, such as photographing the equipment. At no time will a computer that is being seized as evidence be powered up by any member of this Department not trained in computer seizure. If a computer is logged on when seized, it may be shut down. This must be documented in the incident or supplemental report. Any data storage device, such as a disc or zip drive, should remain in place. All input drives should be secured with evidence tape.

Before seizure of any computer equipment, competent authority must be consulted before its removal. This person will be called to the scene to collect the equipment to avoid altering or destroying any evidence it may contain. All of the computer hardware, software, manuals and any media will be collected. The area around the computer should be examined carefully for clues about passwords, account names or other information that might aid the investigation. Photographs are to be taken of the computer and the area around it, including the serial number of the computer.

In preplanned operations, arrangements should be made ahead of time with the G.B.I. and a representative of the G.B.I. should be present to assist in the seizure. If this is not possible, a member of the Department trained in computer seizures will collect the equipment and transport it to the Crime Lab for examination.

Any device capable of storing data in an electronic format should be considered evidence. From a thumb drive to a zip drive, officers will treat any kind of data storage device as computer equipment and follow the above procedures for collection and seizure. Devices capable of storing data are extremely sensitive to electrostatic discharge. Improper handling may cause damage to the device, rendering it useless.

### 4-15.60 LATENT PRINT SECTION

The Latent Print Section of the Crime Scene Investigation Unit will have the primary responsibility to evaluate, compare, and search latent prints on the automated fingerprint identification system (AFIS) and any other matters regarding fingerprint identification. All latent prints with sufficient ridge characteristics and clarity will be considered suitable for identification. Latent prints lacking sufficient ridge characteristics and clarity will be considered as having no value for identification purposes.

#### A) CASE ASSIGNMENT

Latent prints recovered by the Crime Scene Investigation Unit will be submitted to the Latent Print Section. Each latent print case will be entered into the latent print logbook and assigned to an examiner. Each examiner is responsible to independently evaluate the latent prints, conduct any comparisons required, and to conduct a search on the automated fingerprint identification system (AFIS) of all suitable latent prints.

#### B) CASES TO BE EXPEDITED

Latent print cases will normally be worked in the order in which they are received, however certain cases because of the type of offense will be considered expedite cases and given priority over other cases. The following types of cases will be given expedite status and worked prior to other assigned cases:

1. Homicide
2. Rape
3. Special Interest Cases

#### C) EVALUATION OF LATENT PRINTS

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All latent prints that are considered suitable for identification will be evaluated to determine type of latent print. Latent prints will be classified as one of the three following types:

1. Latent Fingerprint  
A print that is invisible and requires some form of development to become visible.
2. Latent Partial Impression  
Any friction ridge area lacking sufficient detail to readily identify it as a fingerprint. Due to lack of identifying data it could be either a fingerprint or a partial palm print.
3. Latent Partial Palm Print  
Any friction ridge area of the palm. It is usually identifiable due to the size and the presence of flexion and tension creases.

### D) COMPARISON OF LATENT PRINTS

DeKalb County Police Department detectives usually make requests for latent print comparison. All requests are required to be in writing. The written request must provide the latent print case number and the suspect's name, race, sex, date of birth, and PID number if known. If the suspect's record prints are not available within the department, it will be the responsibility of the requestor to obtain the record prints necessary to do the comparison.

Identification of fingerprints is based upon distinctive ridge characteristics and their relationship to each other.

Essentially any characteristics that correspond in type, position, and overall relationship to other characteristics in the print can be used for identification purposes. Identification cannot be based on pattern type.

There are only three possible conclusions that may be made from comparisons of two separate fingerprints:

- (1) both were made by the same finger;
- (2) both were not made by the same finger;
- (3) there is insufficient clarity or detail in one or both of the prints to make any conclusion.

In some instances, a smudged or blurred print may not be sufficient for positive identification but may be a basis of elimination. For example, if the latent print is obviously a loop pattern and the suspect has all whorls on his fingers, the latent print could not have been made by the suspect even though it is not suitable for identification purposes.

For quality control purposes, a second latent print examiner will verify all identifications. Any disagreements between latent print examiners regarding identification will be resolved by the unit supervisor.

### E) AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (AFIS)

The AFIS System is a computerized database maintained and operated by the Georgia Crime Information Center (GCIC). The remote terminal operated by the Department of Public Safety Latent Print Section allows for access to the system.

The database consists of three (3) separate files:

- (1) Latent Fingerprint Files
- (2) Ten Print File-this file contains the record prints of individuals who have been arrested
- (3) Registered Latent Fingerprint Files-this file contains latent fingerprints that have been eliminated as having been made by anyone other than the person who committed the offense.

All latent fingerprint received by the Latent Fingerprint Section that are determined to be suitable for a search on the AFIS System will automatically be searched and a report will be provided on all identifications made as a result of the search. Depending on the number of agencies making inquiries on the AFIS System, it can take one (1) to four (4) hours before a response is received.

### F) REPORTS

1. Preliminary Reports  
Upon completion of the evaluation of latent prints received, this report will be provided to the case detective to inform him/her of the results. Information in the report will include the type of identifiable latent print(s), if the latent fingerprints are suitable to be researched on the AFIS System, and the type of record prints needed to do a comparison of the latent prints with record prints.
2. Official Report  
This report will be provided to the case detective upon completion of a comparison. It will include the results of the comparison to include the name of any individuals identified as having made any of the latent prints recovered.

## 4-15.61 FORENSIC PHOTOGRAPHY UNIT

The Forensic Photography Unit has the primary responsibility of developing/processing the file that is used by the DeKalb County Police Department in the prosecution of criminal cases. The unit will be responsible for ensuring that all departmental photographs and negatives used in criminal cases are handled in such a manner as to be suitable for presentation in a court of law. In order to ensure that all photographs are handled in a manner consistent with current

laws and rules of the courts, the unit personnel will maintain a professional working relationship with members of the legal system, including other police agencies, the courts (Prosecution and Defense attorney's), and the general public.

The unit personnel will generally handle photographic events such as special requests for photographs and reprints, applicant photos, recruit photos, graduation ceremonies, and other special events for the police and fire departments as directed by the Division Chief's.

All film received by the Photography Unit will be developed, but only Homicides, Rapes, and Child Abuse cases will be routinely printed. All other film will be developed only and then stored according to the rules of evidence. Detectives and uniform personnel should refrain from routinely having film printed just to have a copy of the photographs. If investigating personnel have an immediate need of the photographs, then they should check the "Print" box on the film submission envelope and a copy of the photographs will be made and sent to the requestor. All photographs that are printed and forwarded to an investigator are considered evidence and as such must be forwarded with the court supplemental report to the District Attorney's Office for review/prosecution. All personnel should remember that any film received by the Forensic Photography Unit can always be printed at a later date should a need arise.

The unit personnel will also be responsible for film inventory (both still and video), routine maintenance of the lab equipment, and service/parts ordering.

#### **4-15.62 MARIJUANA IDENTIFICATION LAB**

The Crime Scene Investigations and Lab Unit maintains a Marijuana Identification Lab to process marijuana seized in DeKalb County. Suspected marijuana should be placed in an appropriate plastic bag and sealed with evidence tape. A completed property sheet should be stapled to the outside of the plastic bag. No other forms are required. The weight of the suspected marijuana should be noted on the property sheet and in the incident report. The suspected marijuana should be placed in the drop box receptacle provided in the property storage area at the Burgess Building, 3630 Camp Circle.

Marijuana will only be tested in preparation for trial. The District Attorney's Office or Solicitor General's Office will be responsible for contacting the Marijuana Identification Lab to request that identification services be performed on suspected marijuana in these cases. The District Attorney and Solicitor General have agreed to provide a two-week lead time for processing these requests. Records Court has agreed to reset any cases where identification of marijuana becomes necessary. Officers who need to make an identification request for any reason must forward their request on the appropriate form to the Marijuana Identification Lab.

Property Room personnel will be responsible for collecting the items from the drop box receptacle for appropriate storage. When an identification request is submitted, personnel from the Marijuana Identification Lab are responsible for retrieving the sample from the Property Room. The samples will be taken to the Marijuana Identification Lab where they will be logged by case number, initiating officer, date, time and quantity received. All information will be entered into a log book, which will remain in the lab at all times. Once the samples are logged, lab personnel will conduct the appropriate testing procedures to verify whether the submitted sample is marijuana. After the tests are complete, the results will be recorded on an Analysis Results Report, which will be forwarded to the appropriate court and the initiating officer. After testing, all samples will be sealed in the original package and returned to the Property Room for storage.

The Property Room will maintain a scale and stapler at the drop box receptacle for officer use. Bags and evidence tape are the responsibility of the individual precincts or units. The scale will be used to obtain an estimated field weight for the marijuana. Officers will notify the Narcotics Unit for seized marijuana in amounts greater than 454 grams (approximately one pound.) The Narcotics Unit will then direct the officer as to the disposition of the evidence.

The drop box receptacle is for suspected marijuana only. Officers should place all other seized drugs in the Property Room for forwarding to the G.B.I. Crime Lab pursuant to current departmental/G.B.I. policy. If any drugs other than marijuana are located in the sample, Marijuana Identification Lab personnel will return the sample to the Property Room and advise the officer through memorandum of the need to forward the sample to the G.B.I. Crime Lab is additional testing is required.

#### **4-15.63 HABITUAL OR CAREER OFFENDERS**

It will be the policy of this Division to identify those offenders who are considered habitual or career offenders and place a substantial emphasis on the prosecution of these type cases. The District Attorney's Office will be notified on all such cases and assistance in case preparation will be sought. This policy is pursuant to O.C.G.A. 35-3-30.

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A habitual or career offender exhibits persistent behavior that accounts for disproportionate amount of crime. This criminal activity is sustained over a long period of time and is consciously directed to a specific purpose, that of committing a crime. The habitual or career offender is oblivious of the risks and consequences of their criminal act. To a habitual or career criminal, crime is a full time occupation and they devote their total working time and energy to its planning and its execution.

In identifying /defining habitual and career offenders, the following criteria will be utilized:

- A) Any offender who has been convicted of two (2) or more separate and distinct forcible felonies
- B) Any offender who has been convicted of three (3) or more separate and distinct (other) felonies
- C) Any offender who can be reasonably shown to maintain a continuous pattern of criminal activity, regardless of crime category
- D) Any offender who utilizes funds, or other types of personal gain from criminal activity, to maintain a separate enterprise whether legitimate or illegitimate.

Investigative files will be maintained on all those who are considered habitual or career offenders. This file should include all known associates and relatives of the offender. It will be the responsibility of all detectives of this Division to obtain and develop information on those suspected of being habitual or career offenders. This information will be used to identify, classify, and analyze criminal activity conducted by habitual or career criminals in order to target and otherwise assist in their investigation and prosecution.

### **4-15.64 CASE REVIEW**

It will be the responsibility of the section and Unit Commanders to review cases submitted to the office of the District Attorney for prosecution for completeness and accuracy. In order to achieve improvements and maintain accountability, it will also be the responsibility of the Section and Unit Commanders to review any case that has been declined for prosecution by the District Attorney's Office to determine the case's deficiencies. If these deficiencies can be overcome, the case will again be submitted for prosecution. If it is determined that the case was mishandled, the detective's immediate supervisor will recommend disciplinary action, if appropriate, or additional training.

### **4-15.65 FIELD EQUIPMENT-ISSUE AND RETURN**

All C.I.D. equipment set aside for temporary field use by detectives (such as shotguns, bullet proof vests, leg restraints, etc.) will be issued by a supervisor and returned to a supervisor after use is completed. All temporary issue and return activity will be logged in the sign-out book by a supervisor. The log will contain the following information:

- a. The name of the detective being issued the equipment
- b. The name of the issuing supervisor
- c. A description of the equipment including serial numbers
- d. The date issued
- e. The date returned
- f. The name of the supervisor receiving the return

### **4-15.66 TEMPORARY SAFE KEEPING OF VALUABLES AND CONTRABAND IN C.I.D.**

At times when it is not possible for a detective to place valuables or contraband, which require special handling or security in the Property Room, the detective will place the valuables or contraband in the safe at Central C.I.D. All items will be properly packaged and the following information will appear prominently on the package:

- a. The case number,
- b. The detective's name
- c. The victim's name
- d. The perpetrator's name
- e. A description of the contents
- f. The date and time the item was placed in the safe

A completed property sheet will be attached to the item.

Items will be stored in the C.I.D. safe for the shortest time possible. Generally, storage will be limited to twenty-four (24) hours unless prior approval is granted by a unit commander or other superior officer.

Items, which require special handling, will include, but not be limited to the following:

- a. cash
- b. jewelry
- c. controlled substances
- d. evidence of special interest as determined by a supervisor

Access to the safe combination will be limited to C.I.D. Unit and Section Commanders, the Division Commander and Property Room personnel

#### **4-15.67 SURVEILLANCE, UNDERCOVER AND OTHER TECHNICAL EQUIPMENT**

The following procedures outline requirements for the storage, maintenance, use, accountability, and inventory of the Department's surveillance, undercover and other specialized technical equipment.

A. Within the Narcotics Section, an enclosed area will be designated for the storage of all surveillance, undercover, and other specialized technical equipment used by the section. This technical equipment room will also store specialized technical equipment used by the Narcotics Unit and any other Police Department component.

B. The technical equipment room will be considered a restricted, secured area within the Narcotics Section and will be strictly limited to authorized personnel. The technical equipment room will be locked at all times except when occupied by authorized personnel.

C. The Narcotics Section Commander will be responsible for designating a supervisor within the section to be solely responsible for the technical equipment room and this supervisor will be designated as the equipment manager. The equipment manager, the Unit Commander, the Section Commander, and the Division Commander are the only individuals authorized to gain access to the equipment room. The Section Commander may designate another supervisor within the section, assigned to a different watch, to assist the equipment manager in his absence. The designated equipment manager remains solely responsible. Departmental employees may only enter the equipment room in the presence of an authorized supervisor. All request to check out or return equipment will be made through the equipment manager or designated supervisor and in the absence of the equipment manager or designated supervisor, the Unit Commander will assume responsibility. These supervisors will not delegate to any other employee this responsibility and accessibility to the technical room.

D. The equipment manager will be responsible for the following:

1. providing maintenance and upkeep of all equipment;
2. budgeting for repairs and supplies;
3. keeping an adequate supply of batteries and other necessary items to insure all equipment is working properly (batteries must be charged immediately upon return to the equipment room);
4. maintaining a log book on all equipment;
5. maintaining the equipment room in a neat and orderly fashion; and
6. storing equipment in a logical manner, making retrieval and inventory easily accomplished.

E. A log book will be maintained and entries will be made every time equipment enters and leaves the equipment room. The logbook will document:

1. dates and times equipment checked out and checked back in;
2. expected date of return;
3. name of employee checking equipment out and name of employee returning equipment (the employee must initial along side the printing of their name); and
4. description of equipment checked out.

F. When checking out any item from the equipment room, the employee must first obtain authorization from their supervisor and present this authorization to the equipment manager. The equipment manager will file and maintain all written authorizations. The written authorizations must also detail specific need for the equipment. This requirement may be waived in the event of exigent circumstances; however, the equipment manager must document the release of any item and later confirm supervisory authorization.

G. On occasions, equipment may be requested for use by outside agencies. Request must be in writing, detail specific needs, and have management written authorization. Approval for outside request will rest with the Section Commander. Upon approval, items must be logged in compliance with paragraph E.

H. Equipment must be returned in working condition. The equipment manager will check all returned items to ensure the equipment is working and not damaged. Any equipment that is not in working condition or damaged, will require written documentation from the employee detailing the circumstances.

I. Equipment for which there are multiple parts, such as extra lenses, batteries, etc. will be checked out as a package rather than individual pieces.

J. The equipment manager will immediately follow up with the person responsible for the return when the equipment has not been returned on the date documented in the logbook.

K. The equipment manager will maintain a detailed, complete inventory of all equipment located within the equipment room. Each item of equipment will be assigned an internal property number in addition to manufacturer's serial numbers.

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L. The equipment manager will be responsible for the accountability of all equipment assigned to the equipment room and will conduct an annual inventory of all equipment and property contained therein. The equipment room will be subject to periodic announced and unannounced inspections and audits.

### **4-15.68 DRUG DETECTION/APPREHENSION/TRACKING CANINES**

This department is committed to the detection and seizure of narcotics, as well as the apprehension of suspects and the tracking/location of individuals. To this end, a Canine Unit is hereby established. The department at this time has several canines, which perform numerous tasks relevant to the law enforcement function.

The following procedure outlines the requirements for utilization of the Department's Canine (K-9) Unit.

#### **A) ORGANIZATION**

1. The Canine Unit is assigned within the Narcotics Section. Supervision of the Canine Unit will be the responsibility of the Narcotics/Strike Force supervisors.
2. Canine handlers will train periodically to maintain their dogs at the certification level. Training will be documented by the handler, reviewed by the Section Commander and filed for any further reference. Before being put into service, canines and their handlers will have completed approved courses in their specific areas of instruction.
3. As with any other special purpose vehicles, equipment, etc. the handlers who are authorized to control the canines will also be responsible for their care and maintenance of those canines assigned to them, as well as any equipment associated with this assignment.
4. Utilization of the canine's specific abilities (i.e., drug detection, apprehension, tracking) will also be documented and kept by the K-9 handlers.
5. Canine Unit handlers will also maintain health/immunization records on their dogs.

#### **B) ASSIGNMENTS AND USE OF K-9**

1. Canine handlers will work their routine assignments in either the Narcotics or Strike Force Units.
2. Handlers will be available as needed to assist other divisions or units within Police Department and municipal agencies within DeKalb County.
3. Handlers, when requested by police personnel, will be responsible for assessing the situations and using their canines as prescribed by policy and training. Under no circumstances will a handler be required to use his canine if, in the judgement of the handler, the canine would be subject to injury or the request is contrary to training. Only those personnel trained and authorized may handle canines.
4. Canine apprehensions will only be allowed with felony suspects and only when the handler feels the level of force requires the use of the canine.
5. When the Canine Unit is requested for tracking a suspect or individual, the area must remain clear and uncontaminated. An area that has been searched by a number of police officers would confuse the canine and make him ineffective.
6. Drug searches by the Canine Unit will be conducted by the handler at his discretion after considering probable cause and likely effectiveness.
7. All rules of search and seizure also apply when using a drug detection canine.
8. Personnel having supervisory authority over that unit will have a listing of those authorized to operate canines, equipment, or special purpose vehicles.

### **4-15.69 POLICY REGARDING AUDIO/VIDEO RECORDING STATEMENTS ON MAJOR CASES**

Once a defendant has waived their constitutional rights and given a verbal and/or written statement, every effort will be made to secure an audio and/or video recording of their statement. The defendant will be approached regarding the recording of their confession/admission following the review of their written statement for content and clarity. This will also include having the defendant and any witnesses to the statement sign and date each page.

Once the defendant has agreed to participate in an audio/video recording, the same basic admonition will preface each and every recording made.

#### **A. AUDIO/VIDEO TAPE FORMAT**

1. Day, date, time, case number, type of case.
2. Present are: Detective(s) name, defendant's name, any other personnel present, including the individual operating the recording equipment.
3. This recording is being conducted at (CID, precinct, etc.)
4. Read Miranda Rights (read from existing form) and ascertain if defendant understands them and wishes to waive said rights before proceeding with the taping.

5. Clean, audible, verbal acknowledgement must be observed, and it is clear no threat, promises, rewards, etc. have been made, and defendant has been allowed ample opportunities to avail themselves of basic needs, such as rest room, food, water, etc. (when appropriate).

Following these introductory remarks to be made on the tape, the defendant may simply read back their statement. Since these tapes are available to the defense, detectives should exercise caution when responding to spontaneous outbursts, made by the defendant. It is possible that a claim may be made by the defense against the officers for improper conduct. Care must always be exercised when conducting the actual interview on tape.

Any microphones used should be placed closed enough to all parties speaking. Detectives when taping should work from a previously prepared outline of questions or points to be made during the interview.

Blank tapes are to be obtained from the Supply Section

Original tapes are to be forwarded to the appropriate prosecutor (District Attorney or Solicitor) under the same guidelines that original case files are sent. Audio copies can be made from the Communication Section; video copies can be made by the Crime Scene Unit.

All tapes shall always be labeled with Case Number, Date, Defendant, Type of Case, Detective.

#### B. PROPERTY AND EVIDENCE PROCEDURES FOR TAPES

Once copied by Communication or Crime Scene personnel, the original and all subsequent copies of the tape must be treated as evidence; originals to the appropriate prosecutors office and copies to the Property Room, showing the chain of custody. No CID tapes will be transcribed by CID personnel without the prior approval of the Unit Commander or above.

### **4-15.70 PROCEDURES FOR CONDUCT WHILE ENGAGED IN RAIDS, DECOYS, AND ANY OTHER SPECIALIZED OR UNDERCOVER OPERATIONS**

It should be stressed that by the very nature of the types of special investigations conducted by the Narcotics, Vice, Organized Crime, and Intelligence function, that strict guidelines are to be followed. These guidelines have been set forth in this chapter. While each situation is unique, it must be stressed that all personnel engaged in these investigations must follow all instructions of supervisors, display professional conduct, and at all times employ sound officer survival tactics (maintaining visual contact, searching and securing suspects when appropriate).

### **4-15.71 VICE/PERMITS UNIT**

#### **Purpose**

The purpose of the Vice Unit will be to thoroughly and professionally investigate all vice related criminal activity assigned for investigation.

The Permit Unit will issue those permits as required by DeKalb County Ordinances and Policies.

The Vice and Permits Unit will be organizationally located within the Criminal Investigative Division, Narcotics Unit.

### **4-15.72 PERSONNEL ASSIGNMENTS AND RESPONSIBILITIES**

The Unit Commander will be responsible for the overall operation of the unit and will exercise such lawful directives as are necessary to assure the effective performance of the unit.

The Unit Commander assumes primary responsibility for developing Unit goals, which facilitate the achievement of departmental goals. He/she will be responsible for the development, preparation and execution of the unit budget, including the management of confidential funds. He/she will ensure that unit personnel comply with established policies, procedures and rules of the Unit and Department.

The Unit Commander will be responsible for reporting monthly on the activities of the unit during the previous month, to include the type and number of arrests, seizures, major case status and fiscal accounting of the units funds.

### **4-15.73 JOB RESPONSIBILITIES - VICE**

A. Investigation of persons and organizations involved in prostitution, gambling, alcohol violations, other vice-related criminal activity, perform permit and license checks of locations which serve alcohol and/or provide adult entertainment; and prepare cases for court.

B. Work unusual shifts, hours and assignments.

C. Work with minimum supervision and at times in an undercover capacity.

D. Work with other local, state and federal agencies on joint investigations.

E. Perform other duties as assigned by the Unit Commander or his/her designee.

#### 4-15.74 INVESTIGATIVE METHODS, POLICY AND PROCEDURE

The policy and procedures contained in this section of the Employee Manual pertain to those functions, which are unique to the Vice/Permit Unit. All policy and procedures contained in this section will apply equally to members of the Vice/Permit Unit, as do other relevant sections of this manual.

#### 4-15.75 FILE MANAGEMENT

The nature of the work of the Vice/Permits Unit is sensitive and confidential. The unit must exercise extreme care in the manner in which cases and information are processed in order to protect the integrity of the information.

Security of files and accessibility to them often present a problem for the Vice/Permits Unit. The files contain allegations, unverified, speculative, conjectural, yet sensitive information of a nature, which may not be relevant to specific criminal conduct.

The information must be protected against unauthorized access, alterations or destruction.

Unit personnel will follow the following procedures on files and dissemination of information.

- A. Vice/Permits Unit will establish and maintain its own files. When cases are completed, a copy of the case report and arrest sheet will be sent to the Records Section.
- B. The following files and records will be kept by the Vice/Permits Unit
  - 1. Complaint File
  - 2. Informant File
  - 3. Confidential Funds File
  - 4. Agency Correspondence File
- C. Due to the sensitivity of these records, personnel access to the Unit files will be limited to Unit Personnel.
- D. The files will be secured in files with locking devices and remain locked when not in use. The files will be located in the area designated by the unit commander.
- E. Vice/Organized Crime information will be disseminated to other law enforcement agencies in an effort to establish good working relationships and a free flow of information between agencies.

#### 4-15.76 FILE DESCRIPTIONS

- A. Complaint File  
This file contains copies of complaints or vice/organized crime in DeKalb County and is maintained by the Unit Commander.
- B. Informant File  
This file contains data on informants of the Section with confidential code numbers and will be maintained by the Unit Commander. These files will be maintained in the Vice/Permit Unit with limited access, limited to the Unit Commander and Assistant Commander. This applies also to any electronic or hard copies. **When physically dealing with informants, meetings will not take place anywhere that is open to the public view where their contact with agency personnel and disclosure of identity could be compromised.**
- C. Confidential Fund File  
This file contains reports on each months-Confidential Fund Expenditures. The Unit Commander or his designee will maintain this file.
- D. Agency Correspondence File  
This file consists of all information conveyed to and received from outside agencies in relation to vice/organized crime and gang activity investigations. The Unit Commander or his/her designee will maintain this file.
- E. INFORMATION EVALUATION  
Information retained in the Unit files will be evaluated for source reliability and content validity prior to filing. The bulk of the data vice unit receives consists of allegations or information, which is initially unverified. Evaluating the information's source and content at the time of receipt indicates to future users the information's worth and usefulness and is essential in protecting the individual's right of privacy. Circulating information which has not been evaluated or where the source reliability is poor or content validity is doubtful is contrary to Departmental guidelines and violates the individual's right of privacy.  
To insure uniformity within the DeKalb County Police Department The Vice Unit will utilize the following guidelines.

Source Reliability:.....	Content Validity:
(a) Reliable	(1) Confirmed
(b) Usually Reliable	(2) Probable
(c) Unreliable	(3) Cannot be Judged
(d) Unknown	

Source Reliability

(a) Reliable

The reliability of the source is unquestioned or has been well tested in the past.

(b) Usually Reliable

The reliability of the source can usually be relied upon as factual. The majority of information provided in the past has proved to be reliable.

(c) Unreliable

The reliability of the source has been sporadic in the past.

(d) Unknown

The reliability of the source cannot be judged. Its authenticity or trustworthiness has not yet been determined by either experience or investigation.

Content Validity

(1) Confirmed

The information has been corroborated.

(2) Probable

The information is consistent with past accounts.

(3) Cannot be Judged

The information cannot be evaluated.

F. INFORMATION SOURCE

In a number of situations the Vice Unit may elect to identify information sources for items stored in their criminal vice files.

The value of information stored in a criminal vice files is often directly related to the source of such information. Some factors to consider in determining whether source identification is warranted include:

1. The nature of the information reported.
2. The potential need to refer to the source's identity for further investigative or prosecutorial activity.
3. The reliability of the source.

Where source identification is warranted, it will reflect the name of the agency and the individual providing the information. In those cases where identifying the source by name is not practical for internal security reasons, a code number can be used. The Vice Unit Commander will retain a listing of coded sources of information. In addition to identifying the source, it may be appropriate in a particular case to describe how the source obtained the information, e.g., "S-60, a reliable police informant, heard" or "a reliable law enforcement source of \_\_\_\_\_ Police Department saw" a particular event at a particular time.

In many cases, there would be no need to indicate the source of the stored information. However, each item of information should be individually judged against established criteria to determine whether or not source identification is appropriate.

G. INFORMATION QUALITY CONTROL

Information to be stored in the criminal vice file should undergo a review for compliance with established file input guidelines and Department policy prior to being filed.

This quality control requirement will be the responsibility of a carefully selected and specifically designated individual in the Special Investigations Unit.

The quality control reviewer is responsible for seeing that all information entered into the criminal vice file conforms with the Department's file criteria and has been properly evaluated and classified. Review of file input will assure the Department of the quality of its criminal vice files in meeting established guidelines.

H. FILE DISSEMINATION

In order to protect the right of privacy of individuals contained in the criminal vice file and to maintain the confidentiality of the sources and the file itself, the following criteria should be met in file dissemination:

1. Need-to-know: - Requested information is pertinent and necessary to the requester agency in initiating, furthering or completing an investigation.
2. Right-to-know: - Requester agency has official capacity and statutory authority to the information being requested. To eliminate unauthorized use and abuses of the system, the name of the agency and individual requesting the information, the need-to-know, the information provided and the name of the employee handling the request should be noted in the file.

I. FILE PURGE

Information stored in the criminal vice file will be periodically reviewed and purged to insure that the file is current, accurate and relevant to the needs and objectives of the Department and to safeguard the individual's rights of privacy as guaranteed under federal and state laws.

Reviewing of criminal vice files will be done on a continual basis as Department personnel use the material in carrying out day-to-day activities. In this manner, information, which appears to be no longer useful or cannot be validated can be immediately purged from the file and destroyed.

## CRIMINAL INVESTIGATION DIVISION

To insure that the review and purge of the file are done systematically, operational procedures of the purge as well as the manner of destruction for purged materials is set forth below.

### 1. Purge Criteria

General considerations, which will be applied, to the reviewing and purging of information stored in the criminal intelligence file are as follows:

#### a. Utility

How often is the information used?

For what purpose is the information being used?

Who uses the information?

#### b. Timeliness and Appropriateness

Is the information outdated?

Is the information relevant to the needs and objectives of the Department?

Is the information relevant to the purpose for which it was collected and stored?

Is the information available from other sources?

Is this non-intelligence information that should be stored elsewhere?

#### c. Accuracy and Completeness

Is the information still valid?

Is the information adequate for identification purposes?

Can the validity of the data be determined through investigative techniques?

### 2. Purge Time Schedule

Review of the criminal vice files for purging purposes will be conducted on a yearly basis.

### 3. Manner of Destruction

Material purged from the criminal vice file should be destroyed under the supervision of members of the Vice Unit.

### J. FILE SECURITY

The criminal vice files will be located in a secured area with file access restricted to authorized personnel.

Physical security of the criminal vice file is imperative to maintain the confidentiality of the information stored in the file and to ensure the protection of the individual's right of privacy.

## 4-15.77 INTERVIEW ROOMS

The Police Department often needs to interview persons before and sometimes after they are arrested. This policy is intended to provide for the regulation and use of Interview Rooms located in the Criminal Investigation Division; and to provide for the health and safety of detainees in those areas.

### Management and Administration of Interview Rooms

The authorization for use of the Interview Rooms will come under the ultimate control of the Criminal Investigation Division Commander.

The responsibility for supervision and accountability of detainees placed in an interview room will ultimately be with the officer or detective that placed the detainee in the room. However, an officer can request that a detective assume responsibility for the detainee once the officer has completed their paperwork and a copy has been given to the detective.

All persons placed in the interview room will be kept in the interview room only under the following conditions:

1. Male and female detainees will be separated and placed in different rooms.
2. Each room will hold only one detainee.
3. Detainees will be allowed supervised access to water, restrooms or other needs. Two detectives/officers will escort all prisoners to the restroom or for water in order to prevent escape. The restroom will be searched prior to allowing a detainee use of the facility and after the detainee has vacated the restroom. Detainees should be instructed not to flush until the detective/officer checks the location.
4. Detainees will not be secured to any object not designed for such purpose, such as tables or chairs.
5. All items that could possibly be used as a weapon or could cause damage to the facility will be removed and secured.
6. All officers will be required to have their portable radio with them while they are in the interview room.
7. Officers shall not carry any weapon into the interview room. Weapons should be properly secured.
8. A search of the detainee and the interview room will be conducted prior to placing the detainee in the room and after the detainee has been removed from the room.
9. Detainees will not remain in an interview room for any amount of time in excess of two (2) hours without approval of a supervisor.

10. The number of people present while conducting an interview should be kept to a minimum. Typically, this should be no more than two detectives/officers and the person being interviewed. Ultimately it will be up to the supervisor, on a case by case basis, to make the decision as to who may be present.

Supervisors shall have the responsibility of checking that fire extinguishers and first aid supplies are available, accessible and in proper working order. Additionally, supervisors shall inspect the interview rooms when reporting for duty and at the end of their tour to ensure no detainees are left unattended and no safety hazards exist, such as inoperable fire/smoke alarms, proper lighting and ventilation and cleanliness.

All personnel will receive periodic roll-call training in the proper use, operation, inspection and management of Interview Rooms.

#### **4-15.78 DEKALB COUNTY PAWN DETAIL UNIT**

##### **PURPOSE**

To establish guidelines for an electronic data transfer system to allow pawn shops and precious metals dealers to file daily police reports. The electronic data transfer system will improve the speed and efficiency level of the daily reporting procedures.

##### **POLICY**

The DeKalb County Police Department will use technology to make its information resources more efficient and effective.

##### **RESPONSIBILITIES**

The DeKalb County Police Department is authorized by County Code Article 5, Section 15-143 to prescribe the format for pawnshops and precious metals dealers to file daily reports to the department.

The Commanders of the Criminal Investigation Division Pawn Detail Unit will monitor the implementation of this directive.

The Pawn Detail Unit will manage the electronic data transfer system and assist the pawnshops and precious metals dealers in its use.

The Pawn Detail Unit will ensure that pawnshops brokers and precious metals dealers adhere to this procedure.

All Pawn Shops and Precious Metals Dealers will transmit daily pawn reports into the DeKalb County Police Department Bulletin Board System (BBS). All shops will receive a phone number and time schedule for uploading their daily reports.

#### **4-15.79 PERMIT UNIT**

The Permit Unit personnel will inform applicants for pawnshop and precious metal dealers that they must contact the Pawn Detail Unit immediately after receiving their permit.

##### **A. Pawn Shops and Precious Metal Dealer Must**

1. Comply with the DeKalb County Police Departments reporting requirements in this directive.
2. Have daily access to computers with a data transfer modem rated at least 28.8 bps.
3. Contact the DeKalb County Police Department Pawn Detail Unit before completing their application.

##### **B. Pawn Detail Unit**

The Pawn Detail Unit will provide to all prospective pawnshop owners/managers or precious metal dealers of the current methods of transmitting daily reports to the department as mandated by the Police Department.

Notification of the current approved method of transmitting daily reports will be in writing and will be made upon request for information or at the time of submission of an application for a permit to operate a pawnshop or precious metals business.

The Criminal Investigation Division/Pawn Detail Unit and Permit Unit will be responsible for assuring that pawnshop employees and precious metals dealers have obtained proper permits to operate such businesses in compliance with all state laws and county ordinances governing the operation of pawnshops and precious metal dealers.

The Pawn Detail Unit will insure that all pawnshop and precious metal dealer's daily reports are completed as required by county ordinances and this directive. And reports are electronically transmitted into the departmental pawn data tracking system.

Pawn File 2000 a pawn data-tracking program developed by USA Software, Inc. has been approved as the Department's official pawn data tracking software. Pawn Detail Unit employees will be thoroughly familiar with all aspects of the operation of this computer program.

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The Pawn Detail Unit will provide to pawnshop owners/managers and precious metal dealers the option of using the “Pawn 2000” software for the purpose of tracking and transmitting the data for their daily reports, or any other pawn data tracking software that is compatible with or can be made compatible with the “Pawn 2000” format.

If a pawnshop owner or precious metal dealer chooses to use the “Pawn 2000” software, pawn desk personnel will install the software and provide training in its use for employees of the business.

If a pawnshop owner/manager or precious metal dealer chooses to use a software program other than “Pawn 2000” the software must be approved before installation. Pawn Detail Unit will assure that the software is compatible with the “Pawn 2000” format prior to granting approval for the business to begin using the software to transmit its reports.

Programs from the following companies have been approved for use:

1. Best Business Systems Software
2. Computersmith, Inc.
3. Frazier Software
4. Pawn Power

The Pawn Detail Unit will provide pawnshop owners and precious metal dealers with the telephone numbers and time schedule they will use to transmit their reports into the Pawn Detail Unit’s electronic bulletin board system. Pawn shop owners/managers and precious metal dealers will not be allowed access into the pawn data tracking system’s primary operating system.

Pawn Detail Unit employee will import pawn shop and precious metals dealer’s daily reports from the bulletin board into the pawn tracking system on a daily basis.

Uploading Data from DeKalb County Police Department Bulletin Board System

Pawn Detail Unit employees will review the data uploaded from the pawnshop and precious metals dealer’s reports for errors and compliance to reporting requirements. When errors are found, the appropriate business will be contacted, advised of the error, and requested to provide the necessary information to correct the error. When instances of noncompliance to reporting requirements are found, appropriate enforcement action will be taken.

Pawn Desk employees will upload DeKalb County Police Department pawn data into the Statewide Pawn System for the purposes of processing, storage, and making it available to other members of the statewide system. The frequency with which data will be uploaded will be determined by agreements between DeKalb County Police Department and the manager of the Statewide System (GCIC).

Pawn Detail Unit employees will be responsible for the routine maintenance and backup of the Pawn Detail Tracking System’s files. Backups of new data will be performed daily. Full system backups will be performed once weekly.

When pawn data is entered into the Statewide Pawn System, several searches are automatically made through the pawn system and through the Georgia Criminal Information Center (GCIC):

1. name check against wanted files
2. criminal history check on names of individuals pawn firearms
3. property checks on identifiable items to determine if they have been reported stolen.
4. formatting errors.

A report is automatically generated and transmitted back to the sending agency noting “Hits” on wanted person, person who have pawned firearms and have criminal histories, hits on stolen property, and formatting errors. Pawn Detail Unit employees will review this report and take the following actions:

1. Wanted person information that appears to have a reasonable likelihood of producing an arrest will be verified by checking the name and other identifying information on the pawn ticket record, against the name and other identifying information on any warrant, which may have been issued to assure there is a match. If possible, a criminal history check will be initiated for further verification.
2. The Pawn Detail Unit employees will confirm the validity of the warrant. All information produced by this process will be assembled into an investigative packet and forward to appropriate DeKalb County Police Detectives or outside agency for follow-up investigation.
3. Criminal history information on names of persons who have pawned firearms will be checked to verify that there is reasonable likelihood that the person named on the pawn ticket is the person in the criminal history file. The pawn ticket will be checked to verify that a firearm, as defined by current Georgia law was pawned.

### 4-15.80 FELONS PAWNING FIREARMS

When there is a reasonable likelihood the person named on the pawn ticket is the same as the person named in the criminal history. And there is a felony conviction in the criminal history, the Pawn Detail Unit employee will immediately notify the pawnshop and place a hold on the weapon.

When verification of the criminal history is made, an investigative packet will be prepared for the appropriate detective to sign for and pick up from the Pawn Detail Unit. The investigative packet will include the following:

1. The identity of the person who conducted the transaction on behalf of the pawn shop;
2. A photo of the pawner taken at the time of the transaction, as well as a brief statement from the pawn shop owner/manager, that the person depicted in the photo, is in fact the person who pawned the weapon;
3. A signed copy of the pawn agreement entered into between the pawnshop and the pawner.
4. A photograph of the weapon in question.
5. A brief statement from the pawnshop employee or a representative that the serial number on the pawn agreement matches the serial number on the actual gun;
6. Any statement made by the pawner, concerning the circumstances of the possession and pawning of the gun.

#### Stolen Property

When a stolen article "Hit" is received on pawned property, a Pawn Detail Unit employee will immediately contact the appropriate pawnshop or precious metal dealer to determine if the business still has the property in its possession. If the property is still in possession of the business, a hold will be placed on the item(s), and an investigative packet will be prepared and forwarded to the appropriate DeKalb County Police Detective or outside agency for follow-up investigation.

An investigative packet will be prepared and forwarded to the appropriate DeKalb County Police Detective or outside agency for those instances in which the property is no longer in possession of the pawnshop or precious metal dealer due to being redeemed or sold.

When formatting errors are noted in the state reports, Pawn Detail Unit employee will make necessary corrections and resubmit the entry.

#### Pawn Detail Unit "Holds" and Other Requirements

Stolen property that has been placed on hold by the Pawn Detail Unit may only be released to a sworn law enforcement officer. Upon proper request of a sworn law enforcement officer, Pawn Detail Unit employee will prepare a release form authorizing the pawnshop or precious metal dealer to release the property to the officer. It will be the responsibility of the officer to retrieve the property and assure that it is returned to the rightful owner.

Pawn Detail Unit employees will provide assistance to other DeKalb County Police units and outside agencies who wish to search the pawn data files for stolen property, information concerning persons who have made pawn transactions, or any other information that may be contained in the system.

The Pawn Detail Unit will make a packet of all current state law and city ordinances specifically pertaining to the operation of pawnshops and precious metal dealers and the current requirements for submission of pawnshops and precious metals daily reports as mandated by the DeKalb County Police Department.

### **4-15.81 REQUESTS FOR DATA SEARCHES OF THE PAWN DATA TRACKING SYSTEM**

All requests for data searches of the pawn data tracking system must be made by sworn DeKalb County Police Department employees or other certified law enforcement officers.

Employees of DeKalb County Police Department will not advise citizens to contact the Pawn Detail Unit to request searches of the pawn data files for any reason.

#### Definitions

- Pawn: An item given as security for a loan, or pledge or guaranty.
- Bulletin Board System (BBS): The electronic means to transfer pawn shops and precious metal dealers daily police reports to DeKalb County Police Department Pawn Detail Unit for sales and pawn items transactions.
- Pawn Detail Unit: The DeKalb County Police Department repository for pawned and purchased item transactions by County Pawn Shops and Precious Metal Dealers.
- Statewide Pawn System: A database operated by Georgia Criminal Information Center (GCIC) for law enforcement agencies for voluntary contribution of pawn shops and precious metal transaction.

**IDENTITY THEFT AND RELATED OFFENSES**

**4-15.82 PURPOSE**

To provide guidelines to ensure that victims of identity crimes have a method to report identity crimes; to provide information and assistance to identity crime victims that will lessen the impact of the crime; and to provide public information on the prevention of identity crimes.

**4-15.83 POLICY**

It shall be the policy of the DeKalb County Police Department to take those measures necessary to record criminal complaints, assist victims by providing information concerning other relevant investigative and consumer protection agencies and work with other federal, state and local law enforcement and reporting agencies to identify perpetrators.

**4-15.84 DEFINITION**

Identity Theft – The wrongful use of another person’s identifying information, such as birth date, bank account number, social security number, or driver’s license number to commit financial or other crimes.

**4-15.85 GEORGIA AND FEDERAL LAW**

**A) Georgia Law**

The Personal Financial Security Act was codified in 1998 under Georgia Code sections 16-9-120 through 16-9-132. This code section set forth that the Governor’s Office of Consumer Affairs shall maintain a repository for all complaints in the State of Georgia regarding identity fraud.

**B) Federal Law**

The Identity Theft and Assumption Deterrence Act of 1998 is codified in U.S. Code section 18 USC 1028. This law also created the Identity Theft Hotline and the Identity Theft Data Clearinghouse within the offices of the Federal Trade Commission. When consumers contact the FTC they will also be notified of their rights under the Fair Credit Reporting Act, the Fair Credit Billing Act, the Truth in Lending Act, and the Fair Debt Collection Practices Act.

**4-15.86 PROCEDURES**

**A)** Identity theft is generally a means for committing the following types of unauthorized activities in the victim’s name:

1. Credit card charges, debit card usages, ATM card 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.

**B)** Identity crimes often involve incidents that take place in two or more jurisdictions. Officers and investigative aides shall, upon request, complete an incident report when:

1. The victim of the crime is a local resident and the transaction or use of the compromised information took place in DeKalb County; 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 DeKalb County, regardless of the location of the victim.

**C)** All sworn police personnel and investigative aides 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 the theft;
4. When and where the activity took place; and
5. Potential suspects or information concerning how the information may have been compromised.

D) 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.

E) Officers taking reports of identity theft should 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 for the three major credit reporting agencies: Equifax (1-800-525-6285), Experian (1-888-397-3742) and 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 Department of Driver Services. 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 in the GCIC/NCIC Identity Theft database. If so, then the victim will complete the Consent Waiver (worksheet) as supplied by the reporting officer or detective. This form, collecting relevant identifying information on the victim by which to create a profile, will be delivered to the Record Room 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.

Additionally, the Criminal Investigation Division will provide this information to victims of all assigned cases, either verbally or by mail.

F) Investigation of identity theft shall include, but not be limited to, the following actions where appropriate:

1. Review the incident 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 follow-up work completed on this case.

G) The department’s Public Education Specialist, along with detectives from CID will provide the public with awareness programs on an as needed basis. These community crime prevention and awareness presentations are intended to provide the public with information on the nature and prevention of identity theft.

## SPECIAL SERVICES DIVISION

### 4-16 PURPOSE & SCOPE

To establish guidelines for the administration and operation of the DeKalb County Police Department Special Services Division. To clearly define the lines of authority and areas of responsibility, and to enumerate those Sections and Units which shall be assigned to the Special Services Division.

### 4-16.1 ORGANIZATION, FUNCTIONS, DUTIES AND RESPONSIBILITIES

Those sections and units falling under the authority of the Special Services Division tend to be highly specialized, performing very specific tasks. The major functional responsibilities of the Special Services Division include, but are not limited to:

- A) Management of all special projects and other duties not appropriate for assignment to the Uniform or Criminal Investigations Divisions.
- B) Management over the following sections:
  - 1. **Central Records Section**
    - a. Criminal History
    - b. Record Room
    - c. NCIC/GCIC
  - 2. **Police Training Section**
    - a. Basic Police Academy
    - b. In-Service, Advanced and Specialized Training
    - c. Bomb Unit
    - d. Firing Ranges
  - 3. **Special Operations Section**
    - a. Tactical Enforcement Unit (TAC)
    - b. Commercial Vehicle Unit
    - c. STAR Team (DUI Enforcement)
    - d. Aerial Support Unit (ASU)
    - e. Traffic Specialists Unit (TSU)
    - f. Property and Evidence Section
    - g. Public Services and School Crossing Guards
    - h. Technology Unit

### 4-16.2 COMMAND, ADMINISTRATION AND PERSONNEL ASSIGNMENT

#### A. SPECIAL SERVICES DIVISION COMMANDER

The Special Services Division Commander is responsible for the overall operation of the Special Services Division and has the final divisional authority in matters of operation, policy and discipline. They will exercise all lawful directives as necessary to assure the performance of the entire Division within their purview. They will have the authority to assign or transfer personnel within the Division, as they deem necessary for the benefit of the Division. The Division Commander is presently the rank of Assistant Chief of Police (as the other 2 Division Commanders over Uniform and CID), and will report directly to the Chief of Police.

#### B. SPECIAL OPERATIONS COMMANDER

The Special Operations Commander is directly responsible for the day-to-day command of personnel assigned to the Special Services Section. Duties and responsibilities of the Special Operations Commander include but are not limited to:

- directly responsible for overseeing the administrative duties of all components of Special Services Section;
- planning and implementing special events or enforcement activities;
- will be responsible for keeping the Assistant Chief of Special Services Division informed of all personnel matters;
- any other duties directed by the Assistant Chief of Special Services Division Commander.

#### C. DIVISION ADMINISTRATIVE AIDE

The Administrative Aide is directly responsible to the Special Services Division Commander, and shall carry out all duties as assigned by the Division Commander. Duties and assignments of the Administrative Aide shall include but not be limited to:

- a) Assignment of any civilian and support staff to various duties and locations within the Division;

## SPECIAL SERVICES DIVISION

- b) Liaison between the Division Commander and the other entities within the Division, as well as the rest of the Department.

### **D. DIVISION MOTOR OFFICER**

The Motor Officer shall report to the Division Commander and Administrative Aide, and shall be responsible for:

- a. maintenance, service and record keeping of all vehicles assigned to the Division.
- b. acting as liaison between the Department and the contract wrecker services by conducting investigations of complaints; conducting inspections of the facilities and equipment as necessary and appropriate to ensuring compliance with contract terms; and conducting enforcement activities to ensure compliance with applicable laws and ordinances.
- c. acting as Administrative Assistant to the Division Commander in the absence of the Division Administrative Aide.
- d. other duties as assigned by the Division Commander.

### **4-16.3 TACTICAL ENFORCEMENT UNIT**

- 1. The Tactical Enforcement Unit will, in addition to normal Uniform Division duties, be responsible for:
  - a. operation of speed measuring devices;
  - b. evaluation and coordination of enforcement activities resulting from analysis of traffic accident;
  - c. evaluation and coordination of enforcement activities resulting from citizen complaints;
  - d. traffic coordination for special events.
  - e. other duties as assigned by the Special Operations Commander.
- 2. Personnel assigned to the Traffic Enforcement Unit will be required to meet the following minimum requirements:
  - a. must hold the rank of Master Police Officer, Sergeant or Lieutenant, depending on the position opening available;
  - b. applicants two most recent annual evaluations must have been "3" or above;
  - c. must hold or be able to obtain a driver's license with a motorcycle endorsement, this requirement may be deleted from time to time at the Commanders discretion.
  - d. must file a written request for transfer in response to official notification that a position opening is available.
  - e. Personnel assigned to the Tactical Enforcement Unit will be required to work unscheduled hours on all days of the week including holidays depending on unit workload. Personnel may also be required to report for duty on short notice as required by the unit commander.
- 3. The Tactical Enforcement Unit utilizes motorcycles, which perform essentially the same duties as those mentioned above. Motorcycles may also be utilized for special details which call for increased mobility in confined areas. Personnel assigned to motorcycle duties will operate under the following restrictions:
  - a. Motorcycles and vehicles will be assigned to individual officers and that officer will be responsible for the routine maintenance, cleaning and upkeep of their assigned vehicle.
  - b. Motorcycles will not be used on-duty during inclement weather conditions.
  - c. Motorcycles will not be used for radar/laser or traffic enforcement on the expressway system and will use the expressway system only to travel to and from assigned locations.
  - d. The operations of motorcycles is discouraged during the following conditions:
    - 1. When temperatures are below 32 degrees.
    - 2. After dark.
    - 3. During sustained heavy rain, snow, sleet; or
    - 4. Snow or sleet on roadways, which would make the operation of a Motorcycle hazardous.

### **4-16.4 AERIAL SUPPORT UNIT**

- 1. The Aerial Support Unit will be responsible for:
  - a. routine aerial police patrol;
  - b. emergency response to calls in direct support of Uniformed or Criminal Investigations personnel on the ground.
  - c. aerial surveillance in support of Criminal Investigations where ground surveillance is impossible or hazardous.
  - d. aerial command post for departmental personnel commanding a major disaster or public safety incident scene;

- e. emergency transportation of seriously injured persons from accident sites, crime scenes or major disasters;
  - f. support for aerial needs of other County departments or government agencies as needed and as approved by the Chief of Police or his designee.
2. Personnel assigned to the Aerial Support Unit will be required to meet the following requirements:
- a. must hold the rank of Master Police Officer, Sergeant or Lieutenant or above, depending on the position opening available;
  - b. applicants two most recent annual evaluations must have been "3" or above;
  - c. must hold a Commercial Pilot certificate with a rotorcraft/helicopter rating;
  - d. must hold a current 2nd Class or better FAA flight physical;
  - e. to serve as Helicopter Unit Commander, personnel must hold the rank of Lieutenant or higher and possess an FAA Commercial rotorcraft/helicopter rating, an FAA certified flight instructor rotorcraft/helicopter rating, a second class medical certificate, a minimum of 1500 flight hours pilot-in-command time in helicopters, and a thorough knowledge of FAA rules and regulations, safety rules, helicopter aerodynamics, airman's information manual for each aircraft operated by the DeKalb County Police Department;
  - f. to serve as Helicopter Unit Assistant Commander or OIC, employees must hold the rank of Sergeant and have an FAA Commercial rotorcraft/helicopter rating, a second class medical certificate, a minimum of 1200 hours of pilot-in-command hours in helicopters and a thorough knowledge of FAA regulations, safety rules, airman's information manual and operator's manual for each aircraft operated by the DeKalb County Police Department;
  - g. to serve as helicopter unit Training Officers, an employee must hold the rank of Master Police Officer or higher and have an FAA Commercial rotorcraft/helicopter rating, an FAA certified flight instructor rotorcraft/helicopter rating, a second class medical certificate, a minimum of 1000 flight hours pilot-in-command time in helicopters, pass a written test and flight evaluation administered by the unit commander based on a high proficiency level in performing helicopter emergency procedures training, bi-annual flight reviews and a thorough knowledge of FAA regulations, safety rules, helicopter aerodynamics, airman's information manual and the operator's manual for each aircraft operated by the DeKalb County Police Department;
  - h. to serve as a Master Patrol Officer/Pilot, personnel must have logged 750 hours or more as pilot-in-command of a helicopter, two hundred fifty (250) hours which must have been in a turbine powered helicopter. (A factory check out in the type of helicopter operated by DeKalb County can be substituted for the one hundred twenty-five (125) of turbine time, provided the pilot is otherwise qualified;
  - i. must present a properly documented pilot log book or DD214 documenting flight time, currency of flight time, currency sign-offs and a valid medical certificate;
  - j. must successfully pass an oral and written knowledge test of helicopters operations for commercial standards as outlined by the Federal Aviation Administration;
  - k. must pass a competency flight evaluation conducted by the Unit Commander;
  - l. must file a written request for transfer in response to official notification that a position opening is available;
  - m. must not have any violations of FAA regulations or enforcement actions in the past five (5) years.
3. **The Commander of the Aerial Support Unit will be responsible for:**
- a. the proper and efficient operation of the unit;
  - b. acting as pilot or observer when necessary;
  - c. conducting and evaluating all pilot's annual and semi-annual flight checks.
  - d. ensuring that all scheduled and unscheduled maintenance is conducted promptly when due and in accordance with applicable Federal Aviation Regulations, Part 91, and helicopter manufacturer's recommendations;
  - e. administering all office and clerical duties;
  - f. scheduling of approved special flights;
  - g. performing any other duties prescribed by the Division Commander or his designee.
4. The Assistant Commander or OIC of the Aerial Support Unit will be responsible for:
- a. assuming the responsibilities of the unit commander in his absence;
  - b. acting as Pilot or observer when necessary;

## SPECIAL SERVICES DIVISION

- c. insuring that all helicopter unit pilots meet FAA and departmental requirements for currency as outlined for commercial rotorcraft/helicopter pilots. This requirement includes daily logbook entries, current logbook endorsements, inspections of pilot medical certificates and pilot certifications;
  - d. insuring all clerical duties and his scope of responsibility are completed in a timely manner;
  - e. performing any other duties prescribed by the Unit Commander or his designee.
5. Officer/pilots assigned to the Aerial Support Unit will be responsible for:
  - a. operating the helicopter in accordance with all Federal Aviation Regulations Parts 61-91 relating to currency requirements, training, operating procedures, maintenance issues, the helicopter manufacturer specifications and department policy;
  - b. conducting a thorough pre-flight examination at the beginning of each shift;
  - c. conducting a post-flight inspection after each flight, including refueling, to insure that the aircraft is available for flight in the event of an emergency;
  - d. making required logbook entries pertaining to the time flown during the shift.
6. Non-pilot officer/observers may from time to time be assigned to the Aerial Support Unit. In such cases these officers will be responsible for:
  - a. coordination of police operations on the ground, subject to approval of the on scene commander;
  - b. completion of Daily Activity and Incident reports.
7. Helicopters operated by the Aerial Support Unit will operate under the following restrictions:
  - a. no flight will be attempted during severe weather conditions when, in the opinion of the pilot-in-command or the Aerial Support Unit Commander, the flight would be unsafe;
  - b. flights outside of DeKalb County to assist other agencies or departments or flights for purposes not mentioned in this policy must be approved by the Unit Commander or his designee as directed by established Departmental policy for mutual aid operations outside the county.
8. On Call Pilots
  - a. all pilots will carry a county issued pager while off duty. The on call pilots will make themselves available to provide a response (ETA) of not more than one hour;
  - b. as soon as the pilot is contacted they will provide their ETA to the supervisor who is requesting the helicopter. This ETA may influence the supervisor's decision to have the pilot continue or to possibly cancel the pilot due to an extended ETA; (pilots are responding in privately owned vehicles).
  - c. a Police Lieutenant or a Fire Rescue Captain should make the request to have the on-call pilot respond to a scene.

### **4-16.5 TRAFFIC SPECIALIST UNIT**

1. The Traffic Specialist Unit will be responsible for:
  - a. follow-up investigation of all traffic related fatalities and all non-traffic fatalities resulting from other transportation accidents;
  - b. follow-up investigation of all hit and run accidents;
  - c. compiling, analyzing and reporting of accident statistics, to include annual review of traffic accident data as it compares to selective enforcement activities;
  - d. dissemination of monthly accident and enforcement summaries to each precinct and the Special Operations Section. These reports will contain location, time, date, day, type of accident and primary cause or, if enforcement activity, the charge on all accident reports and traffic tickets written by the Department during the last month;
  - e. compiling, analyzing and reporting traffic analysis data.
2. Personnel assigned to the Traffic Specialist Unit will be required to meet the following requirements:
  - a. must hold the rank of Master Police Officer or Sergeant, depending on the position opening available;
  - b. applicants two most recent annual evaluations must have been "3" or above;
  - c. necessary skills in math and drafting to diagram and reconstruct fatality traffic accidents;
  - d. must file a written request for transfer in response to official notification that a position opening is available.
  - e. personnel assigned to the Traffic Specialist Unit will be required to work unscheduled hours on all days of the week depending on unit workload. Personnel may also be required to report for duty on short notice as required by the unit commander.
  - f. personnel will be required to attend courses in Accident Investigation and Reconstruction. Any course where a passing grade is not obtained will be grounds for transfer from the Traffic Specialist Unit.

3. The Traffic Specialist Unit will provide specialized follow-up investigation of non-fatal accidents to other components upon the request of a supervisor. This assistance will include, but not be limited to:
  - a. collecting off-scene data;
  - b. obtaining/recording formal statements from witnesses;
  - c. reconstructing accidents;
  - d. preparing supplemental reports to support any criminal charges arising from the accident;
  - e. obtaining the services of outside expert or technical assistance when needed for photography, mechanical specifications, medical opinions, etc.

#### **4-16.6 PUBLIC SERVICES UNIT ( SCHOOL CROSSING GUARDS)**

The Public Services Unit will have the primary responsibility to recruit, hire, and train School Crossing Guards for the County's schools.

The Public Services Unit will also direct the assignment of personnel to work school crossing locations, issue uniforms, maintain a record of hours worked for payroll and personnel records, make on-site inspections and maintain a list of reserve School Crossing Guards.

The duties of the School Crossing Guards will be to expedite the movement of children to and from school by creating gaps in traffic. This will be accomplished without directing traffic in the traditional regulatory sense, as School Crossing Guards will have no enforcement power.

School Crossing Guards must complete a Merit Exempt Position application form for employment. Applicants must be at least 18 years of age, mature, able to get along with and direct actions of children, have good eyesight, good hearing, and must not have any physical disabilities that would restrict their movement in a manner that would endanger themselves or the children at the crossing. Each applicant must sign a consent form allowing a pre-employment criminal history check, which is completed and reviewed prior to hire.

School Crossing Guards must complete a basic training program conducted by the Public Services Unit prior to school opening each fall or as needed by replacements.

A uniform prescribed by the Chief of Police will be worn at all times while at a school crossing location in addition to a high visibility vest provided by the DeKalb County Police Department.

School Crossing Guards will be located at schools and other intersections deemed dangerous by school officials, parents, county traffic engineers, or police, within budgetary constraints and limitations.

Traffic volume, posted speed zone, width of the street (number of lanes), number of children crossing, ages of the children, physical terrain, traffic control devices and local policy will be considerations when determining appropriate Crossing Guard locations.

The Public Services Unit will conduct an annual survey of all School Crossing Guard locations to determine whether there is a continuing need for adult crossing supervision.

#### **4-16.7 COMMERCIAL VEHICLE ENFORCEMENT – PURPOSE**

The purpose of the Commercial Vehicle Enforcement Unit is to reduce traffic accidents and to facilitate the safe flow of commercial vehicle traffic within the county.

##### **1. ORGANIZATION AND RESPONSIBILITY**

The authority to conduct commercial vehicle inspections is derived from the Georgia Department of Motor Vehicle Safety (DMVS) and under the Federal Motor Carrier Safety Assistance Program (MCSAP).

Personnel assigned to conduct Commercial Vehicle Enforcement reports to the Special Operations Commander or his designee.

Commercial Vehicle inspectors will focus their enforcement efforts on highways designated as high crash corridors by the Department of Motor Vehicle Safety and areas where there are citizen complaints concerning commercial vehicles.

##### **2. SELECTION/TRAINING PROCESS**

Members interested in conducting commercial vehicle inspections must attend an 80-hour North American Standard Inspection Vehicle Examination taught by MSCAP Instructors, sponsored by DMVS. Upon successfully completing the training, officers are required to perform Level I, II and III inspections, under the monitoring of certified

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inspectors within this department or DMVS. Upon successful completion of both phases officers will be certificated by MCSAP and assigned an inspector number by DMVS. Officers may be required to attend additional training related to commercial vehicle carrying hazardous material and tanker trucks.

### 3. ENFORCEMENT/REPORTING REQUIREMENTS

Commercial Vehicle Inspections will be utilized to remove unsafe vehicles and drivers from the road and correct violations through Federal Regulations, Georgia Law and County Ordinances, with attention toward equipment violations, drivers license and log books.

#### **4-16.8 S.T.A.R. TEAM (DUI ENFORCEMENT) Purpose and Mission**

The STAR Team is organized for the purpose of specialized enforcement of Driving Under the Influence, Aggressive Driving, Speeding and Occupant Protection laws. The program incorporates two components: Enforcement and Public Education. The mission is to achieve a reduction in fatalities, severity of injury and number of injuries associated with motor vehicle crashes.

The STAR Team employs a number of enforcement strategies to accomplish the stated mission. They include, but are not limited to: Saturation Patrol, Radar/Laser Speed enforcement, Road Safety Checks and the Operation of the mobile breath-alcohol unit ("Batmobile"). The STAR Team will also participate in State and Nationally organized enforcement efforts such as "Click-It or Ticket it", "Operation ABC", "You Drink and Drive, You Lose" that are supported by the Georgia Governor's Office of Highway Safety (GOHS) and the National Highway Safety Administration (NHTSA).

The STAR Team is part of the Special Services Division. Officers of this unit may be assigned to special details/assignments as directed.

#### **4-16.9 DUI Enforcement**

Driving Under the Influence (DUI) has been interpreted by various courts to mean that the ability to operate a motor vehicle is reduced or impaired by the consumption of alcoholic beverages or other drugs. DUI detection is defined as the entire process of identifying and gathering evidence to determine whether or not a suspect should be arrested for a DUI violation. Detection begins when the officer develops the first suspicion that a DUI violation possibly is occurring. The detection phase is usually in three phases:

1. Vehicle in motion;
2. Personal Contact;
3. Pre-arrest (field sobriety testing).

Officers must be able to articulate what was observed so that a judge or jury will have a clear mental picture of exactly what took place. Therefore, taking notes is essential during the detection process.

The arrest of a person while intoxicated differs significantly from other traffic law violations. For instance, implied consent statutes and legislation, which define intoxication in terms of blood alcohol levels, have been enacted. These statutes include provisions affecting an officer's authority.

#### **4-16.10 DUI ENFORCEMENT PROCEDURES**

The procedures below will be followed by all personnel of this department in driving under the influence cases.

A. When a motor vehicle is stopped based on probable cause by any officer empowered to make arrests, either in a one-on-one situation or a safety check roadblock, the first verbal contact with the driver must be a professional greeting and a request to see the operator's driver license. Officers should immediately begin to look for signs of impairment when initially making contact with a driver. Officers should remain aware of the driver's judgement, self-restraint, and self-confidence are often the first faculties to be distorted by alcohol, creating the setting for lack of cooperation, belligerency and even physical contact. Officers should ask the driver questions and divided attention tasks in an effort to make an initial screening assessment of their condition and to determine if there is cause to further evaluate them.

B. If the officer has reasonable cause to believe the driver's ability to be impaired, they should request the driver to step from the vehicle when safe to do so. The officer should ask the driver to step away from the vehicle in order to observe the driver walking and their mannerisms.

C. Circumstances permitting, the officer should ask the driver to perform field sobriety tests as recommended by the National Highway and Safety Administration (NHTSA). Field sobriety test are not to be requested if conditions (i.e. weather, traffic, roadway, or even driver impairment level) would jeopardize the safety of the

individual or the officer. The results of these tests should be documented on the DUI arrest form (PSB 67/A 5/96) if the decision is made to arrest. Also, if the field sobriety tests were not done but an arrest was still made, the reason(s) for not performing the field sobriety tests should be noted on the DUI arrest report.

D. Once the investigating officer has determined that the driver is under the influence to the extent that it is unsafe for him/her to continue to operate a motor vehicle, they should advise him or her that they are under arrest for driving under the influence. Once the suspect is so advised, he/she becomes subject to testing procedures.

E. It is now imperative that the officer **immediately** read the suspect the Implied Consent Warning Card in its entirety. It is important that it be read in a clear and concise voice that can be understood by the suspect. It also must be read in English, despite what language the person may be fluent with. It is also important not to provide any legal statements or advise other than the information listed on the Implied Consent Card.

Should the officer not be able to **immediately** read the the implied consent card (i.e. the person was involved in an accident and was being treated by paramedics), then the card should be read as soon as possible and the reason for the delay listed in the report. Georgia law specifics the card be read at the time of arrest.

F. The suspect should be properly handcuffed and transported to the DeKalb Jail book-in unit or local hospital for the State-Administered Chemical Test(s).

In that the Georgia's code now allows an officer to give more than one test, officers should continue to select an appropriate test and utilize the test, i.e.,

- If an arrested individual is obviously under the influence of alcohol, a breath test might be appropriate, or
- If an individual is obviously under the influence of drugs, a blood/urine test might be appropriate, or
- If an individual appears to be under the influence of both alcohol and drugs, a blood/urine test might be appropriate
- Situations may warrant more than one test to be given and in these situations the officer should advise their immediate supervisor and document the reasons for giving any additional test.

NOTE: See Blood/Urine section below for procedures in obtaining Blood/Urine Sample.

G. Persons arrested for DUI, with or without a valid drivers license, who refuse to take the test to determine alcohol/drugs content, will be processed through DeKalb Jail. The arresting officer is required to complete the DPS-1205 form that requests the license to be suspended. Upon completion by the arresting officer, the Implied Consent Affidavit Form must be notarized. Attach the driver's license to the form; otherwise attach the license to the court copy of the DUI citation.

H. Persons arrested for DUI, with or without a valid drivers license, which are over the prescribed limit for the type of driver they are, will be processed through DeKalb Jail. The arresting officer is required to complete the DPS-1205 form that requests the license to be suspended. Upon completion by the arresting officer, the Implied Consent Affidavit Form must be notarized. Attach the driver's license to the form; otherwise attach the license to the court copy of the DUI citation.

I. Once the driver has been read the contents of the Implied Consent Warning Card and given the state administered test, he/she may at any time before being turned over to the jail for confinement make a request for an additional test by someone of their own choosing. The officer should not suggest locations or furnish names of persons to the driver for additional test. This test is a matter of right and must be granted as long as the test is reasonable. Generally, the courts have deemed "reasonable" to mean any location within the Metropolitan Atlanta area. A superior officer should be notified each time a person requests their own test as such request must be within the realm of reasonableness. **If the suspect refuses to take the State Administered Test(s), then they will not be allowed their own test.**

J. A full incident report will be made on all DUI arrests; including those not incarcerated due to running less than the mandatory State BAC limit(s) and released with a ticket for traffic violation. The officer will list all the facts and your probable cause for your stop along with all witnesses including passengers.

K. A copy of the Arrest report is to be forwarded to the STAR Team office for statistical analysis of DUI incidents.

#### **4-16.11 DUI CHECKPOINTS - PURPOSE AND POLICY**

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

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

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B. Checkpoints for the purpose of apprehending DUI suspects will meet the criteria set forth by State and Federal Statutes.

1. A checkpoint will only be used when a specific need or public concern can be established. For instances, a DUI checkpoint should only be established in areas that can be shown to have a high incidence rate of DUI arrests or a high DUI accident rate.
2. The field supervisor authorizing checkpoints for the purpose of DUI enforcement will document the need for a checkpoint at a specific location. Subsequent enforcement data will be maintained and stored with precinct or unit.
3. The field supervisor shall be present at all times during the checkpoint and will be responsible for opening and closing of it. The safety check may be closed due to arrests, inclement weather, or any other reason the on site supervisor deems appropriate.
4. DUI checks should be only held during normal, non-peak times and if the checkpoint begins to impede the normal flow, it should be temporarily discontinued if necessary for the safe and efficient movement of traffic.
5. The location of the safety check should have adequate space for officers to remove vehicles from the stream of traffic and conduct field sobriety testing safely away from vehicles.
6. The safety check should satisfy all federal, state and local legal requirements. Specifically:
  - a. implementation of the checkpoint is to be made by supervisory personnel rather than the officers in the field;
  - b. all vehicles or a systematic pattern (i.e., every third vehicle) are to be stopped as opposed to random vehicle stops;
  - c. the delay and intrusion to motorists is minimal;
  - d. the operation is well identified as a police checkpoint whereas a reasonable person can easily recognize the function as a police checkpoint;
  - e. and the screening officer's training and experience is sufficient to qualify him/her to make an initial determination as to which motorists should be given field tests for intoxication.

C. When a driver is suspected of being under the influence of alcohol, an approved mechanical or Chemical device will be employed whenever possible to assist in probable cause. Prior to a decision to arrest, a thorough field sobriety test will be administered and documented, existing conditions permitting.

D. The checkpoint should assure the safety of the general public as well as law enforcement officers involved.

E. If available, provide motorists' material such as brochures, flyers, etc. to educate, maximize the deterrent effect, and to heighten awareness of the impaired driving problem.

F. All officers will wear their assigned reflective traffic vest while in the roadway conducting a safety check. Furthermore, if the safety check is during dark hours, each officer shall have a working flashlight in his/her possession.

### 4-16.12 BLOOD/URINE – PROCEDURE ON DUI CASES

A. When a DUI case is made against a person, the arresting officer makes the choice of which test(s) to be performed. The request for test or tests should be done at the time of arrest and will be designated when the officer reads the implied consent notice to the person arrested. The officer will chose one or more of the following test(s):

1. Breath
2. Blood
3. Urine
4. Or other bodily substances

B. The officer will base his/her decision on which test(s) to be performed based on the circumstances in the particular case. Among the things to consider for the type test(s) to request are:

1. Suspected Intoxicant(s) and levels of intoxication
2. Arrestee's physical condition
3. Arrestee's behavior

C. Generally, a breath test should be requested if alcohol is the only suspected intoxicant. An exception to this would be if you believed the suspect would be unable to physically provide an air sample (due to condition, etc).

D. If drugs and a low alcohol concentration are suspected, generally a blood and urine test will be appropriate.

E. If drugs and a high alcohol concentration are suspected, then generally a breath and urine test will be appropriate.

F. A blood test can check for both alcohol and drugs in a persons system.

**4-16.13 PROCEDURES FOR OBTAINING BLOOD SAMPLE ON DUI CASE:**

When the decision is made to obtain a blood sample on a DUI suspect, the following procedures should be performed. This should only be done after the arrest has been made for DUI and the Implied Consent Warning read.

- 1.. The drawing of blood requires the person to be stuck by a hypodermic needle in a unsecured area (i.e., hospital) that could be extremely hazardous to the officer, the arrestee, and the medical person drawing the sample. Therefore, any violent or threatening person should be tested only as a last resort and even then with extreme caution and extra security precautions present. If possible, an alternative test should be performed that affords less risk of an incident occurring.
2. Currently, the only location available to DeKalb Police to obtain a walk-in blood sample is Grady Hospital, 80 Butler Street, Atlanta.
3. Other hospitals in the area will do a legal blood if the person is a patient (i.e., is involved in an accident and is transported there) or in other unusual circumstances.
4. If the arrestee agrees to take a blood test, they should be transported to the hospital. Proper radio advisement for transport should be performed. The subject shall be handcuffed at all times behind his or her back except during the time a blood sample is being obtained.
5. Upon arrival at the hospital, the officer will advise the hospital security unit of their presence. The officer should request assistance from their security if they feel it is warranted.
6. Should the officer feel he or she needs additional assistance (i.e., combative or threatening prisoner, escape risk, etc.), they will immediately contact North Precinct via radio and request additional officer(s). The arresting officer will not remove restraints from the defendant until safe to do so.
7. The officer will walk the arrestee to the laboratory and summon a Physician registered nurse, laboratory technician EMT, or other qualified person for the withdrawal of blood.
8. The STAR Team supplies Dunwoody Medical Center with the official Georgia Blood Alcohol/Toxicology Kits to be used for collecting blood and urine samples on DUI cases. Should Dunwoody Medical be out of stock or the officer is located at another hospital, they should seek a line supervisor or STAR Team officer for a kit. Each precinct has to its avail a blood kits from the STAR Team.
9. Complete the top portion of the GBI Request Form, located inside the envelope outside the blood kit box. Complete the section marked "To Be Completed by SUBMITTING OFFICER".
10. Have the medical personnel complete the section of the card "To Be Completed By MEDICAL/LAW ENFORCEMENT PERSONNEL."
11. Each blood kit has an expiration date stamped on the side. Ensure that the kit is not expired.
12. Ensure that the blood kit is sealed prior to it being opened. An unbroken blue tamper-resistant seal on the front edge should be present. It is labeled "Box Security Seal-Do Not Tamper."
13. Follow the specific instructions inside the envelope outside the kit box.
14. Break the seal on the box and inspect the contents for completeness and condition.
15. There should be two (2) gray stopper tubes containing a white powder preservative in the bottom; also, there should be one (1) needle, one (1) urine collection cup, a Styrofoam box for placing the samples in, several evidence collection security tapes and one Povidone-Iodine Prep Pad for cleansing the arm area prior to the needle being inserted.
16. Personally observe the blood being drawn, paying particular attention to the type of cleanser (alcohol pad must never be used). Also, note on your report the blood drawer's name and time the sample was taken.
17. Ensure that the blood vials are sealed with the appropriate security seal. If urine is also requested, have the subject urinate into the appropriate urine cup (from the kit) and secure it using the urine cup seal. Also label, all vials using the appropriate labels.
18. Ensure that the used needle is disposed of if the proper hazardous materials container at the hospital and is not included in the blood kit.
19. Place the sealed vials inside the white Styrofoam box and place the two (2) blue "Sealed Evidence Do Not Tamper" seals on each end.
20. Carefully place the sealed Styrofoam box inside the clear zip-lock bag marked "Specimen Only" and place the red security seal folded over the lips of the bag.
21. Place the GBI Request card on the **outside** pouch of the sealed clear zip lock bag.
22. Place the sealed zip lock bag inside the cardboard blood kit box.
23. Close the blood kit and seal with the two box seal security tapes and place the "BIO HAZARD" sticker in the appropriate marked spot.

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24. Ensure that the arrestee is secured with handcuffs behind the back and search him/her to ensure they have not obtained any contraband at the hospital.
25. If the subjects request an additional test, ensure that it is granted to him/her at their own expense. The arresting officer is required to see that the additional test is granted, as long as it is a reasonable request.
26. Transport the subject to the jail and have them lodged.
27. In some circumstances, a person who is charged with DUI may not be lodged in the jail. Most notably would be an accident where the person was injured and admitted to the hospital. In these cases, a court date should be obtained from the Sheriff's Department and left with the defendant. A jail docket marked "For Records Only" should also be submitted to the Sheriff's Department.
28. Complete a DeKalb County Property and Evidence sheet and turn both the kit and the property sheet into the gym property locker that is marked for Blood Kit. The STAR Team will then refrigerate the sample until we transport it to the Georgia Crime Lab.
29. The test results will be accessible through the Internet; they are no longer mailed through the United States Postal Service.

### 4-16.14 AUDIO/VIDEO RECORDING EQUIPMENT

#### A. APPLICATION

The routine use of mobile audio/video recording equipment in STAR patrol vehicles is for collecting evidence that could be subsequently used in the prosecution of those who violate the law.

#### B. INSTALLATION

Unless provided by the vendor, installation and maintenance of audio/video equipment will be coordinated through the Special Services Division Commander's Office.

#### C. GENERAL USE

1. Officers assigned to vehicles containing audio/video recording equipment will be responsible for inspecting the equipment for deviations in operating condition, appearance and suitability for its intended use. Any problems encountered will be reported to the officer's supervisor. Officers will not use malfunctioning or inoperative equipment.
2. The video recorders will be set to record on the slowest possible speed to make the fullest use of recording tapes. Time and date stamping of the tape will be enabled.
3. Officers will utilize the audio/video equipment primarily to record traffic stops, particularly those believed to involve individuals operating motor vehicles under the influence of alcohol/drugs, pursuits and accident scenes when practical. Officers may also record other events, situations and circumstances, including but not limited to, armed encounters, acts of physical violence, felonious conduct and crime scenes.
4. Officers will **NOT** stop the use of audio/video recording equipment solely at the request of a violator or participant in a public safety incident. Recording will be stopped only at the discretion of the officer or upon the order of a superior officer.
5. Officers will inform those who ask that audio/video recording equipment is in use.

#### D. IDENTIFICATION, USE AND STORAGE OF VIDEO RECORDINGS

In an effort to establish accountability and to safeguard the chain of evidence related to the use, release and storage of videotaped evidence recorded by the STAR Unit within the Special Services Division, the following policy and procedure is hereby established:

1. A file cabinet within the STAR Team office will be designated as the "Video Evidence Cabinet". The cabinet will be secured with a tamper proof lock. Access to the cabinet will be limited to the STAR Team Commander.
2. A "Master Log Book" will be organized that includes a sequential numbering system for individual videos.
3. The "Master Log Book" will include the following areas for information input:
  - a. The assigned video number
  - b. The assigned Officer's name
  - c. The beginning and ending video dates
  - d. An area reflecting if the video was signed out for evidentiary purposes or duplication, as well as the name of the supervisor who authorized such action.
  - e. Reason for any type removal of a video will be recorded in the log.
4. The officer it was assigned to will mark the original video recording with the following information:
  - a. the sequential number assigned to the video
  - b. Police case number
  - c. Beginning and ending video dates.

5. In the event the commander is absent, a designated drop box with a secured lock and a slot in which to drop completed videos will be used. Access to this box is limited to the unit commander.
6. Any request for duplication from a non-governmental outside entity will require approval of the Chief of Police.
7. The duplicate copy will be marked with the following information: "DeKalb County Police Department", "copy", case number and date.
8. Access to the STAR Team office shall be limited to sworn authorized personnel.
9. Videos will be retained in compliance with the State Records Retention Schedule.

#### **4-16.15 BOMB UNIT**

The Bomb Unit will fall under the direction of the Special Services Division Commander, however, their chapter is located under Emergency Departmental Procedures since this affects all members of the DeKalb County Police Department and all employees should be familiar with the policy. This is now located in chapter 3-4.

#### **4-16.16 ADVANCED TECHNOLOGY UNIT - PURPOSE AND SCOPE**

As technology advances it is necessary to keep up with trends and new innovations to better serve the citizens of DeKalb County and insure that police officers have the most up to date tools necessary to complete their mission. This responsibility will rest with the Advanced Technology Unit (ATU).

The Advanced Technology Unit will be responsible for researching, procuring and implementing new technologies within the department. The ATU receives its direction from the Departmental Technology Enhancement Committee and administratively reports to the Commander of the Special Services Division.

#### **FUNCTION**

ATU personnel are responsible for implementing and maintaining the Mobile Communications Platform and the Paperless Reporting Platform. In order to accomplish these goals, unit personnel are required to work closely with the staffs of Communications Division, Departmental Computer Support, Central Records and County Information Systems.

The Mobile Communications Platform includes all laptop computers, servers, software and miscellaneous hardware required for the proper communication between the Communications Division and the patrol officers in their patrol vehicle. This does not include the Computer Aided Dispatch(CAD) system or radio equipment.

The Paperless Reporting Platform includes all in vehicle printers, software and servers necessary to create a report in the field on a laptop computer and then store it in the department's Record's Management System (RMS).

At the discretion of the Chief of Police or his/her designee, unit personnel will be required to lead or assist in the implementation of new technologies throughout the department.

#### **4-16.17 PROPERTY AND EVIDENCE**

##### **A. PURPOSE**

In order to provide standardized procedures for the receiving, processing, safeguarding, and disposing of appropriate property or other items of physical evidence acquired by members of the DeKalb County Police Department in the performance of their assigned duties, it shall be the policy of this department through the Property and Evidence Unit, to receive, process, store, safeguard and dispose of all appropriate property seized or found.

##### **B. ADMINISTRATION AND RESPONSIBILITY**

1. The Property and Evidence Unit shall be located within the Bobby Burgess Building and shall come under the supervision of the Property and Evidence Unit Commander. The Property and Evidence Unit Commander shall be directly responsible for the section and the property management function of the department.  
Subordinate to the Property and Evidence Unit Commander shall be Property Custodians, who shall assume the same duties for the operation of the Property and Evidence Section.
2. The Property and Evidence Unit shall be responsible for:
  - a. Ensuring that all property of an evidentiary nature is kept in a secured area.
  - b. Ensuring that all property found of any value is kept in a secured area, separate from evidence.

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- c. Ensuring that items of property requiring additional protection, i.e. money, precious metals, jewelry, gemstones, weapons, narcotics and dangerous drugs are stored in separate secured areas within the repository.
  - d. Controlling all property and evidence stored in the section.
  - e. Conducting and maintaining a written inventory of all property and evidence stored in the section.
  - f. Conducting, on as needed basis, the county's "Ole Hoss Sale" and the accounting for, securing, and depositing cash collections from this sale.
3. The Property and Evidence Unit shall be charged with the responsibility of the day-to-day operation of the property and evidence repository. Normal operating hours of the Property and Evidence Unit shall be from 9:00 a.m. to 5:00 p.m., Monday, Tuesday, Thursday and Friday, excluding holidays. Whenever the Property and Evidence Unit is closed, officers may store property and evidence in the designated lockers.
- a. In the event that all property and evidence lockers are full or items are too large to fit into a locker, the on call Property and Evidence Custodian will be notified to respond. Absolutely no property will be left unsecured at the designated property drop location.
  - b. Any gasoline-powered equipment will be drained of gasoline before being brought into any precinct or the Bobby Burgess Building.
  - c. In unusual situations, such as large drug seizures, money in the amount of over \$10,000.00, etc., a property custodian will be called in to open the Property and Evidence Unit and immediately process and store the evidence or property.
  - d. At no time will property and evidence be left at any locations other than the Property Room between the hours of 9:00 a.m. and 5:00 p.m., Monday, Tuesday, Thursday and Friday. Exceptions will be county observed Holidays.
  - e. Use of property lockers will be restricted after hours to Criminal Investigation Detectives, Uniform Officers, Special Services Division and Arson Officers.
4. Access to the Property and Evidence Unit shall be strictly limited to those individuals assigned as Property Custodians. Any time an individual not mentioned above enters the Property and Evidence Unit for any reason, they must sign "in" and "out" in the designated log book.

### C. DEFINITIONS

1. Evidence - Any item or article that will be or may be used in any criminal/civil/administrative hearing. Once a disposition has been rendered, said evidence shall be disposed of by authorization of the responsible officer.
2. Property - Any non-evidentiary item or article that has come into the possession of a police officer through the course of their normal duties. This includes found property that has been lost or abandoned and legal ownership has not been established. Officers are to use discretion as to the appropriateness of these items to determine whether they should be placed into custody as property, taking into consideration the value, sensitivity, etc. of the item.
3. Safe Keeping – Any item or article that may be released to the legal owner or claimant prior to a final court disposition.

### D. PROCESSING OF EVIDENCE

1. Identification of Evidence  
All physical evidence must be carefully identified and suitably marked for identification as soon as possible by the police officer initially assuming custody of the evidence to ensure that it can be later identified in a court of law. The mark will include the initials of the individual who obtained the item, date, and time; i.e., "ABC" August 29, 1988, 1:10 a.m. The marks must be placed in an area least likely to affect the physical appearance, monetary value, or evidentiary value of the item. If this is not possible, the item will be placed in a suitable container, sealed, and the markings placed on the container. If the original container is subsequently changed for any reason, it will be retained since its production may be required at some later date relative to proper identification of the evidence and change of custody.
2. Recording and Accountability of Evidence  
All personnel will use the A.C.E. Fast Evidence Drop to submit property or evidence to the Property Room. Personnel must log into the system with their own unique user name and password. All items will be recorded by an accurate description. If the Fast Evidence Drop is not functioning, a papered property sheet will be utilized, and Property Room personnel will be notified. On call personnel will be notified if this occurs outside of normal operating hours. Property Room personnel will be responsible for entering data from papered property sheets when the system returns to functioning. If papered property sheets are

submitted while the system is operable, the responsible officer will be required to enter the evidence using the appropriate procedure.

Once property comes under the custody of an officer/employee, the property will be relinquished to the Property and Evidence Unit as soon as possible before the completion of the officer/employee's shift. This does not apply to evidence that requires processing by the Crime Scene Investigation Unit. Any other exception must be authorized by a supervisor.

Each officer/employee concerned in any manner with the handling or processing of evidence, from the moment of its acquisition to the time of final disposition shall be accountable for its care, preservation and safe keeping while that evidence is under their control. Each change in the custody of evidence shall be reflected in the Fast Evidence Drop. If the item to be placed in the Property Room is not entered by the originating officer, it is the responsibility of the officer originally taking control of the item to document the change of custody in their incident report, including the name and badge number of the officer who transports the property for entry into the A.C.E. system. Detectives may document the change of custody in their case notes. The transporting officer will also document this exchange in the appropriate Fast Evidence Drop section. This is of paramount importance.

Officers are responsible for completing any additional required forms, including but not limited to Drug Submissions forms, BATF forms for firearms and G.B.I Crime Lab forms.

The Fast Evidence Drop property receipt shall contain the following information:

- a. Type
 

Choose the appropriate designation for the item being placed into the Property Room, keeping in mind the definitions of property and evidence. If the item can be released, it should be designated Safe Keeping or Found. Items that may not be released must be designated as Evidence. The responsible officer or case detective if assigned must authorize the release of any evidence.

All items of each specific type must be logged separately using the same case number. For example, all items of evidence should be entered together and submitted with the property and evidence receipt. A separate receipt would be generated, using the same case number, for items stored for safe keeping.
- b. Case Number
 

Number affixed to the officer's incident report. All items placed into Property and Evidence must have a corresponding incident report detailing the circumstances under which the property was obtained.
- c. Responsible Officer
 

If the officer delivering the item to the Property Room is not the originating, responsible officer, the delivering officer must indicate the responsible officer and include the circumstances for the transfer to maintain the chain of custody.
- d. Lab Number
 

The Lab Number is only required when submitting evidence that was obtained from the G.B.I. Crime Lab.
- e. People
 

All person(s) associated with the item must be recorded. This includes the person's relationship to the item:

  1. Prisoner – use for suspects or arrestees. Charges must be recorded.
  2. Claimant – use for any person who has a legitimate claim to the item or can claim the property for the owner with appropriate authorization
  3. Finder – use for any person who relinquishes the item to law enforcement
  4. Victim – use for any person against whom a crime has been perpetrated
  5. Owner – use for any person holding legal rights or title to the item
  6. Other – use for any person not fitting the above categories
- f. Items
 

Enter all pertinent, descriptive information about the item.

  1. Controlled Substance – the type of substance and weight of the item must be recorded
  2. Money – the total dollar amount must be recorded
  3. Projectile Weapon – the type, action, brand, caliber and serial number
  4. Bicycle – enter all descriptive information available, including serial number
  5. Other Items – includes any item not specifically listed above. Enter all descriptive information available, including model and serial numbers.
- g. Distribution of Property and Evidence Receipts

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When all items have been properly entered into the A.C.E. system, the submitting officer/employee will print three copies of the receipt. Two copies will be signed by the submitting officer/employee and relinquished with the items to Property Room personnel or left in the appropriate storage locker. One copy may be retained by the officer for their records or detective's case file.

### h. Chain of Custody

When an item is checked out or checked in, the Property and Evidence record shall be electronically signed by a Property Custodian and the officer/individual checking the item in or out along with the date and the reason for checking the item in or out. It is very important that the item be accounted for from the time it is acquired by the officer until it is permanently removed. The chain of custody portion of the Property and Evidence program shall reflect every time the item changes hands.

## E. PROCESSING OF PROPERTY (NOT EVIDENCE)

### 1. Recording and Accountability of Property

All items or articles not considered evidence in an incident/investigation which are found by a police officer or turned into the Property and Evidence Unit, will be accounted for in the form of the incident report from the time of initial acquisition. Any officer finding items not considered evidence, or having items released to them by a member of the civilian community will prepare an incident report for the item(s) obtained. The officer will release the item(s) to the Property and Evidence Unit as soon as possible before the completion of the officer's shift.

### 2. Property and Evidence Sheet

All Police officers acquiring property that is to be placed in the Property and Evidence Section shall also complete the A.C.E. Fast Evidence Drop following the same procedures set out in this section. Property taken from arrestees for safekeeping and not placed in the Property and Evidence Unit will be inventoried on the original jail docket and signed for by jail personnel.

### 3. Processing/Storage of Property

Property will be stored in the Property and Evidence Unit. Every effort will be made by the officer to identify and locate the rightful owner of the property and return the item(s) to the rightful owner. In the event the rightful owner of the property cannot be identified or located and the item(s) cannot be returned, the property will be disposed of in accordance with the provisions of this policy and applicable State Law. When owners are located, they will be required to sign electronically a receipt for the return of their property.

## F. RELEASE OF PROPERTY AND EVIDENCE

Property and evidence may be removed from the Property and Evidence Unit for permanent disposition or for temporary release for a specific purpose.

### 1. Reasons for the temporary removal of property and evidence shall include but not be limited to:

- a. Transmittal to the State Crime Lab or other crime laboratory for examination.
- b. Examination by the prosecutor.
- c. Presentation in a criminal/civil/administrative hearing.
- d. Released to an officer for inspection prior to, and for, court appearance. All property/evidence to be removed for this purpose requires an Authorization for Release of Evidence Form, signed by an officer of the Court or the rank of Lieutenant or higher.
- e. Release to an officer in order to be shown to a victim or possible owner.
- f. Released to an officer from another police agency. This shall only be done with the assistance of a DeKalb Police detective and the detective shall co-sign the Property and Evidence receipt.

### 2. Reasons for the permanent removal of property and evidence shall include but not be limited to:

- a. Transmittal to the State Crime Lab or other crime laboratory for examination and permanent storage.
- b. Examination by the prosecutor and permanent storage. (see 1d above.)
- c. Presentation in a criminal/civil/administrative hearing and permanent storage.
- d. Released permanently to the owner or the person claiming ownership.
- e. Destruction pursuant to this policy.
- f. Sold at the "Ole Hoss Sale" or online auction as authorized by county ordinance.

Whenever property and evidence is either temporarily or permanently released from the Property and Evidence Unit, the Property Custodian will ensure that all records, documents, files and Property and Evidence receipts reflect accurately the release.

Prior to checking out any property of value for this agency, the employee must first obtain written authorization from the rank of Lieutenant or higher (or section/ division commander outside police.) This written authorization

shall be taken to the property room by the employee prior to receiving any property or evidence, and this documentation shall be filed by the property room custodian.

Detectives may only retrieve items for the purpose of identification by victims/witnesses. If this is to occur, the detective must follow the same procedures as above. If property is to be identified or claimed, the detective will return it to the Property Room for the owner to retrieve there. The property custodian will obtain written authorization from the owner (or their designee) prior to release. This also applies to the release of property belonging to an individual under arrest. (i.e. personal belongings, impounded vehicles, etc.) Proper identification must be presented to obtain a release. All written receipts and authorization will be maintained in the case file in the property room.

Officers approving the release of items placed in the Property Room must submit written authorization via fax or interoffice mail if all items are being released. Authorization may not be granted by telephone. If all items are not being released, the officer must respond to the Property Room for personal authorization to prevent the inadvertent release of evidence.

When items to be released are to be sent to an owner who does not reside in the local area, it is the officer's/detective's responsibility to ship said items.

In addition to the Authorization to Property Custodian for Release of Evidence form, employees will be required to electronically sign the property and evidence receipt so the chain of custody can be maintained.

Representatives from agencies within or outside of DeKalb County will abide by the same procedures established in this policy. A written receipt must be given to the property custodian prior to the release of any property or evidence. This can be in the form of the agency property sheet to maintain the chain of custody.

Attorneys or legal representatives representing owners of claimed property may only receive said property after producing written authorization from the owner in the form of a court order or power of attorney.

#### G. STORAGE AND MAINTENANCE OF PROPERTY AND EVIDENCE

##### 1. Location of Storage

All property and evidence placed with the Property and Evidence Unit will be stored in either a safe, or bins located in the Property and Evidence Unit facilities. All of these locations will be secured with either key or combination locks and alarm systems, and only the Property Custodians will have control of these areas and access to the keys, combinations and alarm codes, with exceptions noted in this policy.

##### 2. General Property and Evidence

All general property and evidence stored by the Property and Evidence Unit will be boxed, labeled or tagged and stored in a neat and orderly manner. The property and evidence will be marked with a property number, date received in the Property and Evidence Section, Incident Report Number and bin location. Property that is considered evidence will be marked in red and cannot be released without permission of the Police officer responsible for the evidence. Property, not evidence, will be marked in black. Bar codes will be generated by the ACE system and affixed in such a manner as to maintain the integrity of the items.

##### 3. Money and Jewelry

All monies turned over the Property and Evidence Unit will be counted and approved in the presence of the officer relinquishing the money. If money is placed in an evidence locker, a superior officer will witness the count and placement of the money in a tamperproof container. Once a disposition has been rendered in those particular cases, these funds will be deposited into a special account at Revenue Collections. All jewelry and money will be stored in the vault.

##### 4. Weapons

It will be the responsibility of each officer, who turns in any weapon to the Property and Evidence Section, to ensure that all ammunition is separated from the weapon. Any loaded weapon other than those mentioned (jammed or malfunctioning) shall be carefully placed in a locker, with the property sheet conspicuously marked, "Loaded Weapon/Jammed/Could Not Unload", etc.) Any other loaded weapon placed in the property room or lockers that do not fit the criteria set above shall be cause for disciplinary action.

##### 5. Dangerous Drugs and Narcotics

Dangerous drugs and narcotics will be transported to the State Crime Lab by Property Custodians on a weekly basis to be analyzed and stored. Two Property Custodians will be required for any transport of drugs to the State Crime Lab.

Officers/detectives placing dangerous drugs or narcotics in the Property and Evidence Section will weigh or count all items and will complete the required G.B.I. documents for the items that are to be transported to the State Crime Lab.

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In the event that dangerous drugs and narcotics are to be stored with the Property and Evidence Section, the Property Custodian, in the presence of the officer, will again count and weigh each item (pills, capsules, powders, liquids, etc.). All drugs and narcotics shall be placed in evidence bags during storage and strictly accounted for and inventoried.

**Pursuant to the Georgia State Crime Lab, all drug evidence that the Crime Lab will accept will be submitted to the Crime Lab in a sealed outer plastic bag and a secured inner plastic bag.** This shall be a standard bag that is provided to the department from the supply section. The bag is a 12 ½ by 9 ½ clear zip lock bag. It is the responsibility of each precinct to ensure that all supplies needed be made available to the officer at the precinct. The county submittal form must be sealed inside the bag with the narcotics, placed flat inside and readable through the bag. The state submittal form OPS 1 (revised 4-1-2000) shall be attached to the outside of the bag. Both forms must accompany all drug submittals. The outer bag must be clear on at least one side and must be sealed with tamper-proof evidence tape, evidence seal, or heat-sealed. The initials of the sealing officer will be written on or directly under the seal. The name of the suspect(s), officer(s), the agency, and an inventory of the items contained within that bag must be clearly written on the bag, or on an inventory sheet that is clearly visible through the bag. If ziplock bags are to be used, they are to be of thicker material (such as freezer bags, not sandwich-type bags) Do not include paperwork (i.e. property sheets, etc.) inside the bags that needs to be signed by Crime Lab personnel. The secured inner bag must be zip locked, taped, or stapled so that the contents will not escape. This inner bag must be clear on both sides. Like items should be grouped and placed in one inner bag. Different types of evidence must be packaged so that cross-contamination does not occur.

Exceptions to this procedure are:

- a) Any wet plant material must be submitted in a **paper bag** to allow moisture to escape. Trapped moisture will cause the evidence to deteriorate.
- b) Any large bales of marijuana, kilos of cocaine, or large items may be submitted in large bags or as packaged.
- c) Liquids must be submitted in a leak-proof screw capped bottle, and then placed in a sealed plastic outer bag.
- d) LSD is a light sensitive drug. When submitting suspected LSD samples, package them in a small manila envelope or small paper bag before placing in the outer plastic bag.

The following items will not be accepted by the Crime Lab because of biological, chemical or physical safety hazards:

- e) Used presumptive field ID test kits.
- f) Large amounts of chemicals. (submit only small samples)
- g) Razor blades.
- h) Syringes or the contents from syringes (contents may be submitted to the Toxicology Section)
- i) Any other biohazards determined to be hazardous by lab personnel.
- j) Jet water pipes.

Additional instructions:

- k) Do not overfill the outer plastic bag. Use additional outer plastic bags if necessary. The Crime Lab must be able to reseal the outer bag after completion of the scientific tests.
- l) Evidence should be separated for individual cases prior to entering the lab and date/time of seizure. For example, each undercover "buy" should be submitted as a separate case. The items seized from search warrants should be separated from previous "buy" cases. Seizures at the same location from a specific individual suspect should be packaged separate from other suspects' evidence.
- m) If submitting 10 or more drug cases, the Crime Lab Multiple Drug case Entry Log must be prepared prior to entering the lab. (Only one county per form) The name on the form must agree with that on the outer bag. If possible, have the sequential numbers from the entry log form marked on the plastic bags of evidence corresponding to that number on the Crime Lab form.
- n) Label if evidence was obtained from any area of possible contamination such as toilets, mouth, etc.
- o) Write, "Attention D.I." on all outer packages that are mailed to the crime Lab.

### 6. Large Items and Articles

Security for any facility outside the Police building that is used for storage of property and evidence shall be the same as the security required of the Property and Evidence Section facilities. All vehicles, riding

lawn mowers, motorcycles or similar items shall be stored at impound lots predetermined by the County. It shall not be necessary to involve the Property and Evidence Section with non-evidence items placed at impound lots.

#### 7. Perishable Items

All property and evidence that is perishable in nature shall be photographed by the officer having custody of the perishable item and then destroyed or returned to the owner. The Property and Evidence Unit is not set up to handle perishable items. Any evidence that requires immediate refrigeration prior to being transported to the State Crime Lab shall be turned over to the Crime Scene Investigation Unit of C.I.D. for storage in a secured refrigerator.

**No food or other perishable items will be placed in the Property Room without a property custodian first properly sealing said items. Officers are also reminded that open containers of alcohol (such as open beer cans in a DUI case) are not to be placed in the Property Room. If those items are an integral part of the case, photos are to be taken of said evidence and the containers and their contents disposed of properly. Photos of this evidence are then to be placed in the Property Room, as any other piece of evidentiary property would be. (This includes foods.) Unless a container of alcoholic beverage was used in a crime (such as a weapon or instrument in a crime, such as aggravated assault, etc.), alcohol is not to be placed in the Property Room. Personnel are to take a photograph of said evidence for submission to the Property Room.**

#### H. DISPOSITION OF PROPERTY AND EVIDENCE

Property and evidence that is not maintained and kept within the Property and Evidence Unit or relinquished to the courts or owner shall either be destroyed or sold.

To prevent an overload of property and evidence storage space, each officer who is responsible for placing property that is marked evidence in the Property and Evidence Unit, shall periodically receive a copy of the Property and Evidence Sheet for disposition. The Property and Evidence Unit Commander shall periodically receive a listing from the courts indicating the final disposition of criminal cases. This list shall be checked against the Property and Evidence Sheets marked "evidence" and the officer shall be sent a copy of the Property and Evidence Sheet for final disposition.

If the Property and Evidence Sheet is marked "found" or "safekeeping" and the officer additionally marks the "can be released" box, the Property Custodian shall either destroy or sell the property, after ninety days, without advising the officer.

For evidence or property marked "must be approved for release", the Property Custodian shall periodically forward a copy of the Property and Evidence Sheet to the officer for final disposition. The officer shall decide whether the property should be (1) kept and maintained in the Property and Evidence Unit, (2) destroyed, or (3) sold. Once the officer has made a decision as to the disposition of that property, they should indicate so on the Property and Evidence Sheet and return it to the Property and Evidence Unit. This decision must be based on the disposition of the corresponding case. **It is the officers' ultimate responsibility to dispose of all property and evidence they submit to the Property and Evidence Unit. Officers are not to mark, "Hold" on disposition sheets where a disposition has been rendered in that case. It is the officers' responsibility to look up the case on departmental computers or contact the Courts to ascertain disposition and then dispose of said property/evidence accordingly. Care must be taken in cases of multiple defendants that a final judgment is entered on each individual defendant and that each and every defendant has exhausted all appeal processes prior to the destruction of evidence in any case.**

#### 1. Destruction of Property and Evidence

Whenever an officer designates "Destroy" or "Sale" as the disposition of evidence on the Property and Evidence Sheet, the Property and Evidence Unit Commander will request written confirmation from the prosecuting attorney's office that prosecuted the case and represented the State at trial(s) and appeal(s) that the evidence will no longer be needed for evidentiary reasons. Upon receipt of written confirmation, the Property Custodians shall determine if the property can be sold. If the property can be sold, then it shall be placed in the "Ole Hoss Sale". If the property cannot be sold, then it shall be destroyed.

- a. Weapons – All weapons, upon receipt of confirmation from the prosecuting attorney's office, shall be destroyed. The Property and Evidence Unit Commander will forward a copy of the property sheet listing the exact weapon to be destroyed to the Director of Police Services. After review, the Director of Police Services, acting in his designated capacity of Deputy Sheriff of DeKalb County, will order a final disposition of the weapon. Weapons to be destroyed will be transported to a local steel company where the weapon(s) will be destroyed in the presence of at least two Property Custodians. In certain situations, weapons designated to be destroyed may be used for law enforcement purposes in

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accordance with O.C.G.A. 17-5-52. This exception shall only be exercised after approval from the Director of Police Services.

- b. Dangerous Drugs and Narcotics - All dangerous drugs and narcotics that are not marked "hold" shall be transported to the county incinerator and destroyed in the presence of at least two Property Custodians.
- c. Alcohol - All alcoholic beverages that are not marked "hold" shall be transported to the County incinerator and destroyed in the presence of at least two Property Custodians. (See G7 in this policy for further)

### 2. Sale of Property

Whenever an officer marks the "sale" section or marks the "destroy" section of the Property and Evidence Sheet and that property can be sold, it shall be placed in the County's "Ole Hoss Sale". All Property and Evidence Sheets 90 days or older must be sent out within six weeks of the previous sale and returned at least four weeks before the next sale.

Even though the DeKalb Code states that property must be held for a minimum of 60 days, it shall be the policy of this department to hold all property a minimum of 90 days.

- a) DeKalb County Code sets out the provisions for the DeKalb County Police Department to sell, at public outcry, to the highest bidder for cash any and all property designated to be sold. The property to be sold must have remained, unclaimed, in the Property and Evidence Unit for a minimum of 90 days, and an effort must have been made to ascertain the true owner. Four weeks prior to the next "Ole Hoss Sale", all property cleared for sale shall be collected, boxed, listed and then placed in the Property and Evidence Unit basement until sale date. Boxes of items are then numbered in order of sale on the sale listing.

#### b) Date of Sale

The DeKalb County Code provides for the "Ole Hoss Sale" to occur when the Property and Evidence Commander determines it appropriate. Property (bicycles) shall be placed in the sales area at the rear of the Police Building one hour prior to designated sale time of the sale day for viewing by prospective bidders. At sale time, the sale starts by auction, beginning with item one and continuing until all items have been made available for sale.

- 1) The auctioneer shall auction item(s) until final bid is made.
- 2) When the final bid is made and received for an item, the auctioneer and the cashier shall write down the bid price on their respective sales listings.
- 3) Bidder comes to the cashier's table and pays for the item (cash only). Receipts should be issued in numerical order. Only after cash has been taken by the cashier does the auctioneer continue with the next item on the sales list.
- 4) A pre-numbered cash receipt ticket will be issued for each item sold at auction. The receipt shall reflect the lot number of the item in the auction, along with the amount the item sold for. These receipts shall be reconciled to the cash received from the auctioneer.
- 5) When all property on the sales list has been sold, the auctioneer and cashier take the cash received and the sales list to the Property and Evidence Unit for reconciliation.
- 6) The auctioneer shall total the sales amount on the sales list.
- 7) The cashier should total cash received and receipts issued.
- 8) When the sales list total matches total cash and receipts, the cash is turned over to the Property and Evidence Unit Commander.
- 9) The Property and Evidence Unit Commander then distributes pay to the auction personnel from the sale proceeds.
- 10) The remainder of the cash received is placed in the Property and Evidence Unit safe along with the reconciled sales list and receipts. The Property and Evidence Unit Commander then prepares a letter to the Chief of Police and the Director of Finance stating the amount of gross revenue received from the sale and reflecting the amount paid to the auction personnel for their labor. A daily report is prepared and hand carried to the Revenue Collections Division for deposit of cash and validation. Copy of the daily report is then filed in the Property and Evidence Unit by date.
- 11) Additional procedures regarding the "Ole Hoss" sale may be found in Section 2-131 of the DeKalb County Code.

### 3. Release of Property

In order for property to be released person(s) must have valid state approved photo identification.

For all guns proof of ownership is required to obtain a gun.

## I. INSPECTIONS

An inspection of adherence to procedures used for the control of property will be made at least once each month by the Special Operations Commander. This inspection will be conducted to:

1. Determine that the Property Section is being maintained in a clean and orderly fashion.
  2. That provisions of departmental orders or other directives concerning the property management function are being followed.
  3. That property and evidence is being protected from damage or deterioration.
  4. That proper accountability procedures are being maintained.
  5. That property having no further evidentiary value is being disposed of promptly.
- Unannounced inspections, inventories, and/or audits of the Property and Evidence Unit shall be conducted annually by a supervisor not routinely or directly connected with the property and evidence function. These unannounced inspections may also indirectly involve the Fiscal Management Section.
1. Property and evidence accountability and security procedures should receive primary attention during spot inspections.
  2. A random comparison of records on file and the actual property and evidence should consume most of the time allotted to the spot inspection.
  3. These inspections are in addition to and in support of other regularly scheduled inspections.

**J. INVENTORIES**

A spot inventory of the Property and Evidence Unit shall be conducted at least monthly by the Property and Evidence Unit Commander and will include items reflected in the Property and Evidence file. A separate spot inventory is also conducted at least monthly by the Special Operations Commander. During this inventory, the Property and Evidence Unit Commander will:

- Verify that property and evidence in the Property and Evidence Unit corresponds with that shown in the Property and Evidence file.
- Determine that entries in the Property and Evidence file are correct and indicate that the proper chain of custody has been maintained.
- Ensure that individual Property and Evidence files are properly annotated to reflect the correct location of items of property and evidence in the Property and Evidence Unit.

To ensure the integrity of the property management function, an annual inventory of the Property and Evidence Unit shall be conducted by the Inspections Unit.

**K. JOINT INVENTORIES**

At times, personnel changes may be made in the Property and Evidence Unit and if this occurs, the following procedures shall be adhered to:

A joint physical inventory of property and evidence in the Property and Evidence Section shall be conducted by the incoming and outgoing Property Custodians whenever a permanent change is made of Property Custodians. At this time, records pertaining to property and evidence will be carefully examined to ensure that proper documentation and recording is being accomplished. Any and all discrepancies concerning evidence accountability in the Property and Evidence Unit will be resolved at this time by the person relinquishing custody of the evidence, prior to the transfer of accountability to the incoming Property Custodian.

**L. RECORDING INSPECTIONS AND INVENTORIES**

Each inspection and inventory shall be documented. An "Inspection and Inventory" file will be maintained in the Property and Evidence Unit by the Property and Evidence Unit Commander. This file will contain copies of all inspection and inventory documents. The file may be maintained indefinitely; however, it will be screened periodically and any document over five years old may be destroyed.

**M. RESPONSIBILITY OF ALL PERSONNEL SUBMITTING ITEMS TO THE PROPERTY ROOM**

All officers who submit items to be held in the Property and Evidence Room have the absolute responsibility as to the disposition of such items. When officers and detectives receive disposition forms from Property Room personnel, it is that officer's responsibility to contact the appropriate court of jurisdiction, and verify the status of that case. If the case has been disposed of, the officer must mark the sheet, "Sale", "Destroy", "County Use", or "Revenue Collection". That officer is not to mark it, "Hold" unless that case is still active.

It is not the responsibility of property room personnel to determine case status. Officers failing to comply with this policy will be subject to disciplinary action. For further clarification, refer to "A" Disposition of Property and Evidence on previous pages in this section. If an officer is unclear how to determine case status, they are to ask a supervisor, detective, or property room personnel for instructions on how to do so.

In order to provide standardized procedures for the receiving, processing, safeguarding, and disposing of appropriate property or other items of physical evidence acquired by members of the DeKalb County Police Department in the

performance of their assigned duties, it shall be the policy of this department through the Property and Evidence Unit, to receive, process, store, safeguard and dispose of all appropriate property seized or found.

**SECTIONS 4-16.18 THROUGH 4-16.30 (TRAINING) – MOVED TO CHAPTER 4-17**

**4-16.31 CENTRAL RECORDS SECTION - PURPOSE AND RESPONSIBILITY**

The Central Records Section is responsible for, and the custodian of, all Departmental police, fire and other public safety Incident and Supplemental Reports; all Accident and EMS Run Reports, and criminal history records. The policy and procedures outlined herein address those record functions that are basic to meeting the management, information and operational needs of the Department.

**4-16.32 COMMAND, ADMINISTRATION AND PERSONNEL ASSIGNMENT**

**A) CENTRAL RECORDS SECTION COMMANDER**

The Central Records Section Commander is responsible for the overall operation of the Central Records Section and has the final sectional authority in matters of operation, policy, and discipline and shall exercise such lawful directives as are necessary to assure the effective performance of the Section. Section Commander shall have the authority to assign or transfer Sectional Personnel, as deemed necessary and beneficial to the Section.

**B) SECTION SUPERVISORS**

Section Supervisors are responsible for assignment, direction and control of personnel under their command to assure the proper performance of duties and adherence to established rules, regulations, policies, and procedures, and the continuation of supervision in their absence. Section Supervisors are responsible to continuously seek and develop new and innovative methods to improve their operation and further the attainment of division objectives. The Section Supervisors shall be responsible for assigning personnel in such a manner that adequate personnel and supervision are provided at all times.

**C) TRAINING SPECIALIST**

The Central Records Section Training Specialist is responsible for developing, designing, planning, organizing and presenting all Central Records Training programs to the Central Record Room Staff. The Specialist may also be responsible for assignment, direction and control of personnel under their command to assure the proper performance of duties and adherence to establish rules, regulations, policies, and procedures, and the continuation of supervision in their absence. May also be responsible to continuously seek and develop new and innovative methods to improve their operation and further the attainment of division objectives and shall be responsible for assigning personnel in such a manner that adequate personnel and supervision are provided at all times.

**D) CENTRAL RECORDS SECTION PROMOTIONAL POLICY**

All civilian employees within the Department may be eligible for promotion within their area of expertise. Promotions are classified as either non-competitive or competitive.

- **Competitive Promotions:**  
Competitive promotions are divided into three major categories.
  1. **Intra Departmental Promotions**  
Intra departmental promotions will be competitive. However, candidates will be restricted to those from a specific county department. Candidates must have permanent status and meet the minimum requirements for the position.
  2. **Open Promotions**  
Open promotions will be competitive. However, candidates will be restricted to those employees currently employed by DeKalb County Departments, which falls under the authority of the Merit System. Candidates must have permanent status and meet the minimum requirements for the position.
  3. **Open Competitive**  
Open Competitive promotions will be competitive and candidates may be from within the county. Candidates will meet the minimum requirements for the position.
- **Non-Competitive Promotions**  
Non-Competitive promotions will be limited to those classifications designated as interchangeable by the Merit System in the classification plan. Candidates for non-competitive promotions will meet the minimum requirements of the class, established by the Merit System.

**Class Code: 3310 Central Records Clerk**

This classification is a rank in which an individual will normally start once employment is attained with the Department. An individual hired as a Central Records Clerk will meet the minimum requirements before being considered for promotion to Senior Central Records Clerk. The Central Records Clerk classification is designated as an interchangeable classification. Probationary period for Central Records Clerk is six months.

**Minimum Requirements:**

High school diploma or GED, two years of relevant work experience in customer service, record management, data entry, clerical, or a related field. Must be certified as a GCIC Basic Terminal Operator. May be required to be certified by the State of Georgia as an Identification Technician. Must possess and maintain a valid driver's license.

**Class Code: 3320 Senior Central Records Clerk**

This classification serves as a lead worker in the Central Records Section while performing various functions to include data processing, filing, copying, disseminating and classifying various documents, forms, fingerprints, criminal histories to local, state, federal agencies, public and private employers, and the general public. The Senior Central Records Clerk is designated as an interchangeable classification. Promotions for this class are competitive and non-competitive. Probationary period for Senior Central Records Clerk is six months.

**Minimum Requirements:**

High School diploma, or GED, three years of relevant work experience in customer service, fingerprint identification, data entry, record management, clerical, or a related field, or two years as a Central Records Clerk with DeKalb County. Must be certified as a GCIC Full Terminal Operator. May be required to be certified by the State of Georgia as an Identification Technician. Must possess and maintain a valid driver's license.

**Promotional criteria for Senior Central Records Clerk**

Once a Central Records Clerk has completed the six months probationary period and served an additional two years as a Central Records Clerk with Dekalb County, and received an overall rating of "meets standards" or better on the two preceding annual evaluations, and demonstrates ability to perform duties in at least two of the four areas in the Central Records Section, the Central Records Clerk will be eligible to apply for the position of Senior Central Records Clerk, provided that they have received no disciplinary action for the preceding two years. The clerk will complete the appropriate departmental application for promotion to Senior Central Records Clerk and forward this form through the chain of command to the Chief of Police. Any supervisor within the chain of command may deny the clerk the right to be promoted; however, the Chief of Police will make the final recommendation. A Central Records Clerk will obtain Senior Central Records Clerk status at the beginning of the next pay period after the approval has been received by the Personnel Service Section. Probationary period for the Senior Central Records Clerk is six months.

**APPLICATION TO BE SUBMITTED**

**Dekalb County Police Department**

**Central Records Section Application Promotional Consideration For**

**Senior Central Records Clerk**

Name: \_\_\_\_\_

— Last First Middle

Address: \_\_\_\_\_

— Number & Street City State Zip

Social Security #: \_\_\_\_\_ DOB: \_\_\_\_\_ GA Driver's License # \_\_\_\_\_

Home Phone #: \_\_\_\_\_ Work: \_\_\_\_\_  
(Area Code) Number (Area Code) Number

## SPECIAL SERVICES DIVISION

Date employed by county: \_\_\_\_\_ Present Classification: \_\_\_\_\_

### Qualifications and Considerations

Date of employment as a Central Records Clerk \_\_\_\_\_

Overall annual performance rating and date of last two (2) evaluations: (Attach copies of both evaluations to this form.

Rating	Date	Rating	Date
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Are you presently under any form of disciplinary actions? \_\_\_\_\_

Are you presently under investigation for any conduct, which may result in disciplinary action? \_\_\_\_\_

If the answer to "3" or "4" above is yes, explain on additional paper and attach.

Applicant's Signature	Date
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NOTE: This form must be completed in its entirety and forwarded through the chain-of command- to the Chief of Police for review.

### Class Code: 3542 Training Specialist

This classification is to develop, design, plan, organize and present Training Programs, train and supervise assigned staff. The Training Specialist classification is designated as a competitive promotion. Probationary period for the Training Specialist is six months.

### Minimum Requirements:

High School diploma, or GED with two years of additional college level courses of public administration, or related field, three years of relevant work experience in computer aided communication systems, training, office management, or a related field. In addition, must possess one year of supervisory experience. Must become certified as a GCIC Full Terminal Operator and/or Terminal Agency Coordinator within 6 months of employment. Must possess and maintain a valid driver's license. May be required to become certified by the State of Georgia as an Identification Technician after one year of employment.

### Class Code: 3330 Central Records Supervisor

This classification supervises the operations and activities of the Central Records Section on assigned shifts to ensure that there are adequate, competent, trained and knowledgeable personnel available to maintain the functions of records management, customer service, fingerprint identification, funds management, and data processing. The Central Records Supervisor classification is designated as a competitive promotion. Probationary period for the Central Records Supervisor is six months.

### Minimum Requirements:

Associate's degree in business or public administration, management accounting or related field; three years of relevant work experience in management, customer service, record management, data processing, accounting or a related field. In addition, must possess one year of supervisory experience performing office management type duties, must be capable to become certified as GCIC Full Terminal Operator within six months of employment. Must possess and maintain a valid driver's license. May be required to become certified by State of Georgia as an Identification Technician after one year of employment.

### Class Code: 3295 Central Records Manager

This classification is to develop, plan, organize, and direct record management policies and procedures. Manage the daily operation of Central Records Section, maintain all official departmental records and documents, directs

through subordinate supervisors, functions including: training, customer service, funds management, data processing, background checks, fingerprint identification, and NCIC/GCIC computerized data processing. Probationary period for the Central Records Manager is six months.

**Minimum Requirements:**

Bachelor's degree in criminal justice, business or public administration, or related field; nine years of work experience in criminal records management, public administration, customer service, or a related field including three years of managerial experience in a criminal justice environment. Must be certified as a GCIC Terminal Agency Coordinator within six months of employment. Must possess and maintain a valid driver's license and a Notary Public certification may be required.

**4-16.33 CENTRAL RECORDS SECTION – ADMINISTRATION AND OPERATIONS**

**When mention is made of the “Act,” it shall refer to the Georgia Crime Information Center Council Rules and Regulations; published by the Governor’s Office.**

**A. Security and Privacy of Criminal Justice Information**

Documents containing criminal justice information, regardless of its source, shall not be altered, obtained, copied, destroyed, delayed, misplaced, given, bought or sold when the intent of such action is to obstruct justice, facilitate the violation of any law or these rules, or illegally invade the privacy of any person, agency, corporation or other legal entity.

**B. Physical Security Standards**

Criminal Records, are in a secure area, out of public view, in which criminal justice information is handled.

The Criminal Justice Information System (CJIS) network terminals are placed in secure areas as defined in Rule 140-2-02(1) of the Act.

CJIS will institute reasonable procedures to protect any central depository of criminal history record information from unauthorized access theft, sabotage, fire, wind, flood, and power failure, or other natural or man-made disasters.

CJIS will provide computer systems connected to the CJIS network and any other computer systems which provide restricted criminal justice information with:

- Heavy duty non-exposed walls, fire, smoke detectors, emergency power systems, and manually-guarded access.
- An off-site fire resistant vault or safe for storage of auxiliary programming software and duplicate files.

**C. Personnel Security Standards**

All agency employees or unsupervised non-criminal justice contract workers who handle, access, process, disseminate or destroy criminal justice information will consent to investigations of their moral character, reputation and honesty. All applicants shall submit to fingerprint identification checks. Investigations should produce sufficient information to determine applicants' suitability and fitness for employment. The Background and Recruiting Unit Section Commander will be responsible for reviewing criminal history information and approving FBI CJIS system access.

The Background and Recruiting Unit shall have the right to disqualify applicants for employment who have been convicted by any state or the federal government of any felony, have been convicted of sufficient misdemeanors to establish a pattern of disregard for the law, or who give any false applicant information.

All personnel directly associated with the maintenance, processing or dissemination of criminal history record information shall be specially trained. The training shall provide employees with a working knowledge of federal and state regulations and laws governing the security and processing of criminal justice information. Supervisory personnel are responsible for insuring that their personnel receive such training.

Central Records Section shall have the power to establish security constraints for all personnel who work in secure areas where criminal justice information is stored, collected or disseminated.

The Central Records Section will monitor the selection, utilization, and retention of non-criminal justice personnel who has authorized direct access to criminal justice information in support of criminal justice operations.

All agency employees or any unsupervised non-criminal justice contract employees who handle, access, process, disseminate or destroy criminal justice information will sign an Awareness Statement form that will be filed permanently in their personnel records.

**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 by GCIC Council Rules. Criminal Justice Information cannot be accessed or disseminated by any employee except as directed by superiors and 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 insure 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. 16-9-9-0 et seq.) was enacted to provide statutory protection for public sector and private sector computer systems, including communications links to such computer systems. The Act establishes major felony penalties for four criminal offenses: Computer Theft, Computer Trespass, Computer Invasion of Privacy, and Computer Forgery. The Act defines each of the felonies in broad terms. The criminal penalties for each offense includes maximum sentences of confinement for 15 years, fine up to \$50,000.00, and civil penalties. The Act also establishes Computer Password Disclosure as a criminal offense with penalties of confinement for not more than one year and a fine up to \$5000.00, or both.

These above-cited statutes have broad application in Georgia, to private citizens, to public officials, and to employees of governmental agencies. The Georgia Criminal Justice Information System Network, operated by the Georgia Crime Information Center in compliance with O.C.G.A. 35-3-31, and all of the data bases accessible via Network terminals, are protected by the Computer Systems Protection Act.

**D. Training**

The agency head will provide agency employees associated with the maintenance, handling, processing or dissemination of Criminal Justice Information with effective training on the state and federal laws and Rules governing the security and integrity of such information in accordance with GCIC Council Rule 140-2-.16, to include:

1. The use of the Georgia CJIS network and the Georgia Law Enforcement Data System, including CJIS network terminal operations.
2. The use of the National Crime Information Center.
3. The use of the National Law Enforcement Telecommunications System.
4. The dissemination and use of Criminal Justice Information.
5. State and National UCR programs.
6. Fingerprinting of arrested persons and the initiation of OBTS forms.
7. The preparation and submission of reports of final dispositions of charges.

Computer center managers, managers of governmental dispatch centers, and managers of governmental regional dispatch centers shall ensure that employees who support criminal justice operations are trained to perform job-specific tasks relating to the functions described in Paragraph (1) above.

The head of each CJIS network terminal agency shall appoint a Terminal Agency Coordinator (TAC) to serve as the agency point of contact on record validations, hit confirmations, training, and all other NCIC/CJIS network related matters. GCIC shall provide job-specific training for TACs and any assistant TACs who may be appointed.

TACs shall be subject to certification testing within 60 days of their appointments.

TACs shall be responsible, within their agencies, for the administration of terminal operator training and certification testing programs developed by GCIC.

Terminal operators shall be subject to certification testing within six months of their employment or assignments to terminal operator duties and subject to recertification testing every two years thereafter for the duration of their employment as terminal operators. Employees who use CJIS network terminals occasionally, other than dispatchers and radio operators, are not required to participate in the certification/ recertification testing programs, however, on-the job training by TACs must be provided to ensure occasional users are competent to execute all terminal functions they are authorized to perform.

During December each year, TACs will report to GCIC the certification/recertification status of all terminal operators employed by their agencies. Terminal operators assigned additional duties as TACs shall be trained, tested, and certified as both terminal operators and TACs.

The appointment of a TAC, the immediate appointment of a new TAC when required to fill a TAC vacancy, the training, testing, and certification of the TAC, and the training, testing, certification, and re-certification of terminal operators are mandatory for terminal agency status on the Georgia CJIS network.

#### E. Sanctions

Criminal justice agencies, governmental dispatch centers, and governmental regional dispatch centers are subject to GCIC administrative sanctions for violation of the laws governing the operation of the CJIS network, of these rules, or of the CJIS network policies published by GCIC pursuant to O.C.G.A. 35-3-33(13). Administrative sanctions for terminal agencies may include, but are not limited to:

- purging of wanted/missing person and stolen property records entered in GCIC/NCIC computerized files by the agencies, restriction the CJIS network access of the agencies' terminals, and suspension/revocation of the agencies' terminal access to the CJIS network.

**Administrative sanctions may be imposed on individual violators.**

#### 4-16.34 CENTRAL RECORDS-PUBLIC

The Central Records Section will control the timely receipt of reports from the Department's components and account for all case numbers issued. The Section is responsible for reviewing the report for correctness and its compliance with Uniform Crime Reporting (UCR) guidelines. The Section will maintain the reports in a case number order file with no separation among categories. All reports and traffic tickets will be entered daily into a computerized index file known as IRIS (Incident Record Index System). The IRIS file will provide for the retrieval of the information via video display terminal by victim/witness/suspect/arrestee name or incident location. VISA – clerks enter tag and VIN information from impound, stolen and foreign recoveries. Recovery information is updated at time of recovery. CITS - clerks enter citation number, charge, appropriate court, and badge number from citation. A companion file, known as CATX (Case Assignment Tracking System) will provide users with information by crime class, M.O., clearance information and detective case assignment.

#### A. DISTRIBUTION OF REPORTS

Copies of accident and incident reports will be distributed daily to other department components and other agencies by the Central Records Section. The distribution will be as follows:

- INCIDENT AND SUPPLEMENTAL REPORTS (original copies)
- "RECORD COPY"- will be retained in the Central Records Section.
- "COURT COPY"- will be forwarded to the proper court when a person is arrested and charged with the crime. A copy of all felony arrests will be sent to Magistrate Court.
- "C.I.D. COPY"- will be forwarded to the Criminal Investigation Division.

- JUVENILE REPORT (original copies)

All copies of the original arrest report on any juvenile will be stamped "JUVENILE ARREST." The "Records Copy" will be retained in the Central Records Section; all others will be forwarded to the Youth/Sex Crime Unit.

- ACCIDENT REPORTS (photocopies)

Accident Reports – copies will be forwarded to the Georgia State Patrol, DeKalb County Traffic Engineering Department and the Police Department's Traffic Specialists Unit.

Official Code of Georgia Section 50-1B-72 (a) (4.1) states that Georgia Uniform Motor Vehicle Accident Reports shall not be available in bulk for inspections or copying by any person absent a written statement showing the need for each report pursuant to the requirements of the Codes section. For the purpose of this subsection, the term "need" means that the natural person or legal entity who is requesting in person or by representative to inspect or copy the Georgia Uniform Motor Vehicle Accident Reports:

Has personal, professional, or business connection with a party to the accident (Specify) Owns or leases an interest in property allegedly or actually damaged in the accident Was allegedly or actually injured by the accident Was a witness to the accident Is the actual or alleged insurer of a party to the accident or of property actually or allegedly damaged by the accident Is prosecutor or a publicly employed law enforcement officer Is alleged to be liable to another party as a result of the accident Is an attorney stating that he or she needs the requested reports as part of a criminal case, or an investigation of a potential claim involving contentions that a roadway, railroad crossing, or intersection is unsafe Is gathering information as a representative of a news media or organization (Specify Is

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conducting research in the public interest for such purposes as accident prevention, prevention of injuries or damages in accident, determination of fault in an accident or accidents, or other similar purposes; provided, however, this subparagraph will apply only to accident reports on accidents that occurred more than 30 days prior to the request and which shall have the name, street address, telephone number and drivers license number redacted.

### **B. RELEASING REPORTS TO THE GENERAL PUBLIC**

Incident and accident reports may be sold to insurance companies, victims, and other persons with a legitimate interest in the report at a cost set by local ordinance.

(See Chapter 4-1.42 Section A & B, Release of Public Information)

### **C. REPORT WRITING**

It is the policy of the DeKalb County Police Department to document reported and suspected crimes and criminal activity occurring within its jurisdiction. Additionally, certain non-criminal events, situations, and circumstances will also be documented.

Employees will conduct a thorough, comprehensive, and complete preliminary investigation. Employees will complete any and all additional paperwork required.

It is Department policy that a supervisor reviews all Accident Reports, Citations, Arrest, Incident and other miscellaneous reports. Supervisors will review, approve and route/upload the paperwork to the appropriate division, court or agency. The Supervisor shall check all documents for completeness, accuracy, neatness, spelling and grammar. The supervisor may make spelling and grammar corrections while reviewing these reports in the essence of time but will refrain from any changes to content or facts from the incident; this will be the submitting officer's responsibility. The Supervisor will ensure that all related documents are complete and included.

In the event that a report is submitted that is incomplete, incorrect, or requires additional documentation the report will be returned to the officer to be corrected. That correction will take place in a timely manner. The report will then be forwarded back to the supervisor for approval and submission.

### **D. STATUS OF REPORTS**

The original of all reports will be submitted to the Central Records Section no later than 8 hours after the end of the watch on which the report is made. In the event a report is retained at the component level past this deadline, the superior officer approving the report will notify the shift supervisor of the Central Records Section regarding the delay and the reasons for it. The supervisor of the Central Records Section will be responsible for insuring that all reports are received by this deadline.

Supplemental reports on criminal incidents where an arrest has been made are submitted to Central Records, no later than thirty days after the arrest is made by the officer/detective assigned to the case. If a defendant is in jail without bond or cannot make bond, the supplemental report shall be submitted no later than 10 days. (see section 4-15.6D)

### **E. REPORT REVIEW**

It is the responsibility of the officer's supervisor to check all paper work submitted. Any report, which is found incorrect or incomplete by Central Records Section personnel, will be photocopied. The photocopy, together with an explanation of what was found to be wrong with the report, will be forwarded to the supervisor who approved the report or the unit commander of the officer who wrote the report. The supervisor or unit commander will then be responsible for insuring that the report is rewritten correctly and resubmitted to the Central Records Section within 48 hours from the time it is received.

Whenever there is a discrepancy with a case number, it is the responsibility of the Central Records Supervisor to consolidate the report. This includes the deletion, modification, updating computerized files, assigning new case numbers and the correction of any other related documents. Consolidation of records shall be done daily to insure that accurate information is available on the computer systems and to facilitate the retrieval of the report. Central Records Supervisor shall verify critical items as deemed necessary by the Section, Georgia Law, GCIC Council Rules and Federal Rules and Regulation.

### **F. REPORT CONTROL AUDIT**

Internal Affairs will conduct an annual audit of the field reporting system and reporting directives to detect the need for changes or improvement to the system.

### **G. PRIVACY AND SECURITY CONTROL**

Reports in the Central Records Section will be retrieved and disseminated only by employees of the Section. All criminal history records disseminated will be logged, OCGA 35-3-33 and 35-3-35. The Central Records Section is a restricted facility, and access to the Section is restricted to only those assigned to that Section.

### **H. RECORD RETENTION SCHEDULE**

The Georgia Records Act (O.C.G.A. 185 50-18-90) requires the retention of police/fire/EMS reports for a period of fifty years. The Department, however, will maintain a higher standard of record retention as follows:

## CALL RECORDS

These records are generated by the dispatch computer in the Communications Division and include information entered by the telephone operator, the radio dispatcher, and the responding officer. Information on a call record includes: when the call was received, time dispatched, unit(s) dispatched, incident location, complainant's name and phone number, type of incident, incident disposition and related comments. A call record is generated for each citizen report of a crime, complaint or request for service. A call record is also generated when an officer initiates an arrest or other activity, whether criminal or non-criminal as a result of his patrol activity. Printouts of call records will be maintained, in hard copy, for a period of ninety (90) days. Thereafter, they will be converted to microfiche and maintained in that form indefinitely.

## INCIDENT REPORTS/SUPPLEMENTAL REPORTS/ACCIDENT REPORTS

Incident/Supplemental/Accident Reports generated by police or fire personnel will be scanned onto the Image System and maintained by the Central Records Section in their original form for a period of one (1) year. Thereafter, the documents are microfilmed on two rolls, and one roll is stored in the Central Records Section indefinitely. The second roll of file is stored at the DeKalb County Central Archive Department indefinitely.

## EMERGENCY MEDICAL SERVICE

"Ambulance Trip Reports"(Run Reports) will be maintained by the Central Records Section in their original form for a period of one (1) year. Thereafter, they will be boxed and stored at the DeKalb County Central Archive for five (5) years.

### H. HANDLING OF FUNDS BY CENTRAL RECORDS SECTION PERSONNEL

Employees of the Central Records Section are permitted to receive monies for the sale of Police Department incident and accident reports to citizens, insurance carriers, and criminal background checks.

Central Records Section employees receiving funds from the public will log the money in the cash register which automatically programs their I.D. number, the case number, and the amount of money received on the customer's receipt. The customer will be given a printed cash register receipt for the transaction. Checks will be handled in the same manner except the checks are validated or stamped with the Police deposit stamp.

The Section Supervisor and/or assignee will be held accountable for removing all monies from the cash register.

The funds will then be balanced against the cash register tapes, entered into the cash register book and safeguarded until they are deposited at Revenue Collections daily. The Supervisor is responsible for verifying the funds collected for the shift and sign the revenue report.

The County auditor, in addition to periodic inspections made by the Section Commander and/or Internal Affairs, Inspections Unit, may conduct audits of Section funds.

### I. ACCESSIBILITY OF RECORD INFORMATION

The Central Records Section will remain open to the public for the purchase of reports, Monday through Friday from 9:00 a.m. until 5:00 p.m. Criminal history background check, Monday through Friday at 9:00 to 4:00 p.m.

Additionally, the Section will be available to police personnel 24 hours, 7 days a week. The Central Records Section will operate in 3 shifts; Day Watch (7:30 a.m. until 4:00 p.m.), Evening Watch (3:30 p.m. until 12:00p.m.), and Morning Watch (12:00 a.m. until 8:30 a.m.). The Section will be normally closed on weekends; however, personnel will handle requests from departmental personnel. Documents are scanned and sorted in five categories:

1. Accident with citations – vehicle crash data
2. GCIC/NCIC – reports containing stolen serial-numbered property and missing/wanted persons
3. Arrest
4. Incidents
5. Supplemental

The case number appearing on the report is verified against the CAD System for accuracy. After Verification the documents are prepped, scanned, and indexed for retrieval purposes (Records Section and Traffic Specialist Unit only).

In addition, index and record information will be available to all authorized personnel via computer terminals in the following locations:

DeKalb Police Headquarters  
 Detective Division  
 Uniform Division  
 Fire Services Bureau  
 Central Records Section

## SPECIAL SERVICES DIVISION

Financial Services Unit  
Communications Division  
Chief's Office  
Intelligence Unit  
Narcotics Unit  
Homeland Security Office

### Police Precincts

Center Precinct (Uniform & Detectives)  
North Precinct (Uniform & Detectives)  
South Precinct (Uniform & Detectives)  
East Precinct (Uniform & Detectives)  
Tucker Precinct (Uniform & Detectives)

### J. JUVENILE RECORDS

Arrest reports on juveniles will be titled "Juvenile Arrest" and will also be so marked with a rubber stamp on the face of each copy of the original report. To facilitate the identification of these reports in the computerized name index, juvenile arrest reports will be entered into this index with the notation "J" typed in the subject type. Other persons making inquire about or requesting copies of these reports will be referred to the DeKalb County Juvenile Court or the Youth Unit.

### K. UCR CRIME DATA

Central Records Section personnel will enter all incident reports daily into a computerized data file for the purpose of indexing the file and compiling UCR report data. Monthly reports (Supplementary Homicide Report, Arson Report, Law Enforcement Officers Killed/Assaulted, and Domestic Violence) and computerized data provide information for the annual Summary Report and Crime in the United States. These reports provide state, national criminal justice officials, and citizens generally with data for assessing crime rates and crime trends. These forms, as well as the computer tape of the month's activity, will be submitted to the Georgia Crime Information Center. Each law enforcement agency is required by O.C.G.A. 35-3-36 to participate in Georgia's Uniform Crime Reporting program, O.C. G. A. 35-3-33 requires GCIC to manage the UCR program in Georgia and to participate in the national UCR Program.

### L. POLICE REPORT PROCEDURES & GUIDELINES

In accordance with its legal responsibility, the Georgia Crime Information Center has implemented a mandatory statewide Uniform Crime Reporting System. The State UCR program offers a more efficient system than the system presently in use by the FBI. Data collected will be processed immediately and with greater accuracy. The information will be used on the state and local levels for planning, funding proposals, and gaining a clearer focus on criminal activity in each jurisdiction.

Accurate reporting is essential to all law enforcement agencies. The UCR program strengthens this reporting system and increases its effectiveness through the complementary usage of a Records Management System. Uniform completion of these reporting forms is necessary to the successful functioning of the system at the local and state levels.

This section is the officer's guide to the completion of the forms in the field reporting system from the time a complaint is received to the point of booking.

### OBJECTIVES

This section provides a concise set of instructions concerning the proper report forms to be used under a given set of circumstances as well as instructions as to the execution of each report form. The forms themselves and other material included therein, including the descriptions of persons and property will serve as investigative aids in many instances. This section must be used in conjunction with standard operating procedures set out in other chapters of this manual and in current Departmental orders.

### PURPOSE OF REPORTING

#### **Why is a Report written?**

First of all, an officer writes an investigative report to record his activities and findings. The investigative report is a work picture of an investigation, beginning with a complaint, offense or arrest. It is a permanent record of the case,

the basis for evaluation of what has been done, the basis for deciding further action, and the basis for prosecution. In fact, the report becomes "The Case."

The Central Records Section personnel tabulate information obtained from the various reports of the Department. This data gives a complete picture of criminal and non-criminal activity within the County. This information explains where and how officers and their equipment are being utilized.

Reports aid in the deployment of officers and equipment in keeping with the crime picture at a given time. Officers can be alerted to be on the lookout for signs of the known modus operandi of the unidentified perpetrators of a series of offenses. The records of the Department, based upon the reports of its officers, are an aid in the planning of the Department budget and the distribution of funds within the Department. Long range planning for the Department to meet changing crime conditions is based on the information from reports. Reports can also be used to determine the training needs of personnel so that they may be better able to cope with specific crime conditions.

Also, the report represents a convenient method for keeping other interested agencies informed. A common report form and technique will not only aid information exchanges between participating law enforcement agencies; fire departments will benefit when they receive standardized forms containing similar information. Fire Personnel will find this invaluable in investigating suspected arsons. Municipal and state traffic engineers can use common forms to determine high accident areas with faulty traffic flow designs.

In addition to aiding the work of other public departments, the information derived from reports can be used to keep the public informed of police problems and accomplishments; and such, the information becomes the basis for public support of the Department.

It cannot be over-emphasized that an investigation, no matter how well done, cannot be any better than the manner in which the report is written. The investigator must remember that his report tells the reader the manner in which the investigation was conducted, and is the basis for evaluation of the quality of the investigation and the investigator. A poor report of a good investigation will give the impression of a poor investigation.

Many police officers "fight" reports. The result is that they make their job more difficult and less pleasant. If the officer will take the time to discover the "why" of the report, he may find his task easier.

#### **When should a report be written?**

Reports are sources of information. They should be written whenever departmental policy prescribes that they be written. More specifically, however, reports should be written whenever the action and the findings could be used in the future.

In general, reports may be classified into seven large categories: Complaint Reports; Miscellaneous Incident Reports; Incident Reports; Arrest Reports; Investigation or Supplementary Incident Reports; Accident Reports and Uniform Traffic Tickets. Some type of report is completed for every communication to the Department requesting Department service or action. It may be the Complaint Report or Miscellaneous Incident Report completed by Communications Division personnel if there is to be no further action, or no follow-up work done by other officers. These reports are routinely handled by the officer over a mobile terminal and later printed out for record purposes. An Incident Report is completed for every incident occurrence requiring additional investigation or follow-up of any type. A Jail Docket Report is completed for every person jailed, together with a written incident report. An investigative report or supplementary incident report is written for every initial and follow-up investigation made by an officer assigned to a case and by any officer who has information about a case even though he may not be assigned to the case.

#### **CLASSIFICATION OF CRIMES**

**The FBI has established crime into two parts for the purpose of Uniform Crime Reporting.**

The Georgia Uniform Crime Reporting (UCR) System requires offense, arrest, and police disposition information concerning any incident, which can be placed in either of these parts.

#### **Part I**

Homicide  
Forcible Rape

## SPECIAL SERVICES DIVISION

Robbery  
Aggravated Assault  
Burglary  
Larceny  
Motor Vehicle Theft  
Arson

### Part II

Other Assaults (not aggravated)  
Arson (collected as Part I)  
Forgery and Counterfeiting  
Fraud  
Embezzlement  
Stolen Property: buying, receiving, possessing  
Vandalism  
Weapon: carrying, possessing, etc.  
Prostitution and Commercialized Vice Laws  
Sex Offenses  
Narcotic Drug Laws  
Gambling  
Offenses Against the Family and Children  
Driving Under The Influence  
Liquor Laws  
Drunkenness  
Disorderly Conduct  
Vagrancy  
All Other Offenses, except Traffic  
Curfew and Loitering  
Runaways

The Georgia UCR System uses these classifications as defined by the FBI.

### FBI/UCR CRIME DEFINITIONS

The FBI has standardized crime definition in order for crime statistics to be comparable in different jurisdictions, different states, and from year to year. These crime definitions **may not be the same as those found in Georgia statutes. GCIC will therefore review incident reports to insure that the proper crime definitions are used. GCIC personnel compare the crime shown on the incident report to the report narrative and will RECLASSIFY crimes reported by each agency accordingly.**

### UCR GUIDELINES

- a. Show weapon type on the following offenses: Homicide, Forcible Rape, Robbery, Aggravated Assault.
- b. Show a dollar (\$) value on the following offenses: Larceny, Robbery, Motor Vehicle Theft (can also show dollar value on burglary – not required).
- c. Never enter property values on the following offenses: Fraud, Forgery, and Criminal Damage to Property
- d. Property recoveries on Incident Reports: The Theft/Recovery box and the date of theft must be filled in. The incident type must be shown as property recovery.

### REPORTING CLEARANCES

- a. An offense is cleared by arrest or solved for crime reporting purposes when at least one person is:  
Arrested,  
Charged with the commission of the offense, and  
Turned over to the court for prosecution.
- b. An offense can also be cleared by exceptional means. To do so, the following four conditions must ALL be true:
  1. The investigation has definitely established the identity of the offender.
  2. There is enough information to support an arrest charge and to prosecute the offender.
  3. The exact location of the offender is known so that he could be taken into custody, but

4. There is some reason, outside law enforcement control that prevents arresting, charging and prosecuting the offender.

#### SUPPLEMENTAL REPORT

- a. Purpose - This form contains narrative reports of follow-up investigations and all over-flow information from the Incident Report.
- b. Origin and Distribution - An officer or detective normally complete this form. It is subject to the same review process as the Incident Report. However, if confidential information is recorded on this form during a follow-up investigation, it is maintained only by the detective handling the case. Upon final disposition of the case in court, a final report must be filed in the Central Records Section.

#### FIELD REPORTING GENERAL INSTRUCTIONS

This section will provide the reporting officer with information on how to use each of the Incident Reporting forms. Print legibly using capital letters.

- a. Case Number – the case number can be obtained from the Communications Center and must appear on all reports.
- b. All proper names including names of businesses must be spelled out in full. In recording proper names, the last name is listed first, followed by the first name and middle name.
- c. Addresses – must be completed. When possible, the address recorded should be the permanent residence. If not, any exceptions must be noted on the report. Indicate each address by street number, and where no street number is available, use the distance and direction (e.g. NE, SE, NW, etc.) and indicate whether the residence is on a Street, Lane, Terrace, etc. Example, an address might be recorded as “157 Pine Street, Atlanta, GA., temporarily at Hilton Hotel.”
- d. Telephone – must include area code, plus 7 digits and include extension number when applicable.
- e. Dates – all dates should be written in month, day, and year order. For example, August 1, 1985 – 080185.
- f. Time – always use military time (e.g. 8:00 a.m. is 0800; 2:35 p.m. is 1435).
- g. Witnesses – obtain as complete information as possible keeping in mind the instruction above as to names and addresses. Record sex, race, and age using standard abbreviations. This general descriptive information as to witnesses is often pertinent when it is later necessary to locate a witness for interview or to testify in court. If the space is inadequate, record the information as to additional witness in the narrative.

Sex, Race and Age – the sex, race and age of suspects and witnesses should be obtained as accurately as possible through observations, interview, or by questioning persons who might be able to provide this information.

Occupations – a number of the report forms provide for recording the occupation of individuals.

Record the general line of work by means of which the person ordinarily earns his livelihood. For example, a bricklayer even if currently unemployed would be shown as “bricklayer, unemployed.”

Property Value – indicate the total fair market value for articles in dollar amounts, subject to depreciation. Dollar amounts should be rounded to the nearest whole dollar. Do not put cents in the value blocks. Use wholesale price in thefts from retail store warehouses, etc. Use retail price if the theft is from an individual using the item personally.

Signatures – an investigating officer completing a report should PRINT his/her name and indicate his/her badge number in the space provided.

Narrative Writing – in writing a narrative investigative report, the officer should always bear in mind that the primary purpose of writing is to inform. He is trying to tell his story and his actions, as they relate to a particular case, to the reader of the report. In writing the narrative of the report, it cannot be assumed that the reader will have any knowledge about the case. You cannot expect the reader to fill in any details. Your only assumption can be that the reader’s only information about the investigation will come from the report. The content of a report should include answers to these six basic questions:

1. Who is involved?
2. What happened?
3. When did it happen?
4. Where did it happen?
5. How did it happen?
6. Why did it happen?

## SPECIAL SERVICES DIVISION

The answers to these questions constitute the elements of the case and unless these questions are answered, there is no case. If the answers are incomplete, or if one or more of the questions are not answered adequately, or omitted, further investigation of the original report must be made.

### M. MISCELLANEOUS INCIDENT

Miscellaneous Incident Reports are intended to handle “Gone on arrivals” and generally any incident of a non-criminal nature such as dog bites, wind damage or funeral processions. Those offenses, which are not, included in Part I and Part II offenses would be reported on these reports. Miscellaneous Reports may be made in one of two ways:

#### 1. Call Record Report

If comments added to the call record are sufficient to close an incident, the officer may choose this method. For instance, an accident report where the parties have left the scene before the officer arrives may be handled on the call record.

#### 2. Miscellaneous Field Case

Reports, which may need to be forwarded out of the Department or to an insurance company, should be written on a regular Field Case Report. For instance, dog bite cases or non-criminal property damage reports.

### N. JARGON AND CALL SIGNALS IN FIELD CASE REPORTS

Personnel writing Field Case Reports should keep in mind that reports are frequently forwarded to or purchased by persons outside the Department. The use of jargon, radio signals or other terminology unique to public safety work should be avoided.

## 4-16.35 CENTRAL RECORDS - CRIMINAL

The Central Records Section shall be responsible for dissemination of criminal history record information, receiving, recording, processing and filing criminal history information, and conducting pre-employment and departmental pre-employment checks.

### A. Completeness and Accuracy of Criminal History Records Information.

Each law enforcement agency arresting persons charged with those criminal offenses described in the “Act” is responsible for obtaining fingerprints of the arrested persons, each time they are arrested. Fingerprint images may be transmitted to GCIC electronically, utilizing GCIC certified scanning devices or submitted manually (rolled, inked prints) on fingerprint cards reflecting the arresting agency’s assigned Originating Agency Identifier (ORI). These fingerprint cards shall be the criminal fingerprint cards provided gratis by the FBI or other criminal fingerprint cards, which are procured at the expense of submitting agencies and approved by GCIC prior to their use. Fingerprints shall be rolled using black printers’ ink or an alternative medium authorized by the FBI; GCIC approval should be obtained before buying/using any alternative medium or system.

At the same time and place that fingerprints are obtained, two-part disposition reports (OBTS forms) shall be initiated by arresting or booking agencies. Copies of OBTS forms are to be forwarded with warrants/citations/charges to appropriate prosecutors/courts.

When dispositions are determined by law enforcement agencies prior to referral of arrested persons to prosecuting officials or to the courts, it shall be the duty of these law enforcement agencies to forward disposition reports to GCIC.

When dispositions are determined by prosecuting officials before referral of arrested persons to the courts, it shall be the duty of prosecuting officials to forward disposition reports to GCIC.

When dispositions, or modifications of earlier dispositions are determined by the courts, it shall be the duty of Clerks of Court, Probate and Municipal Judges where no Clerks exist, to forward disposition reports or reports of their modifications of earlier dispositions to GCIC.

When the sentences of convicted persons are modified by the State Board of Pardons and Parole, when paroles are revoked, or when parolees are discharged from parole status, it shall be the duty of the Board to forward disposition reports of sentence modifications to GCIC.

When conditions of probation are imposed on a convicted person, or when probationary sentences are revoked, or when terms of probation are completed, it shall be the duty of all persons in charge of probation officers to forward disposition reports to GCIC.

When decisions or orders of the Court of Appeals or the Supreme Court of Georgia modify or suspend the findings or sentences of trial courts regarding individual defendants, it shall be the duty of the Records Clerk of the Court of Appeals and the Supreme Court of Georgia to forward reports of such modifications or suspensions to GCIC.

GCIC will provide OBTS forms as requested, to criminal justice agencies and officials responsible for reporting dispositions. Alternatively, responsible officials are encouraged to develop proposals and plans for automated reporting of dispositions using computer tape or diskette media; plans for automated disposition reporting must be approved by GCIC prior to implementation.

Disposition reports shall be forwarded to GCIC not more than 30 days after disposition decisions.

GCIC will prepare a list of finger-printable criminal offenses and will revise the list when necessary. Copies will be provided by GCIC to all law enforcement agencies that arrest persons charged with criminal offenses.

Authority – O.C.G.A. 35-3-33; 3-3-36; 42 U.S.C. 3771; 28 C.F.R. 20.21 Administrative History – Original rule entitled “Completeness and Accuracy of Criminal History Record Information was filed on February 25, 1976; effective March 16, 1976. Amended: rule repealed and a new rule of the same title adopted. Filed January 7, 1983, as specified by the Agency. Amended: rule repealed and a new rule of the same title adopted. Filed September 6, 1984, effective October 8, 1984, as specified by the agency. Amended: rule repealed and a new rule of the same title adopted. Filed July 2, 1986, effective July 22, 1986.

#### B. Daily Work

Accuracy of Criminal History Record Information, “Daily Work” are the documents used in the processing of offenders charged with fingerprintable offenses as described in the “Act.” Documents include criminal fingerprint and palm print card, DeKalb County Jail Arrest Information Reports, Offender Based Tracking System forms, and Photographs. Daily work is submitted to Central Records each morning from the DeKalb Sheriff’s Office.

The DeKalb County Arrest Information Record (Jail Ticket) is the first and most important link in establishing the criminal history information of the arrestee. It provides descriptive, statistical, and referral information. This information is typed onto Automated Fingerprint Identification System (AFIS). The fingerprints and data are electronically transmitted to the Georgia Crime Information Center and the Federal Bureau of Investigation.

The jail ticket is maintained in the Central Records Section. The responsibility of securing detailed information and accurately recording this information rest with the arresting officer. Failure to accurately complete the jail ticket may result in a wanted individual going free. For the administration of criminal justice, a copy of the jail ticket can be logged and disseminated to law enforcement and criminal justice agencies.

The Offender Based Tracking System (OBTS) provides the ability to link disposition data to previously submitted arrest records. An OBTS Final Dispositions Report must be initiated during arrest/booking for all felony and specified misdemeanor charges. Refer to the Attorney General’s list (Fig. 3.1 of the Fingerprint Procedures Chapter) of fingerprintable offenses. The OBTS reports follow the case through prosecution and judicial proceedings. All post-sentencing changes and revisions must also be reported to GCIC.

#### Repeat Offender

A Central Records Clerk verifies the Repeat Offender’s fingerprint by comparing it against the “Master” fingerprint card in file. All Master Criminal fingerprint cards are stored in locked fireproof cabinets and filed by the Henry Classification System. The Henry Classification is obtained from the arrest card, microfiche records, or the jacket records. **DO NOT ATTEMPT TO MAKE VERIFICATION** using index print from information sheets on microfilm. Upon the completion of the verification of repeat arrest records, the Central Records Clerk will file the photograph in the master photo file and type the required data onto the Offender Based Tracking System (OBTS) form. The Jail Arrest Information Sheet and OBTS form are attached and are checked by Central Records Supervisor for accuracy.

#### New Offender

New Offender Arrest records (have not been arrested by DeKalb Police Department or DeKalb Sheriff’s Office) are checked against the “JMS” computerized data to ensure that all personal information, as well as, charges, was entered correctly. If any discrepancies occur, make a computer printout of the information, mark the correction needed, and send the copies of the printout and jail ticket to the computer room in the Sheriff’s Office. The name is checked against the master “Arrest Index card file. The Arrest Index Card file contains the original data, whereby “JMS” computerized arrest data is purged after seven years. If names are matched from the card index, record the PID # on the jail ticket and send a copy of the jail ticket to the computer room in the Sheriff’s Office. If no match, type the required data onto the Offender Based Tracking System (OBTS) form. The Jail Arrest Information Sheet, Photo, and OBTS form are all attached and are checked by Central Records Supervisor for accuracy.

John/Jane Doe

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Any male (John Doe) or any female (Jane Doe) who is arrested and either refused to give, cannot, or will not provide their name shall be referred to as John/Jane Doe. The DeKalb County Sheriff's Office will electronically transmit the John/Jane Doe's fingerprint to be searched against the GCIC's AFIS. If the result of the fingerprint search is positive, a result is returned to the booking station identifying the subject. If the fingerprints reveal "No Records" the subject is fingerprinted and the print are forwarded to the Central Records Section.

The Central Records Clerk will classify and search the fingerprints through the DeKalb County master fingerprint card file.

If the subject is not identified in the DeKalb County master fingerprint, file the Jail will be notified "No Record."

If the subject is identified in the DeKalb County files, the Jail is advised of the subject's name, DOB and other pertinent information.

The Central Records Clerk will type a memo advising the arresting officer or detective of the subject's name, DOB and any other information available that may be helpful to them. A copy of criminal history information is provided to the arresting officer or detective. The release of the criminal history must be logged.

C. Dissemination of Criminal History Records - Administrative

1. The Central Records Section will disseminate criminal history records to the following agencies or authorized representatives:
2. Recognized Criminal Justice agencies for prosecutorial purposes.
3. Recognized Law Enforcement agencies for criminal investigation and pre-employment criminal justice employment purposes.
4. Office of Personnel Management, Central Intelligence Agency, and Department of Defense for national security purposes.

**NOTE:** Federal and Georgia laws exempt representatives of these agencies from providing the fingerprints or signed/notarized consents of persons for whom they request criminal record checks.

5. Individuals and Employers with signed consent or fingerprints of the person whose record is being checked.
6. If an adverse employment or licensing decision is made against the person whose records was obtained under the Law, the person shall be informed:
  - a) That a records were obtained,
  - b) The specific contents of the record, and
  - c) The effect the records had upon the decision.

**Failure to provide this information to the person subject to the adverse decision shall be a misdemeanor.**

All Criminal History personnel shall process the request by the following guidelines:

- a. The requestor is to be properly identified.
- b. The requestor will provide the name, sex, race and date of birth of the person(s) for whom they request the criminal record check (agency's reference number is required for all Criminal Justice/Investigation purpose).
- c. The requestor will state the purpose of the criminal record check.
- d. The requestor will state what type of criminal history information is needed.  
(Computer inquires: local JMS computerized system, State GCIC, National NCIC, Non-computerized Information sheet, Rap sheet, Photo or disposition sheet).
- e. Personnel will provide copies of the non-computerized criminal history information and/or the computerized criminal history information to the requestor.
- f. All disseminated criminal history record information will be logged in the appropriate log as required by Georgia Law, O.C.G.A. 140-2-06.
- g. All disseminated criminal history record information will be stamped with the "Released" stamp. Fill in the appropriate information to complete the stamp:  
Requested by: \_\_\_\_\_; Received by: \_\_\_\_\_; Date: \_\_\_\_\_; Clerk: \_\_\_\_\_

All criminal history information disseminated by telephone to other law enforcement and criminal justice agencies will be regulated in the following manner:

- All personnel will answer the telephone in the manner outlined in departmental policy.
- The requestor will identify themselves, their agency and provide telephone number.
- The requestor will provide descriptive and/or identifying data on the subject being checked.

- Inquires will be conducted in the various files and the computer system.

When it has been determined that the subject has a record, and it has been determined that the requested record can be disseminated, the requestor will be called and be provided with the information. If no record was located, the requestor shall be advised that the subject has "No Record."

The dissemination of criminal history records by telephone will be logged in the appropriate logbook as required by Georgia Law, O.C.G.A. 140-2-06.

Dissemination of criminal history records information over the telephone to an Employer or an Individual is prohibited.

#### D. Criminal History Logs

Personnel that have access to any criminal history information are required to record all criminal history record dissemination by CJIS network terminal operators. The logs make it possible to identify and correct any dissemination or inaccurate information, and to identify individuals responsible for wrongful dissemination. Upon Criminal History Logs will be maintained by all components of the DeKalb County Police Department discovery of inaccurate information of a material nature, it is the duty of the criminal justice agency making the discovery to notify all criminal justice agencies or Person's known to have received such information. All logged entries shall be available for four years for inspection by a GCIC Security Officer and/or GCIC and FBI Auditors – (O.C.G.A. 140 2.06).

The following minimum information will be maintained in the logs:

1. Date of dissemination.
2. Identifying record data, name, sex, race, date of birth.
3. Agency reference number for purpose code "C."
4. State identification number.
5. Name of actual requestor and agency.
6. Name of person disseminating records.
7. Purpose.

#### E. Criminal Background Check

Dissemination of criminal history information to individuals, public/private employers and public agency officials for the purpose of VISA, immigration, housing and pre-employment must have subject's fingerprints or signed consent. Applicants requesting a criminal history check for authorized purposes may come to the (criminal records) customer service windows between 0900 and 1600 hours, Monday - Friday. The requestor will be advised that there is a \$25.00 fee, a three-day waiting period, and they are fingerprinted. The process is as follows:

1. The applicant will read and sign the Awareness Statement.
2. The Central Records Clerk will witness the applicant's signature and check the applicant's picture identification.
3. A copy of a picture ID will be attached to the application.
4. The applicant must also complete and sign the Personal Information sheet.
5. The Central Records Clerk will verify that appropriate questions are completed and the applicant signs the form before being fingerprinted.
6. Payment for this process can be cash, money order, personal check or certified check
7. The Central Records Clerk will collect the \$25.00 fee from the applicant and enter the type of transactions and amount of money received. The cash register receipt is given to the applicant.
8. The Central Records Clerk will confirm with the applicant to either return in three working days to pick up their statement or that the statement is mailed to the address provided.
9. The applicant is sent to the Permit Unit to be fingerprinted.
10. The Evening Watch staff is responsible for retrieving VISA and pre-employment applications from Permits Unit.
11. The Central Records Clerk will classify the fingerprints by the Henry and NCIC classification system.
12. The Central Records Clerk who classifies the fingerprints will then search the fingerprints through the master fingerprint files.
13. Upon the completion of the first fingerprint search, a second fingerprint search is conducted (by another Clerk) for verification procedure.
14. After the fingerprints have been searched and verified, the applicant's name Is checked through the arrest index card file and the local computerized file using the JMS. This check should be done by using the applicant's name, sex, race, DOB and social security number.
15. The applicant will then be checked via GCIC using the purpose code "E."
16. Printouts of all computerized inquires are attached to the VISA or pre-employment request.

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17. When all inquiries have been reviewed and yield a criminal record, a Statement of Record is prepared. If the inquiries yield no records, a Statement of No Record will be prepared.
18. CORRECTIONS WITH WHITE-OUT IS NOT ACCEPTED ON THESE FORMS.

### F. LOCAL CRIMINAL HISTORY

Dissemination of non-computerized criminal history records (local check) to Military Recruiters, Probation Office, Pardon and Parole Office or other law enforcement and criminal justices agencies shall be as follows:

1. Request for a criminal history record check is submitted in different formats. The Military Recruiter will submit a police Record Check form to the Central Records Section at the customer window, mail or faxed. Whatever the means, it is required that the requestor provides a signed Police Record Check Form OMB# 0704-0007. The recruiter will provide a Police Record Check form with the consent section signed by the individual. Therefore, telephone requests from a military recruiter for criminal history record check is prohibited.
2. The Probation Office, Pardon and Parole Office, or other law enforcement and criminal justices agencies make their requests in person, mail, and telephone, faxed or by Teletype (consent form not required).
3. Check the name in the arrest index card files.
4. Conduct JMS inquiries.
5. If the results of the computer inquiries and the arrest index card files were negative, use "No Record" stamp.
6. If the results of the computer and the arrest index cards inquiries were positive the "Statement of Record" form is completed.
7. A copy of the Consent form is made and all printouts are attached. The completed criminal history record check will be placed in a designated file.

### G. Inspection of Criminal History Record

Pursuant to the "Act," agencies other than GCIC which maintain criminal history record information may prescribe their own applicable forms and procedures for an individual or their attorney to review the individual's local file. The fee for record inspections shall not exceed \$3. All agencies shall impose only such procedures and restrictions as are reasonable necessary to:

1. Insure the security of their records.
2. Verify the identities of those who seek to inspect their records; verification procedures may include fingerprinting.

An individual's criminal history record shall be disseminated to them if they or their attorney disputes the accuracy of any portion of the record. The contested portion shall be identified and the individual must show the reason for the contest of accuracy. Records determined by GCIC, or by other criminal justice agencies, to be in error shall be corrected immediately. The individual, or his attorney, shall be notified when record corrections have been made.

When the record in question is judged to be accurate by GCIC, or by any criminal justice agency processing the inspection of records, the individual may initiate further actions under the provisions of Georgia Laws 1973, pp. 1301, 1312. Authority O.C.G.A 35-3-33, 35-3-37; 42 U.S.C. 3771; 2B C.P.R. 20.21. Administrative History. Original July 22, 1986 (Revised).

Individuals may inspect their criminal record between the hours of 0900 and 1530 hours. Advise the requestor that the inspection of records covers criminal history records for the DeKalb County Police Department and DeKalb County Sheriff's Office. The cost for the process is \$3.00 and the process may take from 15 to 60 minutes to complete. Inspection of records procedures are as follows:

- The applicant completes a three-page request.
- The Central Records Clerk will check the applicant's identification and witness their signature.
- The Central Records Clerk will collect the \$3 fee and provide a receipt to the applicant.
- The Central Records Clerk will direct the applicant to the Permits Unit to be fingerprinted on an applicant fingerprint card. The application and fingerprints are returned to the Central Records Section to be processed.
- The applicant will be asked to wait in the waiting area while the Central Records Clerk process the request.
- The Central Records Clerk will classify and search the fingerprints through the master criminal fingerprint files. If a match is found, the search of that fingerprints must continue to ensure that no other fingerprint card exists

with another name. If the applicant has more than one file, it is the responsibility of the Central Records Clerk to consolidate all files before the individual reviews their record.

- The applicant's name is checked through the Index Card file and the JMS system to ensure that there are no additional files.
- The Central Records Clerk will collect all information. This includes the master fingerprint card(s), palm print card(s), index card(s), photograph(s), information arrest sheet(s), and disposition(s).
- The Central Records Clerk will read through all the material to check for completeness and to become familiar with the files.
- If disposition is not in file, the Central Records Clerk must call the appropriate court to obtain the disposition.
- The Central Records Clerk will make a note identifying the person from the court who provides the information, the date, and the time.
- After the Offender Based Tracking form is completed, place a copy in criminal history record and send the original to GCIC (Record OTN number).
- When all the information is collected, the Central Records Clerk will call the applicant to the window and explain the purpose of each document.
- During this procedure, no copies of the applicant's criminal history record will be disseminated.
- An applicant may take notes, but will not be provided with photocopies.

The Central Records Clerk is responsible for the security of all criminal history information during this process. The originals or copies of information will not be left with the applicant. The Central Records Clerk must always be in possession of the criminal history records.

If an applicant elects to challenge any information in his/her file, refer the applicant to the Central Records Manager. If the Central Record Manager is unavailable, give the applicant our telephone number to call to make an appointment. **DO NOT ATTEMPT TO PROCESS ANY CHALLENGES OF A RECORD.**

If the applicant is satisfied following the inspection, the Central Records Clerk is responsible for seeing that all pieces of the criminal history information are filed back in their proper place.

\*\*\* SPECIAL NOTE: If the Central Records Clerk searches the applicant's fingerprints through the master fingerprint card file, and name through the index card file with negative results; but it reveals a record on the JMS, the Central Records Clerk will then send the applicant to the appropriate arresting agency.

#### H. Criminal Justice Employment DeKalb County Police Department

Applicants applying for positions with the DeKalb County Police Department entities shall submit to fingerprint ID check as defined in Rule 140-2.9. Applicants are fingerprinted by Permits Unit and at the close of the business day; Central Records personnel will retrieve fingerprint packets. The Central Records Clerk will type descriptive data and their position onto the applicant fingerprint card. Data typed onto the fingerprint card is checked by a Supervisor for completeness and accuracy prior to submission to GCIC.

#### I. Security and Privacy of Driver's History

Law Enforcement Agencies shall not release driver's history information to individuals. Georgia Code 1982 10-5-2 authorizes the Department to furnish records to a judge, prosecuting official, law enforcement agency or driver's license agency of another state. This same law provides that **IT IS UNLAWFUL FOR ANY PERSON WHO RECEIVES A RECORD TO DISCLOSE OR MAKE USE OF IT EXCEPT IN THE PERFORMANCE OF HIS JUDICIAL OR QUASI-JUDICIAL DUTIES.**

Any person who needs their driver's record for any reason should contact the Georgia Department of Public Safety, Drivers License Section, Atlanta.

The Georgia Department of Public Safety is the only agency authorized to issue a driving record.

#### J. Processing First Offender Orders (Orders of Discharge)

The Central Records Section receives Orders of Discharge through the mail for first offenders. These orders are to let the Department know a subject who received a first following shall be adhered to:

- Check the subject's name, found in the top left corner of the order on JMS, to obtain PID number. Next, write the PID number in the top right corner of the order, and file in jacket or place in appropriate box to be microfilmed.

#### K. Processing Dispositions Returning From the Courts

When the Central Records Section receives dispositions through the mail from the courts, the disposition will be found on the right side of the form. To process these dispositions, do the following:

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1. Pull out all disposition sheets typed by the court and check each for:
  - a. The recording of final disposition.
  - b. The court that is reporting the disposition, either State Court or Superior Court.
  - c. Signature of the person reporting the disposition.
  - d. The title of the person reporting the disposition.
  - e. Date the disposition was reported. If any of the above information is missing, place the OBTS form in an envelope and return to the respective court.
  - f. Misdemeanors go to the Solicitor's Office record room. Felonies go to the district Attorney's office.
  - g. Check each disposition sheet for the contributing agency.
  - h. If there is no contributing agency stamped on the disposition sheet, see if the PID number is one of ours; if it is, keep the disposition sheet.
  - i. If the PID number is not ours, put the disposition sheet aside to find out who the contributing agency is by running the name on the computer.

If the contributing agency is anyone other than DeKalb County Police Department, DeKalb County Sheriff's Office, mail the disposition sheet to that agency

Make one (1) copy of each of our disposition sheets to be place in subject's criminal history file.

Send the original disposition sheets to GCIC via U.S. mail.

L. Processing Pardon & Parole Lists (Local check for criminal activity of parolee for a 30, 60 or 90 day period). Check the subject's name through the JMS computer system. If the subject is not on the computer, write "No Record" next to the name. If the subject has a PID number or SPN number, write it down next to the name. Make copies of the requested documents or record information provided form. Stamp and log the dissemination of criminal history information. Log the names with no record in the "No Record Log Book." Attach the log sheets to the list and put it next to the front counter to be picked up by parole.

### **4-16.36 CENTRAL RECORD – GCIC/NCIC**

The Central Records Section will enter information into the NCIC/GCIC computerized files pertaining to wanted/missing persons, unidentified dead bodies and serial-numbered of stolen property. CJIS (Criminal Justice Information System) network codes, formats and procedures established by NCIC and GCIC will be used when making entries. GCIC will provide and update manuals, bulletins and notices containing the prescribed codes, formats and procedures.

The Central Records Section is responsible for the entry and removal of information into the NCIC/GCIC computerized files pertaining to stolen property and wanted and missing persons. The computerized files maintained by GCIC comprise the National Law Enforcement Data System (LEDS), commonly referred to as the "NCIC Hot Files."

The sale and/or commercial dissemination of state (GCIC) or federal (NCIC) hot file records obtained from the Criminal Justice Information System is prohibited by GCIC CJIS Security Policy. Violation of this policy will subject the employee to disciplinary action up to and including termination under 2-2.56, Violation of Law.

### **Wanted/Missing Persons and Stolen/Abandoned Property.**

Responsible agencies shall enter (or cause the entry of) information in GCIC and/or NCIC computerized files pertaining to wanted and missing persons, unidentified dead bodies, serial-numbered property reported as stolen when required data elements become available. The computerized files maintained by GCIC comprise the Georgia Law Enforcement Data System (LEDS), commonly referred to as the "Georgia Hot Files." Record entry forms (LEDS and NCIC work sheets shall be provided without cost by GCIC upon request.

A. LEDS and NCIC work sheets and CJIS network codes, formats, and procedures established by GCIC and NCIC shall be used when making entries. GCIC will provide manuals, bulletins, and notices containing the prescribed codes, formats, and procedures and will provide revisions and updates as necessary.

B. Heads of criminal justice agencies are responsible for ensuring that GCIC manuals, bulletins, and notices are maintained and used as the authoritative CJIS network operational directives within their agencies.

C. Heads of agencies are also responsible for training employees involved in entering, modifying, clearing, canceling, and validating record entries. Training shall emphasize that a second employee must verify each record entry for completeness and accuracy.

D. Agencies operating CJIS network terminals are required to assist criminal justice agencies, which do not have direct CJIS, network access by providing controlled and monitored opportunities for such access.

E. Each record entered in GCIC/NCIC computerized file must contain the valid identifier (ORI) of the criminal justice agency responsible for the entry record.

F. Any law enforcement terminal agency, governmental dispatch center, or governmental regional dispatch center may act as holder of the record on behalf of another agency, and may place its own ORI in the wanted person or stolen property record entry only when a written service agreement exists between the entering agency and the agency on whose behalf the record exists. The agreement must state each agency's legal responsibilities for records entered in the computerized files.

G. Responsibilities for the record include entering and updating the record, confirming a hit on the road, and removing the record when it is no longer active or valid.

H. Record entries shall be made within 12 hours after the determination by the investigating law enforcement agency that a wanted person should be arrested or that a vehicle or other property identifiable by serial number or owner-applied number was stolen.

I. All record entries must be supported by the official documents which reflect initial and continuing efforts to apprehend wanted persons or to recover identifiable, serial-numbered stolen property. Arrest warrants must be available to support GCIC/NCIC wanted person record entries.

J. Agencies with terminals on the Georgia CJIS network shall maintain these supporting documents in their files until such time as wanted/missing persons are located, stolen property is recovered, or the record entries are removed from the computerized files.

K. Agencies with terminals on the Georgia CJIS network shall further require copies of such supporting documents to be provided by non-terminal agencies prior to making record entries on behalf of such agencies. If emergencies arise in which the speed of record entry is critical to the quick apprehension of wanted persons or recovery of stolen property, supporting documents may be provided after entry of the record.

L. If supporting documents are not provided within 48 hours of record entry, record entries shall be removed from GCIC and NCIC computerized files. Whenever record entries authorized by non-terminal agencies are removed by servicing terminal agencies, terminal agencies must notify the non-terminal agencies.

M. Any agency which caused records to be entered in GCIC/NCIC computerized files must respond to other agencies' hit confirmation request messages. A response may be a notification that a specific period of time will be required for a record verification or a response may be the requested record verification.

In all cases, responses must be transmitted within 10 minutes of receipt of hit confirmation request messages.

N. Record entry verification must be provided to the agency originating the request for hit confirmation. Verification messages must include the status of record entries for wanted or missing persons or for stolen property.

O. When records are no longer valid, they must be removed from GCIC and NCIC computerized files immediately.

P. Agencies operating Georgia CJIS network terminals are responsible for the timely removal of their own record entries when they are no longer valid. Non-terminal agencies are responsible for the prompt removal of their records from GCIC and NCIC computerized files when the records are no longer valid, by furnishing requests for cancellation to the terminal agencies which made the record entries on behalf of the non-terminal agencies.

Q. When non-terminal agencies do not maintain 24-hour operations, they may not cause the entry of records under their ORIs. Record entries, required by law, should be made using the ORIs of their designated terminal agencies as per service agreements executed in compliance with the provisions of Subparagraph (c).1 of this Rule.

R. GCIC provides a computerized file for the entry of records describing abandoned motor vehicles, which have been recovered by law enforcement agencies and/or reported to them by operators of wrecker services or vehicle storage facilities. Georgia law requires law enforcement agencies to make record entries and to furnish operators of wrecker services and vehicle storage facilities, upon request, with the names and address of last known registered owners and title/lienholder information. Names and addresses of Georgia owners and title lienholder information can be obtained from Department of Revenue files via CJIS network terminals. Names and addresses of last known owners, of abandoned vehicles registered in other states can be obtained from the other states' motor vehicle files via the Georgia CJIS network and NLETS. Owners of abandoned motor vehicles, later determined to be stolen, are required by law to be notified of recoveries by law enforcement agencies after they receive notice that such abandoned vehicles have been stolen. Records entered in GCIC's abandoned vehicle file are automatically purged, if not removed earlier by entering agencies, after 90 days. NCIC does not maintain an abandoned vehicle file.

Supervisors and Central Records Clerks will be responsible for entering, modifying, clearing, and validating records entered. Personnel in this job classification/ responsibilities shall perform communication services duties including the operation of the Criminal Justice Information System (CJIS) network terminal. A terminal operator must be certified within six months of appointment. During the six months period the operator must be supervised until the certification is complete. Terminal Operators must be re-certified every two years. The Central Records Clerk is

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responsible for conducting inquiries against the GCIC and NCIC files and the dissemination of criminal justice information.

Supervisors and Central Records Clerk Seniors will be responsible for the timely entry of records into the NCIC/GCIC files. Operators are responsible for maintaining the quality of their records entered. Quality refers to the accuracy, completeness, validity and timeliness of records entered. All record entries must be supported by official documents, which reflect initial and continuing efforts to apprehend wanted persons, or to recover identifiable, serial-numbered stolen property.

### Record Transactions

Central Records personnel shall perform six types of NCIC/GCIC transactions:

1. **Inquiry** messages sent to a specific GCIC/NCIC files.
2. **Entry** messages establish records in the GCIC/NCIC files.
3. **Modify** messages add, change, or removes information in the records already in the GCIC/NCIC files. Only the originating agency can authorize modification of a record.
4. **Locate** messages are sent by recovering or apprehending agencies after receiving a positive hit confirmation. Local messages are used to notify originating agencies that the sending agency has control of the person or property described in their record. Locate messages **must be sent in one hour** of receipt of the positive hit confirmation.
5. **Clear** messages remove records from the GCIC/NCIC files when recoveries or apprehensions occur, only the originating agency can authorize the clearance of a record.
6. **Cancel** messages remove records from GCIC/NCIC files, which are no longer valid, cannot be supported by documentation, or cannot be modified to reflect the current status of cases. Only the originating agency can authorize the cancellation of a record.
7. **Hit Messages** - These messages indicate that information contained in an inquiry may match one or more GCIC/NCIC hot files records. An agency may receive multiple Hits on a single inquiry.

Confirmation Request - A hit confirmation request is a process that must be initiated by the inquiring agency, after receiving a positive hit response, whenever the information in a response describes the person or property in question and the inquiring agency has control of the person or property. The entering agency is contacted by using message key "YQ".

The purpose of the hit confirmation process is to determine if the record in the hit response is current and valid. Secondly, to alert the originating agency to the location of the person or property described in the GCIC/NCIC record.

There are two levels of priority allowed when requesting a hit confirmation:

### **Urgent – Within 10 minutes.**

When the hit is the only basis for detaining a suspect, or the nature of a case requires an urgent confirmation of a hit, the highest level of priority is specified.

### **Routine – Within 1 hour.**

Generally used when the person or property is being held on local charges or when an urgent confirmation is not required.

The Central Records personnel responding to other agencies' hit request that indicate a wanted/missing person has been located or stolen property has been recovered shall respond as defined in the "Act". Upon the notification of a Hit the Central Record Personnel will proceed as follows:

- a. **Wanted person** – Records entered for non terminal agency (Avondale PD and Pine Lake PD) The original warrant must be located and verified to "confirm a hit."
- b. **Missing persons**- The Missing person report must be located and verified prior to confirming the hit. If unable to locate the report, contact the Missing Person Unit.
- c. **Stolen Property** - The Stolen property report is located and verified prior to confirming the hit. If unable to locate the report, contact CID, Crime Against Property Unit.
- d. The requesting agency will then be advised that the record is valid.

- e. If it is determined that the records is no longer valid or the information on the hit does not match that on department records, the requesting agency is advised. If more time is needed to locate the warrant or case file, the requesting agency is notified as to the time a response will be forthcoming.

**Validation Procedures for Wanted/Missing Person and Stolen Property Records (OCGA 140-2-14)**

- a. All law enforcement and criminal justice agencies with wanted/missing persons and/or stolen property record entries in GCIC and NCIC computerized files are required to participate in the record validation program established and administered by GCIC and NCIC.
- b. Record entries subject to validation are: wanted/missing persons, unknown deceased, stolen vehicles, stolen guns, stolen boats and stolen securities.
- c. GCIC will produce listings of record entries to be validated and will send them to agencies of record each month.
- d. Agencies of record shall review the listings, compare them to LEDS and NCIC work sheets and to other departmental case file documents on which the record entries were based, including available criminal history records; determine the current validity of record entries by checking for changes in extradition limits, by determining from owners of stolen property if recoveries have been made or if ownership has changed, by verifying that arrest warrants are still active and that person reported missing has not returned; and takes appropriate action(s).
- e. Entries no longer valid shall be cancelled.
- f. Modify record entries which contain erroneous information or which are incomplete. Create supplemental record entries as required.
- g. When record entries have been verified as accurate, current, modified, or canceled, complete the validation certification form, and mail it so as to ensure its arrival at GCIC prior to the cited suspense date. Alternative, agencies may elect to certify their validations via the CJIS network, using procedures prescribed by GCIC.
- h. Non-receipt of validation certification forms (or, non-receipt of valid certification messages via the CJIS Network) at GCIC by the cited suspense date will result in automatic removal from GCIC and NCIC computerized files of all record entries contained in the listing.
- i. Validation procedures, records, and supporting documents are subject to GCIC and NCIC audits.

The Central Records Supervisor of the Central Record Section will have the primary responsibility to check case files to determine if information is accurate, complete or current. The designated Central Records Supervisor shall validate records using procedures prescribed by GCIC. Validation procedures are as follows:

**A. WANTED PERSON RECORDS**

- 1. Check case files to determine if information is accurate, complete, and current (i.e., when using a caution INDICATOR – C, to indicate that caution should be taken, and explanation must be placed in the miscellaneous filed).
- 2. Check the original warrant; warrant docket, Magistrate Court, State Court and Superior Court, or other sources to insure each warrant supporting the record entry is still valid (i.e., has warrant been served, dismissed or recalled).
- 3. Contact prosecutor to determine whether extradition from all jurisdictions within the limits cited in each record entry is still applicable (i.e., a case where an agency receives information that a state will not honor the extradition of an individual, modify the miscellaneous field to show the words will not extradite from...)
- 4. Check with Criminal Investigation Division (CID) detective and/or prosecutor to determine if case can and will be prosecuted.
- 5. Inquire into the Drivers License and Criminal History files to obtain any additional information that can make the entry more complete.

**B. MISSING PERSONS RECORD**

- 1. Check case files to determine if information is accurate, complete and current.
- 2. Check with CID detective and/or investigation aid to determine if the subject is still missing and is still being sought. Also, to ensure that missing information is also being sought, (i.e., social security number, blood type, jewelry, etc.) If person has been located or additional information is added to the record entry, advise the CID detective that a supplemental report is needed to be placed in the case file.

**C. UNIDENTIFIED BODIES RECORD**

1. Check case files to determine if information is accurate, complete, and current.
2. Contact Medical Examiner and CID detective to determine if the body has been identified. If identified, advise the CID detective that a supplemental report is needed to be placed in the case file.

**D. VEHICLE RECORDS**

1. Check case files to determine if information is accurate, complete, and current.
2. Determine if National Insurance Crime Bureau (NICB) interest is indicated on each record entry by checking the Vehicle Ownership Data (VOD) field for the presence of the letter A,C,D,N, or S (see below)
3. Contact the appropriate NICB office to determine each new owner's name.
  - A - ILNATBC11 (Atlanta, Georgia)
  - C - ILNATBC00 (Chicago, Illinois)
  - D - TXNATBD00 (Dallas, Texas)
  - N - NYNATBN00 (New York, New York)
  - S - CANATBS00 (San Francisco, California)
4. Contact CID detective to determine if vehicle has been recovered or if there is additional information to add to the record entry. If property has been recovered or additional information is to be added to the record entry, advise the CID detective that a supplemental report is needed to be placed in the case file.
5. A loaded, rented or leased vehicle must have an official theft report from the company who owns the vehicle or who filed the complaint that resulted in the issuance of the warrant.
6. Check the NICB file by running a NAQ inquiry to determine if ownership has changed or if the vehicle has been impounded or recovered.

**E. OTHER PROPERTY (BOATS, SECURITIES, GUNS) RECORDS**

1. Check case files to determine if information is accurate, complete and current.
2. Contact CID detective to determine if property has been recovered. If recovered, advise the CID detective that a supplemental report is needed to be placed in the case file.

**F. WHEN THE PREVIOUS STEPS HAVE BEEN COMPLETED TAKE THE FOLLOWING ACTION**

1. Cancel all records that are invalid, have no case file documentation, or are not longer of interest.
2. Clear all records showing a Locate posted by another agency or recovered by your agency.
3. Make supplemental entries when additional information becomes available.
4. If records indicate that a caution indicator should have been used on a person entry, cancel and reenter using caution screen.
5. Take no action on records that are complete, accurate, do not show a Locate, and are still valid.

**G. CERTIFY VALIDATIONS VIA THE CJIS NETWORK USING THE VALD SCREEN.**

**H. CJIS VALIDATIONS AND TRAINING RECORDS RETENTION**

Georgia state law and G.C.I.C. Council Rules require all law enforcement and criminal justice agencies with wanted/missing/unidentified persons, protection order, violent gang and terrorist organization, and/or stolen property record entries in N.C.I.C. computerized files to participate in the record validation program established and administered by G.C.I.C. and N.C.I.C. Validation requires the entering ORI to confirm that the record is valid, complete, accurate and still outstanding or active.

Agency Heads are legally responsible (O.C.G.A. 35-3-33 and 35-3-36) for the validity, completeness and accuracy of agency record entries and may be held personally liable for the results of actions by other departments or agencies, when their actions are based on departmental record entries.

Record entries subject to validation are:

- Wanted/Missing/Unidentified Persons
- Vehicles/License Plates
- Guns
- Boats
- Securities
- Protection Orders
- Violent Gang and Terrorist Organizations
- Convicted Persons on Supervised Release

The DeKalb County Police Department will comply with all procedures required by the Georgia C.J.I.S. Network Operations Manual, Section 18.2, Validation Process and Schedule. This includes the review of validation entries

based on the established schedule, the cancellation of entries that are no longer valid, the modification of entries containing erroneous or incomplete information, and the certification of validity of entries.

G.C.I.C. training workbooks will be securely stored for 90 days after the expiration of certification. The workbooks will then be destroyed. The workbook training form, along with all testing materials, will be securely stored and retained indefinitely.

## **TRAINING SECTION**

### **4-17.1 TRAINING - ORGANIZATION AND ADMINISTRATION**

**Policy:** The Training Section will be a comprehensive assemblage of components designed specifically for the purpose of training and career development of police and other police personnel. The Training Section will also be known as the DeKalb County Police Academy.

Each component will function independently insofar as the development and implementation of a Standard Operating Procedure (SOP) within departmental policy and procedures and state and federal guidelines. The components of the Training Section will consist of Police Recruit Training, Police In-Service Training and civilian training.

**Purpose/Goals:** The purpose and goals of the Training Section will be to develop and implement successful basic police recruit training programs, advanced, specialized and in-service training programs, civilian training programs, and a career development program. These programs will, at a minimum, address all federal, state and Georgia Peace Officer Standards and Training (POST) requirements. All training will be documented by the Training Section.

The training function will serve three broad purposes. First, well-trained officers are generally better prepared to act decisively and correctly in a broad spectrum of situations; second, training results in greater productivity and effectiveness; and third, training fosters cooperation and unity of purpose. These purposes are most important since police agencies are now being held legally accountable for the actions of their personnel and for failing to provide initial or remedial training.

**Scope:** The scope of the Training Section will be to provide services to the Police Department and its personnel and, as needed, to other Department personnel.

### **4-17.2 PERSONNEL ASSIGNMENTS AND RESPONSIBILITIES**

#### **A. DIVISION COMMANDER**

The Division Commander will be responsible for the overall operation and administration of the Training Section and will have the final division authority in matters of operation, policy, organizing, staffing and discipline. The Division Commander will exercise such lawful directives as are necessary to assure the effective performance of the Division and ensure that the Division's goals and objectives are achieved pursuant to departmental policy. The Division Commander will have the authority to assign or transfer personnel, as he deems necessary and beneficial to the Division. The Division Commander will also insure that the following functions are addressed:

1. Planning and developing of training programs;
2. Administer the Training Section;
3. Administer all in-service, advanced and specialized training programs;
4. Administer the career development program;
5. Administer Ballistic Vest program
6. Notifying all departmental personnel of required training, and training that is available to departmental personnel;
7. Maintaining training records;
8. Insuring that required training programs are advertised;
9. Implementing training programs;
10. Selecting instructors;
11. insuring that all instructors have obtained and maintained appropriate general and special instructor certifications;
12. Evaluating training programs;
13. Coordinating training programs; and
14. Research, Prepare and dissemination of legal bulletins.

The Division Commander will also insure that all training programs under his command are reviewed annually so that they complement personnel and operational needs, legal requirements, and departmental policies. This evaluation and updating process should include a review of new laws, court decisions and departmental directives; an evaluation of the training programs; the identification of problems associated with physical facilities, materials,

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or scheduling; consultation with commanders of departmental components, training staff, Division Commanders, and the Chief of Police; and a review of the number of persons trained and the extent of training provided.

### **B. POLICE ACADEMY DIRECTOR**

The duties of the State appointed Police Academy Director will lie with either the Division Commander or Assistant Division Commander. The Academy Director will have the responsibility for the overall operation of all law enforcement training. Duties of the Police Academy Director will include, but not be limited to, the development of standards, the monitoring of Academy programs, adherence to Georgia POST requirements and guidelines as it relates to basic police training, budgeting and resource allocation, and planning and revising the Basic Mandate, in-service, intermediate, advanced or specialized training curriculum. The Academy Director will also represent the department and the DeKalb Police Academy at all POST functions and when needed by the Georgia Public Safety Training Center.

### **C. ASSISTANT TRAINING SECTION COMMANDER**

The Assistant Training Section Commander will have the responsibility for overall operation of Recruit training, in-service training, firearms, intermediate, advanced, and specialized training. Duties of the Assistant Training Section Commander will also include, but not be limited to, the development of standards, the monitoring of training programs, adherence to Georgia POST requirements and guidelines as they pertain to in-service training, budgeting and resource allocation, and planning and revising of training curriculum.

### **D. BASIC MANDATE / RECRUIT TRAINING SUPERVISOR**

The Recruit Training Supervisor will be responsible for the maintenance and coordination of Basic Mandate files, the enforcement of Basic Mandate rules and regulations, Basic Mandate scheduling and related administrative duties, along with daily supervision of instructors. The Recruit Training Supervisor will also be responsible for the overall operation of the Recruit Training.

### **E. BASIC MANDATE INSTRUCTORS**

Police Recruit Instructors will be responsible for the daily supervision of police recruits and all recruit training exercises. Duties of the Police Recruit Instructors will also include the delivery of basic police courses, the enforcement of Academy rules and regulations and the initiation of disciplinary action resulting from infractions. All Police Recruit Instructors will be responsible for the preparation, maintenance, and updating of all Academy lesson plans and instructional material. Police Recruit Instructions must also be prepared to assist with In-Service Training.

### **F. IN-SERVICE TRAINING SUPERVISOR**

The In-Service Training Supervisor will be responsible for the maintenance and coordination of in-service, intermediate, advanced and specialized training files, the enforcement of Training rules and regulations, Training scheduling and related administrative duties, along with daily supervision of instructors. The In-Service Training Supervisor will also be responsible for the overall operation of in-service training.

### **G. IN-SERVICE TRAINING INSTRUCTORS**

Police In-Service Instructors will be responsible for the delivery of intermediate, advanced, specialized, and in-service training programs to Departmental personnel and the preparation, maintenance, and updating of all in-service lesson plans and instructional material. In-Service Instructors must also be prepared to assist with Recruit Training.

### **H. RANGE MANAGER**

The Range Manager will be responsible for the overall operation and management of the indoor and outdoor range facilities including, but not limited to, the scheduling of all firearms training, supervision of range personnel, periodic evaluation of firearms training programs, and the coordination of interdepartmental firearms training.

### **I. FIREARMS INSTRUCTORS**

Firearms Instructors will be responsible for the delivery of basic, in-service, proficiency, and specialized firearms instruction. All firearms instructors will be certified as such.

### **J. ARMORER**

The Armorer will be responsible for the maintenance and upkeep of Departmental weaponry, including but not limited to, shotguns, issued handguns, second weapons, and special weapons. Additional duties will include the maintenance of all range equipment and the coordination of applicable services with outside agencies utilizing range facilities.

### **K. PRINCIPLE SECRETARY**

The Principle Secretary will be responsible for performing secretarial duties, including taking dictation, typing, arranging appointments, maintaining a variety of organizational forms, personnel records, equipment and supply requisition forms, and the preparation of answers to routine correspondence for the Division Commander's

signature. Principle Secretaries duties will also include the coordination and maintenance of Police Recruit training files, Police In-Service Training files, distribution of all available training information, collection and filing of certificates and diplomas documenting completion for all training, the recording and filing of all training requests, and the updating of all employee records concerning their participation in training programs. He/She will also be responsible for maintaining records of each training class; to include, at a minimum, the course content and all lesson plans; attendance records of all personnel and the performance of each individual attendee as measured by a test, if administered

#### **4-17.3 POLICE TRAINING REVIEW BOARD**

The Police Training Review Board is hereby established and will assist in the development and evaluation of training needs and serve as a contact point for representatives of the department's components.

The Police Training Review Board will consist of various members of the department who have been employed for a minimum of two years. The Board will represent the rank and file of the department. Board members will be selected by the Chief of Police or his designee and will demonstrate the skills, knowledge, and abilities necessary for the training function. Board members will serve for an unspecified duration and, when replaced, will meet the same criteria as for initial selection. The Chairperson will be the Deputy Chief of the Uniform Division or their designee. The Police Training Review Board, through its chairperson, will report directly to the Assistant Chief of Police. It shall be the duty of the Board to periodically assist in developing and evaluating training needs and to serve as a focal point for input from those representing agency components. The Board will meet at least annually with the Training Section Commander serving as an advisor.

#### **4-17.4 POLICE RECRUIT TRAINING**

This section of the Employee Manual will be known as "The DeKalb County Police Academy Basic Mandate Standard Operating Procedure". Its purpose is to promote uniformity of approach and operation of Recruit Training and ensure that each recruit has a complete and thorough understanding of the training process and what will be required of them. The rules and regulations of the Basic Academy will normally be maintained in a separate Standard Operating Procedure to be updated as needed and distributed to all recruits at the inception of every academy class.

Each recruit for the Basic Course (that block of instruction and regulations to be awarded Certification by the State of Georgia and regular employee status by the DeKalb County Police Department) is hereby made aware that the Basic Course conducted by the Training Section is part of an on-going screening process used by the Police Department beginning from the time a police officer is first hired and continues until they have achieved regular employee status. Each recruit will be required to complete the Basic Course prior to acting in the capacity of a law enforcement officer, which includes carrying a firearm or making a lawful arrest.

All POST required basic recruit training for police officers of the DeKalb County Police Department is conducted by the Training Section in its own POST approved Police Academy. After completion of basic recruit training, officers may request or be required to undergo other specialized or advanced courses conducted by the Training Section or other approved outside agencies.

The contents of the Academy Rules and Regulations will be issued to each recruit during an orientation period, and will not be construed to supersede nor contradict any current or future DeKalb County Police Department rules and regulations, policies, procedures or directives issued by the Chief of Police. Also during the orientation period, each recruit will be issued an employee manual and additional pertinent information concerning the department, benefits, and a schedule of the Basic Course as provided by the Personnel Unit.

It will be the responsibility of each recruit assigned to the Training Section, to have their Standard Operating Procedure and Employee Manual available for reference and to keep it updated as additions, modifications or changes are made.

It will also be the responsibility of each recruit to read and familiarize themselves with its contents and to adhere to its provisions. If a recruit does not understand any portion of its contents, it will be the responsibility of the recruit to immediately notify any member of the Academy Staff for an explanation or clarification. Ignorance or any misunderstanding of the contents of this Standard Operating Procedure will not be considered as an excuse for non-compliance.

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All police candidates hired by the department will be assigned to the Training Section and required to attend and successfully complete a predetermined training period. Police candidates with no prior police experience or prior police experience totaling less than 2 years, will be required to attend and successfully complete an extended basic mandate academy. Police candidates hired with more than 2 years experience will be required to attend and successfully complete an abbreviated training period. Upon completion of required training with the Training Section, recruits/officers will be transferred to the Uniform Division for precinct assignments. These recruits/officers will continue departmental training with Field Training Officers (FTOs). Refer to Section 4-13 of the Employee Manual for FTO policy and training.

DeKalb police candidates graduating from the Georgia Police Corps Program at the Georgia Public Safety Training Center, will be allowed to attend, and must successfully complete an abbreviated training period in the Training Section. Upon completion of this training period, these officers must successfully complete additional training with an FTO, as described in the previous paragraph. Graduates of the Georgia Police Corps Program will enter into a contract with the department. These graduates must remain in a uniform capacity for a period of at least four years after completion of FTO training. After this period of time, they may become eligible for promotion and/or transfer into another police capacity.

### 4-17.5 OUTDOOR RANGE PROCEDURES

In order to prevent accidents and injuries, strict discipline will be maintained on the ranges at all times. Accidents and injuries are caused by ignorance and/or disregard for safety procedures. Horseplay is an example of disregard for safety, which will not be tolerated. Safety with weapons comes through learning and practicing safe procedures until they become habit. Accidents will not occur if skill, knowledge, and true respect for the weapon are combined with common safety practices. Carelessness and thoughtlessness are the prime causes of accidents on the firing range.

1. Weapons are subject to inspection by the Range Officer, Instructors, or any member of the Academy staff at any time.
2. Weapons brought to the ranges will be unloaded before entering the range area.
3. Hearing and eye protection will be worn while shooting is in progress.
4. If you are on the firing line and spoken to, do not turn around to reply.
5. In case of misfire, notify the Range Officer immediately by raising the free hand. Keep the weapon pointed down range and keep the finger off the trigger until the Range Officer checks the weapon.
6. No firearm will be placed down without first unloading it.
7. Upon hearing anyone shout, "Cease fire", everyone will repeat the command and immediately holster their weapon. It is the responsibility of anyone who observes someone entering the line of fire or observes some unsafe condition to call out this command.
8. In case of a malfunction, or "light recoil" of a cartridge, cease firing immediately until the barrel has been examined for obstructions by the Range Officer.
9. Children are not allowed in the Range area.
10. Never point a loaded or unloaded weapon at anyone. Treat all weapons as if they were loaded.
11. No alcoholic beverages are allowed in the Range area. No one using alcoholic beverages will be allowed in the Range area.
12. If a weapon is dropped in the dirt or water, or if the end of the barrel comes in contact with either, do not fire the weapon without first having the Range Officer check the weapon.
13. Immediately upon picking up a firearm, open the action and check to see that it is unloaded. THEN CHECK IT AGAIN.
14. If a question arises about your firearm, leave the weapon in the holster and raise your hand.
15. Never give a firearm to, or take a firearm from, anyone unless the action is open.
16. Never anticipate a command. Load and unload when and where instructed.
17. Firearms will be loaded on the Range only after position is taken at the firing point and after the command to load is given.
18. Never draw a firearm with the finger inside the trigger guard.
19. Smoking in the Range area by shooters or observers is prohibited.
20. Never shoot at anyone with a blank cartridge.
21. Never carry a loaded firearm on the Range except when on the firing line.
22. Firearms will be pointed in a safe direction at all times.
23. Never shoot another officer's/recruit's weapon unless cleared to do so by a Range Officer.
24. Never use a weapon as a threat.

25. Never ask if a gun is loaded. **CHECK FOR YOURSELF.**
26. Handle firearms as little as possible. They are not toys.
27. Never put your finger on the trigger unless you are ready to shoot.
28. Never shoot at unsafe targets such as water, dirt, concrete, or into the air.
29. Never load a firearm with a cartridge other than the cartridge that it is designed for.
30. Never clean a firearm without first unloading it.
31. Never wipe ammunition with oil or lubricating compounds. This can cause malfunctions.
32. Never go forward of the firing line without first being granted permission to do so by the Range Officer, and only after all weapons on the line have been cleared and holstered.
33. No "dry firing" will be allowed except when on the firing line with the firearm pointed down range, or under the supervision of the Range Officer.
34. Officers are responsible for arrival at the Range with all proper gear and upon leaving the Range to take all gear with them.

#### **4.17-6 EMPLOYMENT OF POLICE OFFICERS WITH ACTIVE STATE OF GEORGIA POST CERTIFICATION**

Police officers hired by DeKalb County that possess a current, up-to-date Georgia POST Certification with two years or more of police experience will attend an amended training course consisting of special blocks of instruction that will familiarize them with the policies and procedures of the Department as well as Select Ordinances of DeKalb County. Previously completed courses of instruction required for POST Certification will be eliminated. The physical fitness portion of the training schedule will be eliminated. Entry-level personnel at this position will then be assigned to a Field Training Officer to complete their training. During this Field Training period, a written evaluation of the trainee will be conducted on a daily/weekly basis. At the end of the evaluation period, Field Training Officers will recommend either retention or termination. Candidates must also pass all pertinent subject areas administered by the Police Training Section before being released to ride alone.

#### **4-17.7 IN-SERVICE TRAINING**

It will be the responsibility of the Training Section to ensure that personnel of the Police Department are kept up to date with new laws, technological improvements, and revisions in Departmental policy, procedures, rules and regulations. This training will also include intermediate, advanced, supervisory, management and specialized training.

The goals and objectives of in-service will be to motivate employees and to further the professionalism of the DeKalb County Police Department, prepare Departmental personnel to act decisively and correctly in different situations, promote greater productivity and effectiveness of personnel in their job performance, and to provide unity of purpose among Departmental personnel in the delivery of police services to the community.

To reach these goals and objectives, the Training Section will be responsible for the planning, development, and implementation of in-service training programs, evaluation of current training programs, informing personnel of available training, notifying personnel of required training, maintaining in-service training records, fulfilling Georgia POST requirements for mandatory in-service training for all sworn officers of the DeKalb County Police Department, and all training required by CALEA and State Certification standards.

#### **Standards of Conduct**

The DeKalb County Police Training Academy attempts to provide an environment that is conducive to learning. In order to achieve this, we insist on the compliance of officer-students with departmental and Training Section policy. For clarity of this policy, officer-student refers to all DeKalb County Police Department personnel, sworn and civilian.

#### **Officer Student Attire**

When attending academic classes at the Police Academy, or other training facilities, business casual will be required. A collared long sleeve or short sleeve shirt (i.e. golf or polo style shirts, oxford, etc.) and casual slacks are acceptable. Denim slacks (blue jeans) are acceptable as long as they are not too loose or tight fitting and are full length. Clothing items in the classroom that are forbidden include, but are not limited to: T-shirts, tank tops, halter tops, shorts, flip-flops, sandals and other non-business type attire. If the class involves physical activity, then BDU

## TRAINING

trousers or sweat pants and T-shirts or sweat shirts may be appropriate. The T-shirts and sweatshirts shall not have offensive or objectionable print on them.

All employees will comply with the departmental grooming [4-14.25], cosmetics [4-14.32] and jewelry [4-14.29] standards. If it does not present a safety problem, female employees will be allowed to wear their hair down. Hats and caps are not to be worn inside during class. If you are not certain about permissible clothing or other dress code issues, contact training at (770) 482-0350 for clarification.

No firearms shall be brought into any classroom without the prior approval of the Training Section command staff. Violations will be dealt with immediately and the officer will either be sent home or to their regular duty assignment. The officer's chain of command will be notified and requested to reschedule the training if needed.

**All classes will start at 0700hrs** (unless otherwise specified). If the officer-student is going to be late, the contact procedures are similar to regular duty assignments. The number to call is **(770) 482-0350**. When you hear the option menu, press 0 to leave a message with the secretary or on the voice mail. If the officer will be unable to attend the class, they are responsible for contacting the Training Section and their own chain of command to ensure proper entry of FLSA codes and to get the class rescheduled.

The Police Training Academy is mandated to adhere to Georgia POST guidelines in attendance and supports the POST 5% rule (a student can miss no more than 5% of a block of instruction). The 5% rule covers reporting and returning from breaks and meals. Officer-students are required to return promptly from all class breaks (lunch, coffee/water, etc.). This means that you can miss no more than 3 minutes per hour of class (e.g. if you miss 6 minutes of a 2 hour block of instruction, you would have to make up the entire 2 hour block).

All officer-students will be required to successfully pass an exit examination upon completion of all classes. Every officer must achieve a score of 70% or better on the test (unless the material requires a higher score). If the officer-student fails to make a passing grade, remedial training will be given and a retest will be taken. Any officer-student that fails the remedial test will allow to be rescheduled for that block of instruction at a later date.

The use of noise emitting electronic devices will be restricted. If the device does not have a silent mode, it will not be allowed in the class. This includes but is not limited to: pagers, cell phones, organizers/palm pilots, etc. These devices are distracting to other students. Pages/calls of a personal, non-emergency nature will not be handled during class time. If the officer-student receives an emergency/work related page that needs immediate response, they will quietly and discreetly excuse themselves from the class with as little disruption of the class as possible. **Cell phones will not be answered in the class.** The telephones in the rear of the class are for break time usage.

During class time, officer-students will pay attention to the instructor and the material being taught. They will refrain from sleeping, conducting personal conversations with other classmates and reading non-class related material (newspapers, magazines, etc.). They will be allowed to consume food and drink during class, so long as it is not disruptive and they clean up after themselves.

While in training, the instructors represent the department's chain of command. Officer-students are expected to comply with all departmental policies and rules and regulations. Instructors have a responsibility to ensure that all officer-students in their classes comply. Instructors will first address all infractions at their level. If the situation is not remedied by this action, the training chain of command will address the problem. This could result in the expulsion of the officer-student from the class. All expelled officer-students will either be sent home or ordered to report to their normal duty assignment location to answer to their immediate chain of command.

The purpose of this policy is to ensure that all officer-students are afforded equal opportunity to gain or improve on their skills, knowledge and abilities in order to increase their effectiveness, efficiency and survivability as DeKalb County Police Officers and civilian employees. The Training Section demands that the environment in training to be as conducive as possible for positive learning. The Training Section will do its best to serve the training needs of our department and its officers and civilian employees.

### **A. GEORGIA POST REQUIREMENTS FOR SWORN POLICE PERSONNEL**

The Georgia POST requires that each sworn officer receive a minimum of twenty (20) hours of in-service training each calendar year or lose certification as a peace officer. Officers who fail to meet minimum annual training requirements will be removed from enforcement duties.

To carry out this mandate, the Training Section will plan, develop and implement an in-service training program for all departmental sworn officers. This program will take into consideration the needs of the Department and the community. Instruction will include topics that will encourage and nurture professional growth, strengthen the management and administrative abilities of supervisors and encourage career development and career advancement of sworn personnel.

In-service training programs will be provided for intermediate, advanced and specialized training, and annual proficiency training in high risk, high liability areas, such as emergency vehicle operation, ethics, and firearms. In-service training will be mandatory. All employees scheduled for in-service training will be responsible for notifying the Training Section when they cannot attend. Absence must also be cleared through the officer's chain-of-command.

## **B. FIREARMS PROFICIENCY**

All sworn personnel, lieutenants and below, will be required to qualify semi-annually on the current Firearms Stress Course with the county-issued weapon. This certification will include training regarding the legal, moral, and ethical aspects of firearms use and safety in handling firearms. This will also apply to secondary and specially approved weapons. Captains and above will qualify annually.

All sworn personnel must receive a passing score on the current departmental Firearms Stress Course to maintain certification. Failure to achieve a passing score will result in corrective action.

## **C. ADVANCED TRAINING FOR SUPERVISORS**

Advanced training for supervisors is training often held outside the department and designed to impart higher level supervisory and management skills to participants. This section is in addition to other advanced or specialized training available to non-supervisory personnel and is not to be confused with advanced training programs established by POST. All sworn officers of the rank of Lieutenant or higher will be eligible for advanced training at the following institutions. These officers must have demonstrated that they have met the mandatory training requirements.

1. F.B.I. National Academy
2. Southern Police Institute

All applicants must be the rank of Lieutenant or above, cannot be the subject of an ongoing Internal Affairs investigation, and must be recommended by the Department. Departmental recommendation will be based on applicant's potential for promotion and leadership ability. In addition to departmental prerequisites, all applicants must meet any additional requirements stipulated by the institution to which applied. Upon graduation from any advanced training course, special consideration may be given to the employee in reassignment to the department. Additional criteria include but may not be limited to:

- a. At least 10 years' service with the Department.
- b. No serious disciplinary actions within the past 3 years.
- c. Must have the last 2 consecutive evaluations of at least 3.5.
- d. Must have at least a combined total of 500 training hours on record.
- e. Must sign an agreement to remain employed with DeKalb Police for at least 3 years after graduation. Failure to remain for 3 years will require a pro-rated repayment of County funds expended in connection with the training.
- f. In the case of the FBI National Academy, must pass the required physical exam.
- g. In the case of SPI, must pass the written required test.
- h. May submit to an oral interview conducted by the Department to include Departmental personnel who have successfully completed either the Southern Police Institute or the F.B.I. National Academy.
- i. All applications are to be submitted in memo form through the chain of command, accompanied by the appropriate documentation.

Eligibility lists will be established and will expire every two years.

## **D. SPECIALIZED/ADVANCED TRAINING**

Specialized/advanced training is conducted in order to enhance skills, knowledge, and abilities beyond the level taught in either recruit or other in-service training programs. Specialized/advanced training may address the development and/or enhancement of the skills, knowledge, and abilities particular to a specialization; management, administration, supervision, personnel policies and support services of a function or component; performance standards of a function or component; agency policies, procedures, rules and regulations specifically related to a function or component; and supervised on-the-job training.

## **TRAINING**

### **E. CIVILIAN TRAINING**

All departmental divisions utilizing non-sworn personnel will be responsible for the practical training of such personnel. This training will meet the requirements of job responsibilities as identified by a job task analysis. Civilian employees wishing to attend departmental or state sponsored classes should apply through their chain-of-command as set forth by departmental policy.

All newly selected civilian employees of the department will receive an orientation to the department's roll, purpose, goals, policies, procedures, working conditions and regulations, and responsibilities and rights of employees. This orientation will be administered by the Police Department's Personnel Services Section. All newly selected civilian employees who are assigned to positions in quasi law enforcement capacities or who will deal with the public on a regular basis will be required to complete certain training programs which include the legal, safety and coordinate responsibilities of their assignments, including dealing with the public.

In order to update skills and increase knowledge for new job responsibilities, civilian employees of the department will be provided annual retraining in their area of assignment. This training may be provided by the Police Department or the DeKalb County Human Resources Department.

The Police Department's Training Section will also develop training classes for all civilian personnel of the department.

It will be the responsibility of the Chief of Police to address any special goals as it affects minorities. All special training goals of this type will be in accordance with the Affirmative Action Plan of DeKalb County government and the Equal Employment Opportunity guidelines of the Career Development Program.

### **F. OUTSIDE TRAINING**

It will be the policy of the department and the Training Section to have all in-service, intermediate, advanced and specialized training conducted within the Training Section and by Training Section instructors, when possible. Occasions may exist whereby in-service, intermediate, advanced and/or specialized training for departmental employees may occur at an outside training facility/agency. In order to receive credit for any training at an outside facility/agency, the facility/agency, instructors and all resources must be approved by POST, and prior approval must be granted by the Training Section.

All financial obligations and legal liabilities will be established prior to an employee attending a training function at an outside facility/agency, and if any problems arise in this area, the employee should notify the Training Section immediately. All employees attending an outside facility/agency will be given an opportunity to provide any input that may be beneficial for the outside facility, agency or our own Training Section. POST regulations and department policy dictate that no personnel from outside agencies will receive training by the Training Section, unless approved by the Division Commander.

All training at an outside facility/agency will be done pursuant to state law and POST rules and regulations. Employees are reminded that departmental policies, procedures, rules and regulations are still applicable. If any training or skills learned at an outside facility/agency conflict with any departmental procedures, policies, rules or regulations, these conflicts should immediately be brought to the attention of the Training Section.

### **G. ROLL CALL TRAINING**

Each law enforcement component of the Department will establish a roll call training program for employees. A roll call training program is defined as training sessions of short duration administered to employees just prior to or after their tour of duty. This type of training program should consider the special needs of those employees who are not scheduled to report for any formal training program.

Commanders of each law enforcement component will establish a liaison with the Police Training Section staff in order to develop roll call training programs by using instructional resources, methods and personnel. In the planning for roll call training, techniques should be developed in order to ensure that needed information is conveyed in a short amount of time. In scheduling roll call training, commanders should take into consideration their law enforcement component's function. Commanders should also ensure that both officers and supervisors are included in any roll call training program and that the program periodically be evaluated.

Police personnel assigned to Uniform Division's precincts will receive roll call training on their respective watches. This training will include policy changes, Employee Manual changes, changes in the legal process, holding cell and prisoner security policy, etc., and should be documented in the roll call journals.

### **H. IN-SERVICE TRAINING**

In-service training is all other training for officers above basic mandated training for recruits, training, which may include periodic retraining or refresher training specialized training, career development, promotional training,

advanced training, and roll-call training. In-service training keeps employees up-to-date on the duties and responsibilities of jobs presently being performed, enhances employee's skills beyond the minimum level, and increases the potential for upward mobility. In-service training will become a component of the Career Development Program and will be mandatory for all departmental sworn personnel.

#### **4-17.8 COURSE CURRICULA, LESSON PLANS, AND INSTRUCTOR CERTIFICATION**

Course Curricula, lessons plans, and instructor certification will be the responsibility of the Training Section.

##### **A. COURSE CURRICULA**

Course curricula will be the responsibility of the Training Section Commander considering the needs of the Department and the community, and satisfying the Georgia Peace Officer Standards and Training Council guidelines. In determining course curricula and the development of training programs, instructors will use all training material available through the Training Section and POST. Instructors will also use additional resource material which will include, but not limited to: inspection reports; staff reports and/or meetings; consultation with field personnel and field observations; Police Training Review Board reports; training evaluations; Internal Affairs Investigative reports; Use of Force reports; and Police Incident reports. All outside resources must meet with the approval of the Training Section Commander.

Course curricula may also be developed from using outside resources within the public and private community. Public organizations may include other law enforcement agencies, other components within the criminal justice system and other governmental bodies. Private organizations may include privately owned training seminars, programs, and conferences or work sessions. The purpose of using outside public and private organizations is to enhance our own training programs.

Job task analysis, published by POST will be used in the development of the curricula of departmental training programs. This job task analysis will be maintained by the Academy Director. The Academy Director will also ensure that performance objectives are developed. These performance objectives should focus on the elements of the job task analysis for which formal training is needed, provide clear statements of what is to be learned, provide the basis for evaluating participants, and provide a basis for evaluating the effectiveness of the training program. The Training Section may develop training programs, which are affiliated with Georgia Perimeter College and/or Georgia State University. The association with these two educational institutions may include provisions of classroom instructions on campus, teaching by college faculty at the Training Section, college credit for training, or assistance in curriculum and lesson plan development. Advanced or specialized training may also be developed jointly with or by other agencies or educational institutions approved by the department. Some of those institutions include:

1. F.B.I. National Academy;
2. Southern Police Institute, University of Louisville;
3. Northwestern Traffic Institute;
4. Institute of Police Traffic Management;
5. Federal Law Enforcement Training Center;
6. University of Georgia;
7. Georgia Police Academy;
8. Georgia Public Safety Training Center.

##### **B. LESSON PLANS**

All lesson plans utilized during recruit, intermediate, advanced, proficiency, in-service, and specialized training will be approved by the Director of the Police Academy to ensure that the subject matter to be covered in training is addressed completely and accurately and is properly sequenced with other training materials, that the lesson plans establish the purpose of the instruction, sets forth the performance objectives, relates the training to critical job tasks, and identifies matters that will be taught. All lesson plans will follow guidelines set forth by the Georgia Peace Officer Standards and Training Council and the Georgia Public Safety Training Center. No lesson plans are to be released to outside individuals or entities without the permission of the Academy director and/or Training Section Commander.

Instructors for all recruit, intermediate, advanced, in-service, and specialized training programs will be required to complete an approved lesson plan, which will include at a minimum: guidelines and format for lesson plan development; a statement of performance objectives, the content of the training and specification of the appropriate instructional techniques, and identification of tests, if used. Instructors should also insure that lesson plans are periodically reviewed (at least on an annual basis) and updated if necessary to reflect current laws, procedures, rules, regulation, and policies.

##### **C. INSTRUCTORS**

## **TRAINING**

Instructors assigned to the Training Section will have demonstrated a considerable knowledge of criminal justice, public safety, civil liabilities, and county, state and federal laws. In addition, an instructor must have shown an interest and ability to learn, organize, direct, and lead. An instructor must be able to teach and communicate, both orally and in writing. Finally, every instructor assigned to the Training Section shall be certified by the Georgia Peace Officer Standards and Training Council as a certified instructor.

At times, personnel of the department not assigned to the Training Section may be called upon to serve in the capacity of an instructor. These individuals will be required to demonstrate the same knowledge and skills as those instructors assigned full-time to the Training Section.

All instructors will be required to have a certain level of training prior to assuming their teaching responsibilities. All instructors will be required to complete the POST Instructor Training Course. All certified instructors would be required to follow POST guidelines in updating and maintaining their instructional certification requirements. All instructors will receive instructional training, which includes, at a minimum: lesson plan development; performance objective development; instructional techniques; learning theory; testing and evaluation techniques; and resource availability and use.

Any time the Training Section utilizes an instructor who is not on the Training staff, this instructor should have attained state instructor certification. In the event that any instructor has not attained state instructor certification, a member of the Training staff will remain in the classroom at all times to assist and aid and monitor the instructor for compliance.

Whenever training programs concern other areas in the criminal justice system, instructors should encourage the use of individuals from that system to assist in the instructional process. Examples of this might include a judge discussing courtroom procedure or a district attorney discussing criminal prosecution. This type of training increases effectiveness improves coordination and promotes better understanding among the criminal justice system. Whenever possible, certified law enforcement instructors are encouraged to provide training to other components of the criminal justice system.

### **D. TESTING**

All testing procedures for police recruits will be addressed in the Police Academy Section of this manual. The testing procedures for all other training programs will be as follows. When at all possible, instructors will administer a test to all attendees upon completion of the training program. All tests should be competency-based, use performance objectives and measure participant knowledge of and ability to use job-related skills. All tests will meet with the approval of the Academy Director and a passing grade of at least 70% must be maintained by all training attendees. (Some areas require a passing score of at least 80%.) Passing scores required will be announced prior to any testing.

### **E. ATTENDANCE**

Attendance procedures for police recruits will be addressed in the Academy Rules and Regulations

### **F. REMEDIAL TRAINING**

All remedial training procedures for police recruits will be addressed in the Academy Rules and Regulations. The remedial training procedures for all other training programs will be as follows. Remedial training is personalized training to correct a specific deficiency, which is usually identified by either (1) testing or other evaluation during training or (2) supervisory evaluation during routine job performance. In the event that a training instructor or supervisor determines that an individual is in need of remedial training, the instructor/supervisor will immediately notify the Training Section in order to determine a training program that would be beneficial to the affected employee which would attempt to correct the deficiency. Once an appropriate training program has been identified, arrangements should be made for the employee to attend this program as soon as possible and practical. Employees will attend remedial training programs recommended by an instructor or supervisor.

## **4-17.9 REQUESTS FOR TRAINING**

### **A. PROCEDURE**

Training requests, funded or non-funded, will be approved through the appropriate chain-of-command. All non-funded requests will then be routed to the Training Section for processing. The Training Section will be responsible for registering individuals attending any Training Facility that is part of the State of Georgia Public Safety Training Network or any other POST accredited departmental academies. The employee will be responsible for registering for seminars, out-of-state classes, or any training facility that is not part of the State of Georgia Public Safety Training network providing the employee has obtained approval through their chain-of-command. The Training Section will notify the requesting employee of all class approvals or denials that are processed by the Training

Section. If officers are approved for requested training and are unable to attend, they must notify the Training Section as soon as possible.

#### **B. REIMBURSEMENT OF FUNDS**

Whenever an employee has been approved to attend a job related training program located at a Police facility or located at a facility within the metro Atlanta area, the employee will be required to furnish his own transportation. If the training program is outside the metro Atlanta area, the employee may be reimbursed for transportation costs if prior approval is obtained through the individual's chain-of-command up to and including the Director of Police Services. Unless prior approval has been granted, employees will be responsible for all meals during a one-day program. If the employee is attending a training program outside the metro Atlanta area and the program lasts for more than one day, the employee may be eligible for reimbursement of meals. This reimbursement must meet with the approval of the Director of Police Services.

For most training programs, fees, books, materials or housing (if necessary) will be paid for by the county. In the event that any employee spends personal funds for these items, the employee will seek reimbursement through the Fiscal Management Section after receiving approval through the employee's chain-of-command up to and including the Director of Police Services.

#### **4-17.10 TRAINING RECORDS**

Unless waived by the individual employee, all training records maintained by the Training Section will only be accessible to the individual, their supervisors, the Training Section Commander and staff, and the Chief of Police.

#### **4-17.11 CAREER DEVELOPMENT**

The purpose of career development is to provide sworn departmental personnel with the means to improve their skills, knowledge, and abilities needed to perform job tasks required in specialized areas of interest which may enhance the individual's potential for upward mobility. Career development highlights specific opportunities for individual growth and improves overall job satisfaction and performance.

The implementation of the Career Development Program (CDP) will be the responsibility of the Training Section Commander. These responsibilities will include, but not be limited to, the evaluation and updating of the CDP as needed, the development and implementation of a training program in career development counseling for supervisors, an annual evaluation of the program and revision if necessary, and the maintenance of an annual SKA (skills, knowledge, abilities) inventory of sworn personnel.

The Training Section Commander will at least annually review and update if necessary the department's career development program.

#### **A. CAREER COUNSELORS**

Career counseling will be designated as a component of the Career Development Program, and all supervisory personnel of the rank of Police Lieutenant will be designated as career counselors after attending a four-hour training course qualifying them to conduct career development counseling in the following areas:

1. Assessment of skills, knowledge, abilities of employees.
2. Salary, benefits, and training opportunities within the department.
3. Educational opportunities and incentive programs.
4. Culture and ethnic background awareness.
5. Record keeping procedures.
6. SKA inventory management.
7. General counseling techniques.
8. Career specialties and supervisory positions.
9. The County's affirmative action and equal employment opportunity objectives and programs.
10. Career development programs from other jurisdictions, including POST
11. Availability of outside resources.
12. Individual goals and objectives.

#### **B. CAREER COUNSELING**

Each Police Lieutenant designated as a career counselor will meet with each sworn police officer under his/her command on an annual basis for the purpose of counseling with the officer in areas mentioned in the previous section. In that these counseling sessions are to be conducted on an annual basis, they ideally should be conducted during an officer's annual performance appraisal.

## TRAINING

During the counseling session, the counselor will complete and discuss with the officer a Career Development Program Counseling Checklist. This checklist will include at a minimum the officer's present POST certification level and target POST Certification level with requirements to achieve the target level. The checklist will also address current specialties and desired specialties along with the employee's short term and long-term goals and objectives. The checklist will further address the officer's commitments toward training, education and general development.

Upon completion of the counseling checklist, it will be reviewed and signed by the officer and maintained in the officer's division/unit/precinct file. Once a 12-month period has expired and the officer is to be counseled again pursuant to the department's career development program, the counselor will review with the officer the previous checklist to ascertain if targets, goals, objectives and commitments during the past 12 months have been met. A new checklist will also be created for the next 12 months. At the beginning and end of each annual checklist, the officer and counselor will be required to sign and date each checklist. A copy of the checklist will be maintained in the officer's division/unit/precinct file with a copy forwarded to the officer, and the original forwarded to the Training Section.

Whenever an officer is promoted or transferred it will be the responsibility of the officer's counselor to review the officer's career development checklist to determine if any updates or revisions are necessary.

In that all Police Lieutenants have been designated as career counselors, when reference is made to officers under their command, officers will refer to all sworn officers of the rank of Police Sergeant and down.

The Training Section will be responsible for maintaining an inventory of each officer within the department, which will include the officer's educational background, training courses completed, special skills, etc. This inventory will be updated at least on an annual basis and will be available to each designated career counselor.

The department will be responsible for maintaining an inventory of each career specialty and the skills, knowledge and abilities needed for each specialty. Specialties will include, but not be limited to, areas such as traffic investigation, homicide, sexual assault, uniform patrol, etc.

### **C. HIGHER EDUCATION PLAN**

It will be the policy of the Department to encourage officers to further their education. Any officer requesting a shift change due to educational enrollment should do so prior to registration. This request should be made in writing and submitted through the chain-of-command. Requests should contain the beginning and ending dates of the semester or quarter and the institution of attendance. Any preferential scheduling will be secondary to departmental needs at the time of the employee's request. Educational leave may be granted for any employee to undertake an academic or vocational instruction as a part of any in-service training program. Education leave may be authorized for attending outside workshops, seminars, and state training academies or approved formal educational programs. All educational leave must first meet with the approval of the employee's commanding officer.

### **D. CAREER DEVELOPMENT PROGRAMS**

The Training Section will be responsible for the development and administration for employee career training specialty areas, which are designed to stimulate personnel to compete for new areas of interest and specialization and to enhance the overall potential of the employee for upward mobility.

Although many different types of specialized training will be available for employees, all employees in a supervisory capacity will be required to complete designated supervisory and management in-service training classes. Once a Police Officer is promoted to the rank of Police Sergeant, the Training Section will, as soon as possible, schedule an in-service training class for newly promoted supervisors in the area of supervision/management. This may include in-service training and classes offered by outside agencies. In addition, all newly promoted supervisors will receive supervised on-the-job training provided by an officer of equal or greater rank with a minimum of one (1) year supervisory experience.

The Training Section Commander will be responsible for maintaining written records of all proficiency and career specialty in-service training with available information on the progress of each participant. All updated information will be forwarded, at least annually, to the officer's Career Counselor, to be placed in the officer's division/unit/precinct file. The division/unit/precinct file will consist of material provided by Training Section and material provided by the employee's supervisor. This material will provide the department with a ready source of information on things such as special assignments, reassignments and advancements.

The Training Coordinator/Principle Secretary will develop an annual inventory of all resources used to develop in-service training for the Career Development Program. This inventory will provide a brief description of the training opportunities offered by the resources listed and other contact information. This inventory will be made available to all program participants.

Temporary assignments and job rotations may be permitted to allow the employee to gain the experience necessary to accomplish a particular task while performing the duties and responsibilities of that task.

On an annual basis, a copy of the officer's training record will be retrieved from the POST website in order to assess the training progress of that officer in achieving career objectives. The officer, the officer's supervisor and career counselor should review the officer's training record. Once the record is reviewed, it should be signed by the officer and the career counselor. A copy of the signed record should then be made and placed in the officer's division/unit/precinct file. If the training record is incomplete or inaccurate, the officer should forward it back to the Training Section, noting any errors and including supporting documentation in the case of an incomplete record. All employees assigned to specialized positions will receive proficiency training to improve the employee's skills beyond the minimum level and to keep the employee up to date on the duties and responsibilities of their present position.

#### **4-17.12 CADET PROGRAM**

The cadet program allows the Department to hire a potential police officer candidate prior to entering the academy. A cadet is someone who has met all of the qualifications for Police Officer and is hired awaiting the start of the next Recruit class. Assignment for the cadets will be made through the Deputy Chief's Office, Uniform Division. Cadets will perform miscellaneous non-sworn law enforcement support and clerical duties. Even though they may be in uniform, the uniforms are markedly different from officers and they shall not, under any circumstances, whether on or off duty, perform any duties as a law enforcement officer or represent themselves as an officer. Any evidence of this will warrant immediate termination and possible criminal prosecution.

A cadet will serve in a probationary status for a minimum of 6 months or until the next available academy starts. Upon starting the Basic Mandate class, a cadet will attain the position of Police Officer and begin a 12-month probationary period.

Cadets assigned to any Police function will be responsible to an immediate supervisor within that assigned function and will report to that supervisor or the supervisor's designee.

Any corrective action recommendations or any other written documentation concerning a cadet will be forwarded to the Deputy Chief's Office, Uniform Division for disposition.

Whenever a cadet receives an order from their supervisor or any other Police employee and this order is in conflict with any orders given by the assigning entity, the cadet will, in a professional and courteous manner, advise the supervisor or other employee of the conflict. If the order is not withdrawn or changed, the cadet will comply with the order as given by that supervisor or other employee.

Cadets will be scheduled to work five 8-hour days and a 40-hour week. This will be reflected on the LAR sheet by the Police Department function the cadet is assigned to. Cadets will be eligible for overtime and this, along with all other work scheduling, will be reflected on the LAR sheet according to departmental policy.

The immediate supervisor to which the cadet is assigned will be issued a copy of this policy and will be responsible for familiarizing themselves with said policy.

Any questions concerning the cadet program shall be directed to the Deputy Chief's Office, Uniform Division.

#### **4-17.13 RECRUIT STANDARD OPERATING MANUAL RULES AND REGULATIONS**

Discipline will only be used to produce mental and physical improvement and to establish uniformity and control in the operation of the recruit program, or to establish obedience to the rules, regulations, and policies of the Department. Because police recruits must work various assignments under diverse conditions, hold a position of public trust, and exhibit impeccable moral character, discipline is a very important part of training.

To accomplish this end, the following rules and regulations are hereby established to guide the conduct of the recruit while assigned to the Training Section. Violations of these will result in disciplinary action against the recruit, up to and including termination.

##### **A. UNIFORMS AND APPEARANCE**

## TRAINING

1. Uniforms, if required to be worn will be kept neat, clean, and well-pressed at all times. All articles of the uniform will conform to departmental regulations. Civilian clothing will not be worn with any distinguishable part of the uniform.
2. Civilian clothing may be prescribed as the normal mode of dress; this will be dictated by the nature of the duty to which the recruit is assigned.
3. While on duty or in uniform, personal jewelry will be limited to: one ring on each hand, a medical ID bracelet, and a watch. Because of the timeliness of everything the recruit does, a watch is a required part of the uniform. It shall be of a conservative style, black, gold, or silver.
4. All recruits will reflect cleanliness about their person and will be exemplary in all matters regarding personal appearance and hygiene.
5. All recruits will be clean-shaven.
6. No beards, goatees, or chin whiskers will be allowed.
7. Head hair will be neatly cut and styled and may extend to the top of the ears, but not covering them. Neckline hair will not exceed below the shirt collar when the collar is buttoned by the top button and when the head is held erect. Neckline hair will be neatly trimmed, tapered, or blocked.
8. Bangs may be worn, but will not extend further than 1/2 inch above the eyebrows.
9. Recruits may not wear earrings, dark or brightly colored lipstick or nail polish while on duty or off duty in uniform.

### **B. ABSENTEEISM AND TARDINESS**

1. It is important that each recruit be present and ready for scheduled duty at the prescribed time. A recruit is required to attend 100% of all duties unless otherwise excused by the staff.
2. Recruits will report to an area designated by a supervisor at the beginning of each day as stipulated.
3. Except when authorized by the immediate supervisor to which they are assigned, a recruit will not absent themselves from duty or their place of assignment.
4. A recruit must call a designated supervisor at least 30 minutes prior to their reporting time if they are requesting leave or are going to be tardy.
5. Leave of any kind will be denied unless there are extenuating circumstances.
6. Any recruit failing to report for duty in excess of 30 minutes past the designated reporting time will be considered AWOL (Absent Without Leave) if they have failed to contact a designated supervisor with an explanation of their absence and the circumstances.
7. For any offense of AWOL, the recruit will be recommended for a suspension of 8 hours. When a recruit accumulates a combination of 3 offenses for tardy or AWOL, a recommendation for termination will be initiated.

### **C. ADMINISTRATIVE POLICIES**

1. All recruits are required to establish and maintain a working knowledge of all rules, regulations, policies, and general orders pertaining to the Training Section, Police Services, and the Department.
2. All recruits will treat officers, Police employees, and other recruits with respect. Each recruit will be courteous and civil at all times in their relationships with one another when on duty and particularly in the presence of other employees in the Department, as well as the general public.
3. Sworn officers will be addressed by their respective titles. Recruits will address academy staff members, training staff, supervisors, etc. as "sir or "ma'am".
4. No recruit will neglect or refuse to perform any duty or refuse to obey any lawful order of a superior officer or member of the departmental staff pertaining to matters of the Department. Failure to obey or deliberate refusal to obey a lawful order will be considered insubordination.
5. Ridiculing an officer, supervisor, or any other employee (in or out of their presence) or their policies will be considered insubordination.
6. All recruits will perform their duties in a prompt, energetic manner.
7. No recruit will, at any time, bring or keep on or about the premises of any property of the Department, any drugs (unless prescribed by a physician) or any intoxicating beverages.
8. All recruits will refrain from the use of profane, obscene, or disrespectful language while on duty, in uniform, at any departmental facility, or in public.
9. All recruits will immediately report any accidents or injuries to their supervisor (incurred while on duty).
10. All recruits are required to have an operable telephone in their residence at all times.
11. All recruits will immediately notify their assigned supervisor of any changes in address, status, or telephone numbers.

12. It is prohibited for any recruit to participate in any type of initiation, horseplay, threats, harassment, hazing, etc. on departmental property. Any activity that may cause physical or mental harm to another person is strictly prohibited.
13. No recruit will knowingly make any false report or statement, written or oral, to any member of the department. Additionally, no recruit will willfully make malicious statements or give false testimony before any DeKalb County Human Resources hearing, or before the Chief of Police or their designees.
14. Any recruit accused of any violation of Federal, State, or local laws (whether charged or not) will immediately report said incident in writing to their assigned supervisor. The report will include, date, time, location, names of those involved, and the circumstances.
15. All outside employment must be approved in writing by the Commander of the Training Section. Outside employment may not exceed 20 hours in any 7-day period. Any unsatisfactory performance by the recruit will result in cancellation of outside employment until such time they are able to perform satisfactorily again. No recruit is permitted to work any police or security related jobs. Recruits must understand that they are not certified peace officers, and may not represent themselves as such at any time.
16. Any recruit found to be lying, cheating, or stealing will be recommended for termination.
17. Pursuant to state law, a recruit has 30 days from the date they moved into the state to purchase and display a current vehicle tag, decal, and driver's license. It is recruit's responsibility to obtain and maintain all current and valid registration, insurance, emissions, etc. as required by law. This must be done on his/her own time if not taken care of prior to the start of their employment with the DeKalb County Police Department.

**D. CORRECTIVE ACTION POLICY**

1. A recruit violating any DeKalb County Police Department rule, regulation, policy, etc. will be disciplined pursuant to departmental policy.
2. All incidents of corrective actions will be maintained in the recruit's departmental employee file.

**E. PSYCHOLOGICAL COUNSELING**

Because of the stress within the law enforcement profession, departmental psychological counseling services will be available to cadets. Psychological counseling may be either initiated by the recruit or by the staff.

## **ANIMAL SERVICES & ENFORCEMENT**

### **4-18 PURPOSE**

To establish guidelines for the administration and operation of the DeKalb County Animal Services & Enforcement. Standard Operating Procedures are contained in separate Field, Kennel, and Office Manuals.

### **4-18.1 STATEMENT OF POLICY**

It will be the policy of the DeKalb County Animal Services & Enforcement to control the threat of Rabies in humans; to promote and enforce the humane treatment of animals; to protect the public and its property by enforcing the County's animal related laws; and to educate and encourage responsible pet ownership and educate the public on its rights and responsibilities regarding animals.

### **4-18.2 ADMINISTRATION**

The Animal Services & Enforcement will be under the direct supervision of a Deputy Director of the Police Department who will report directly to the Chief of Police.

Each employee of the Animal Services & Enforcement will be subject to the applicable rules and regulations of the DeKalb County Police Department and the rules and regulations of the Animal Services & Enforcement.

The Animal Services & Enforcement is charged with the responsibility of enforcing the Animal Services Ordinance, Chapter 5 of the DeKalb County Code, and all other animal related County and State laws and regulations.

### **4-18.3 DIVISION REGULATIONS**

The Animal Services Deputy Director may propose regulations or amendments thereto, to organize and operate the Animal Services & Enforcement in the most efficient manner possible, provided these regulations do not conflict with the DeKalb County Police Department or DeKalb County Human Resources and Merit System Department rules and regulations.

Each employee of the Animal Services & Enforcement will be furnished a copy of the Division, DeKalb County Police Department and the DeKalb County Human Resources and Merit System rules and regulations. Employees will also be responsible for any individual amendments or updates to these regulations as they are issued.

### **4-18.4 DIVISION STRUCTURE**

The Animal Services & Enforcement will be divided into Office Operations, Field Operations, and Kennel Operations.

### **4-18.5 ANIMAL SERVICES CENTER**

The Center hours of operations are: Tuesday thru Friday, Noon to 1800 hours and Saturdays, Noon to 1600 hours. The Center is closed to the public on Sundays, Mondays, and legal holidays.

### **4-18.6 DIVISION POLICIES AND PROCEDURES.**

#### **A. SIGNING FOR ORDERS**

All employees will be REQUIRED to sign for and receive all written orders.

#### **B. RADIO HEADPHONES**

No radio/stereo headphones will be worn by ANY Animal Services employee during working hours without pre-approval of the Deputy Director.

#### **C. CITIZEN INQUIRES ABOUT RABIES TAGS**

When a citizen calls Animal Services during regular business hours requesting information about an animal owner from a rabies tag number, the employee receiving the request will make every effort to furnish the requested information to the citizen. This will involve running the number on the computer system and hand-searching the files.

#### **D. PURCHASE REQUESTS**

No purchase or request for purchase will be made to any other agency, Unit, Division or Department by any employee of Animal Services without the prior approval of the Deputy Director.

#### **E. EATING LUNCH IN OFFICE**

No employee will be allowed to eat lunch in the office area of Animal Services or in view of the public. Anyone desiring to eat on the premises is to use the breakroom. A beverage may be kept at an office desk during working hours.

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Employees will not take their lunch break within the last hour of their shift without prior approval of their supervisors.

### **F. PERSONAL AND ASSIGNED EQUIPMENT**

No employee will leave any personal or assigned equipment on any vehicle when that employee is not on duty. The only time any equipment may be left at the Center during off-duty time is when the employee has the means to secure the item(s) where it will not be possible for anyone to make use of that equipment.

### **G. PUBLIC ADOPTION POLICY**

The Adoption Policy of Dekalb County Animal Services Center will be as follows:

When a citizen desires to adopt an animal from the Center, they will take the "Cage Card" pertaining to that animal to the office where the paperwork will be processed. In the situation where two citizens desire to adopt the same animal, the person first obtaining the card from the cage and presenting it to the office personnel will be the citizen who is allowed to adopt the animal.

Kennel employees and volunteers in the Kennel should be reminded that they are to make sure that any citizen who asks about any particular animal is advised of the procedure they are to follow on the day the animal becomes eligible for adoption.

No animal will be held for any citizen, family member or any other employee. No animal will be allowed to be released early. Impounded animals are eligible for adoption on the morning of the sixth day, in the case of strays and immediately in the case of give-ups.

### **H. PROCEDURE-COUNTER RECEIPTS**

All counter transactions will be completed using the Kennel Animal Record Tracking System (KART), which uses information entered for animals in the Kennel. A receipt will be provided to citizens for each transaction.

All registrations and/or late fees will be recorded on a receipt. This means both those which are received in the mail and those received from citizens over the counter. Mail-in's may be processed in batches for the day, but those which are paid on an individual basis by citizens at the counter will be recorded individually on receipts like other counter transactions. This transaction will include the citizen's name and the tag number(s). In this type of transaction, the rabies tag number(s) will be recorded in the Animal Services Rabies Entry System (ARCE). As with other counter transactions, the white copy of the receipt will be given to the citizen. The daily cash closeout and the daily revenue report will be generated by KART.

### **I. RADIO DISPATCH PROCEDURE**

Office personnel will obtain as much information as possible from citizens when they call for service. The dispatcher will then give the AC officer only the code of the call, the address, main cross street, specifics of the call, and advise the officer if it is a dog, cat, horse, etc., or if there is a dangerous animal involved. The officers in the field will acknowledge the call by simply saying "10- 4."

All information regarding each call, including the officer's action at the scene will be entered into the "Animal Services Tracking System" (ACTS).

### **J. QUARANTINE OPTIONS**

When advising bite case animal owners that quarantine is required, owners will also be advised that they have a choice of where the animal will be quarantined. Owners have the option of quarantining their animals with their Veterinarian, at the Animal Services Center, or at home if they meet all requirements for home quarantine as set forth by the DeKalb County Board of Health. If the animal is quarantine at the owner's personal veterinarian hospital and is verified by the Bite Coordinator that it is indeed quarantine at the animal hospital, a verbal notice to confine will be accepted.

If an owner chooses to use a Veterinarian, the hospital MUST be in Dekalb County. The owner must transport the animal to the Veterinarian from their location to the hospital immediately. The name of the hospital must be provided to the Animal Services & Enforcement before the officer leaves the scene. If the owner has no personal Veterinarian, or does not want their animal taken to a Veterinarian, the animal will be transported to be held at Animal Services.

If an animal is transported to Animal Services for quarantine, the owner is responsible to pay all associated fees with the impoundment, transportation, boarding, registration, and any late fees. At that time, the owner may opt to place the animal with a Veterinarian hospital for the remainder of the quarantine. However, the animal will be transported to the hospital ONLY BY ANIMAL SERVICES VEHICLE and not by the owner, and only after the acceptance of the animal by the hospital has been confirmed by phone by an Animal Services representative.

Quarantine of biting animals other than dogs, cats, and ferrets, and/or those animals which have positively been exposed to rabies, will be as is set forth in the Georgia Department of Human Resources Rabies Control Manual.

### **K. WAIVING COUNTER FEES**

No one will be allowed to waive any fee which is chargeable by the Animal Services & Enforcement, except with the express permission of the Deputy Director or the Administrative Supervisor.

L. PUBLIC SERVICE

All service to the public will be accomplished in a prompt, efficient and courteous manner. Telephone service will be provided with politeness and every effort will be made to gather all information needed to perform the Division's responsibilities appropriately.

M. THREATS AGAINST EMPLOYEES

Any employee who hears any threat made by a citizen, another Animal Services employee, or other County employee against any employee of Animal Services will advise their supervisor and forward a written report through their supervisor to the Deputy Director's Office immediately.

The report will include the name, address and any other information available about the person making the threat, toward whom the threat was made, the date of the incident, names of witnesses, and where the incident occurred. All employees should keep the safety of all of their fellow employees in mind, and remember that a potential for danger exists.

N. DUTY UNIFORM

The duty uniform for all Field and Kennel employees will be as follows:

1. SHIRTS

The gray long/short sleeve shirt issued by Supply with a badge over left pocket, nameplate over right pocket, Department insignia worn on the tip of each collar, and individual section patches sewn on upper sleeves of the shoulders. A black T-shirt will be worn as an under garment. The T-shirt will not be worn as an outer garment in public view. Shirts will be tucked in pants at all times.

The white long/short sleeve shirt issued by Supply for supervisors only with a badge over left pocket, nameplate over right pocket, Department insignia worn on the tip of each collar, and individual section patches sewn on upper sleeves of the shoulders. A black T-shirt will be worn as an under garments. The T-shirt will not be worn as an outer garment in public view. Shirts will be tucked in pants at all times.

Note: In cool or cold weather, black long sleeve heavy shirts may only be worn under long sleeve uniform shirts.

2. PANTS

The six (6) pocket black fatigue pants issued by Supply are the only acceptable pants to be used.

3. KENNEL WORK COVERALLS (OPTIONAL)

An optional black, work coverall issued through Supply with a badge sewn over left pocket, and individual section patches sewn on upper sleeves of the shoulders. A black T-shirt will be worn as an under garment. At no time will this uniform be worn in public view.

Note: In cool or cold weather, black long sleeve heavy shirts may only be worn under the coveralls.

4. JACKETS

The black jacket issued by Supply with the badges sewn on the left chest, and individual section patches sewn on upper sleeves of the shoulders.

5. HATS (OPTIONAL)

A black baseball cap is the only acceptable cap to be used.

Note: In cool or cold weather, a black skullcap without emblems may be worn.

6. SHOES

The black high top boot issued by the County is the only acceptable shoes to be used. For employees who cannot wear high top boots, an approved black low-cut boot/shoe may be worn. When a low-cut boot/shoe is worn, black socks are required.

All employees are required to maintain a neat appearance and be well groomed while in uniform. All articles of the uniform will conform to the Public Safety uniform policy. **Civilian clothing will not be worn with any distinguishable part of the uniform while on or off duty.**

O. WEARING OF UNIFORMS

All uniformed Animal Services employees are to wear their uniforms ONLY while on duty. "On Duty" includes regularly assigned shifts, court appearance, school/classes, or any other time that may be assigned by the supervisor or Deputy Director.

All uniformed Animal Services employees will maintain in good order, a regulation uniform. All articles of the uniform will conform to the Department's uniform regulations. No civilian clothing will be worn with any distinguishable part of the uniform.

All officers will maintain a neat appearance and be well groomed while in uniform.

Uniforms will be kept clean (laundered regularly), neat and well pressed at all times.

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Officers will maintain military bearing, avoiding mannerisms such as slouching, shuffling or keeping hands in the pockets. The wearing of the uniform baseball cap is optional.

### P. HAIR GROOMING

Hair grooming is an important factor in our appearance. Hair appearing unkempt and generally unmanageable will not be tolerated as a result of allowing new tolerances in grooming. Hair must be regularly cut and shaped, (including regular shampooing). No coloring other than natural hair colors will be allowed.

#### 1. FRONT

The hair cannot be combed in such a manner that any hair hangs down over the forehead and is exposed under the baseball cap or helmet. Bangs will be allowed, but may be worn no longer than the mid forehead.

#### 2. REAR

The hair at the back of the head and upper neck surface may be worn full provided that the hairline indicates a taper or "feather-edged" appearance at the bottom. No hair will be allowed to extend over the collar or be cut straight in with scissors showing no taper. A square-type hairline is acceptable but a shabby appearance at the lowest point in the back is a violation. **LOOKING FROM THE REAR PORTION OF THE HEAD, THE NORMAL HAIRLINE IS IN LINE WITH THE BOTTOM OF THE EARS.** Hair cannot be worn so full in the back as to curl upward. Women who have hair, which falls below collar length, must pin or fasten it up in a secure manner so that it does not hang below the collar.

#### 3. TOP - REGULAR STYLE

The hair may be worn full on the top of the head provided the hat will sit firmly and squarely on the head with a reasonable military appearance. Reasonable military appearance means that the hat cannot be solely supported by the hair and must rest at some points supported by the head surface.

#### 4. SIDES - SIDEBURNS

The hair may be worn full on the sides provided it is combed toward the rear of the head and does not cover any part of the ear while on duty. The hair may touch the top of the ear, but even partially covering any part of the ear is a violation. (With this latitude allowing full sides, an officer may comb his hair differently while off duty and in civilian attire and still pass regulations when on duty with the hair combed back and of the ears).

The bottom of the ear will be considered the lowest point of the hair under the regulations herein set out. **SIDEBURNS MAY EXTEND TO THE BOTTOM OF THE EARS.** Absolutely no "POINTS" or "PORK CHOP" style sideburns will be allowed. The sideburns must be squared off at the bottom and trimmed as neatly as possible in a straight line downward. The sideburns must not be worn so full that they turn up or can be combed back over the front part of the ear. Bushy sideburns are a violation.

#### 5. AFRO-STYLE HAIRCUTS

A short to medium afro-style is acceptable provided the hair does not cover the ears or extending the back or on the sides lower than the normal hairline, which is the bottom of the ears. An Afro on which our baseball cap or helmet/hardhat will not sit squarely and firmly on some part of the head surface is not acceptable. The Afro cannot be the sole supporting base of the hat. Afros will be neatly trimmed to project a full round appearance. The Afro must allow a reasonable military appearance with headwear.

#### 6. FACIAL HAIR - MUSTACHES AND BEARDS

##### a. MUSTACHE

A neatly trimmed mustache is acceptable provided the following regulations are strictly adhered to: The mustache cannot extend in length beyond the end of the top lip. The mustache cannot turn upward or downward at the ends. (NO "MANCHU" or "HANDLEBAR" styles). The mustache cannot be worn twisted or waxed on the ends. The mustache must be trimmed completely off the top of the upper lip. The mouth must be totally exposed. The mustache cannot be worn so thick that it extends outward over 1/4 inch at any point. ("No Paintbrushes"). The width of the mustache may not exceed 3/4-inch maximum at any point. The mustache cannot be dyed or worn any color different from the hair.

##### b. BEARDS

A neatly trimmed beard is acceptable provided that it does not exceed one inch in length on any part of the face.

### Q. USE OF OVERTIME

All overtime worked by employees must be approved before working in an overtime status. Prior approval/pre-approval includes verbal approval through supervisors to the Deputy Director, Police Department – Animal Services & Enforcement, and/or recorded on extra duty rosters or calendars.

If an employee works over his or her normal shift due to workloads, the employee will request the Section Supervisor approve and sign their completed "OVERTIME APPROVAL FORM", which requests payment for

overtime worked. Employees not receiving prior approval to work overtime, or not having their Supervisor's signature, will not be paid for that overtime worked. Also, the Overtime Approval Forms must be submitted to the Supervisor in a timely manner, NO later than the day after the time is worked.

#### R. REQUEST FOR ANNUAL/HOLIDAY USAGE

All annual and holiday leave must be approved two (2) weeks in advance. All requests must be approved by the Section Supervisor before final approval. Approvals will be based on a first come basis, but approval is not guaranteed. Emergencies will be considered on a case-by-case basis.

#### S. FAMILY MEMBER VISITS DURING WORKING HOURS

Family members of employees and/or Community Service Workers are not allowed to stay on the Animal Services Center premises while the employee is working. This order does not include a family member visiting an employee for a short period of time (less than ½ hour). Exceptions to this order will only be granted by prior approval from the Director of Animal Services.

#### T. REPORTING FOR DUTY

##### FIELD AND KENNEL

When calling in to be absent from or tardy for work, all assigned employees must either inform their immediate Supervisor or Office In Charge (OIC), or in their absence, another Supervisor or the Deputy Director for Animal Services. If none of the above personnel are available, an employee must inform Communication Radio of their intentions, as well as leave a message on the voice mail of their immediate Supervisor and the Deputy Director for Animal Services.

##### OFFICE

When calling in to be absent from or tardy for work, all assigned employees must either inform their immediate Supervisor or Lead Worker, or in their absence, another Supervisor or the Deputy Director for Animal Services. If none of the above personnel are available, the employee will leave a message on the voice mail of their immediate Supervisor and the Deputy Director for Animal Services to inform them on their intentions.

#### PHONE NUMBERS FOR VOICE MAIL

Deputy Director of Animal Services	(404) 294-2980
Administrative Supervisor	(404) 294-2970
Field Supervisors	(404) 294-2940 or 2950
Secretary	(404) 294-2969
Communications	(404) 294-2213

#### U. COURT APPEARANCE

Any Animal Services employee is scheduled to appear in Recorders Court, or in any other court, for any Animal Services related matter on any date, including on non-assigned court dates it has been and will be the responsibility and obligation of the employee to appear for that case on time (before court begins). This applies to citations issued by the employee, counter citations and resets generated by Recorders Court.

It is responsibility and obligation of an employee to insure that court cases do not conflict with his/her leave/vacation. If it is found by the employee that a court date will conflict with their leave/vacation, it is the employee's responsibility and obligation to submit a request to "Reset Court Date" through the Animal Services court-scheduling clerk, the employee's supervisor, and to the Director of Animal Services for final approval. A reset request **will not** be processed or approved if submitted within two (2) weeks of the court date.

#### 4-18.7 CONTROLLED SUBSTANCES

Any use of controlled substances by Animal Services personnel will be handled in accordance with all State and Federal guidelines.

#### 4-18.8 FIELD OPERATIONS SECTION

##### A. FIELD SUPERVISOR'S GUIDELINES

1. Supervisors are responsible for the operation of their section. They are to make sure that a sufficient number of employees are scheduled to work on any given day.
2. All supervisors are responsible, on a daily basis, for all daily activities on their
3. Respective watches. Any problem that the supervisor feels may have detrimental effects on the Division as a whole should be discussed with the Deputy Director.
4. Whenever an ACO requires police assistance, supervisors will respond to the location.
5. Respond to all calls involving loose or stray horses, cows or hogs.
6. Supervisors will monitor radio traffic at all times.

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7. Handle calls in a given territory when field staff is busy. Supervisors will be expected to respond to any call when they are the closest available unit.
8. Record and report AC officer's activities from the Officer's Daily Activity Reports daily, and submit to the Administrative Supervisor at the end of each month. This monthly report is due by the end of the third day after the end of the month. This will not be delegated to a subordinate.
9. Respond to field problems where officers need assistance.
10. Supervisors will respond to all accidents involving ACO's and fill out the required report forms on injuries and damages. If the accident is vehicular and Police judge the ACO at fault, the ACO will be transported to an appropriate facility for drug testing.
11. Supervisors are responsible for handling complaints from citizens who make allegations against Animal Services employees and the Deputy Director will be advised. The Deputy Director will determine if the complaint should be handled by Internal Affairs or at the line level.
12. Handle field complaints from the Chief of Police's Office and the Commission Office. This may be delegated, but supervisors are to follow up to insure a solution to the problem and then report back to the Deputy Director.
13. The Day Watch Supervisor will inspect field units once a week to insure that units are clean and in good running order. All defects are to be reported to the Deputy Director along with a copy of the Vehicle Maintenance Request slip that is taken with the unit to the shop.
14. Supervisors will evaluate all Probationary employees on a weekly basis. These evaluations will be discussed with the new employee and then the Deputy Director before the end of their tour of duty.
15. All overtime must be approved in advance by a supervisor before it will be accepted. Overtime sheet is to be completed and signed by a supervisor at the end of each watch before the supervisor leaves for the day.
16. It will be the responsibility of the supervisor to notify the Deputy Director whenever that supervisor will not be in for duty. The supervisor will also designate an OIC in his/her absence.
17. When serving in the supervisory capacity in the absence of the supervisor, the OIC will report for duty like the supervisor normally does.
18. Supervisors are responsible for all Accident Report packages for Risk Management, Insurance Division, and the Accident Review Board. These packages will be completed and turned in to the Deputy Director within 24 hours of the accident. These cases will be presented before the Accident Review Board by the Chief of Police's Office.

### B. CASE INVESTIGATIONS

#### 1. CRUELTY INVESTIGATIONS/ABANDONMENT

The Field Operations Section will handle complaints of cruelty, abandonment and neglect of animals and generate the required reports, take appropriate action for the animal and/or against the owner or custodian. This section will also follow up on cases initially handled by other officers.

#### 2. DANGEROUS ANIMAL CASES

The Field Operations Section will handle complaints of dangerous animals and generate the required reports, take appropriate action against the owner or custodian. After an animal has been ruled dangerous by the Court, the owner has 15 days in which to provide a secure area for the animal. Field Operations will provide the follow-up on these cases, taking pictures and documenting information about the animal pens, and approving or disapproving the area as meeting specifications as provided in the Animal Services ordinance.

#### 3. SPECIAL CASES AND PUBLIC RELATIONS

Field Operations will respond to complaints, which require special action, and/or P.R. Written reports are provided to the Deputy Director.

### C. DISPATCHING OF CALLS

Dispatching of calls will be handled by office staff during regular business hours. Sheriff's Radio will dispatch after hours, weekends, and legal holidays.

### D. WATCH PREFERENCE PLAN

Animal Services field personnel will be under a Watch Preference Plan with the Day Watch being the preferred watch. The following will apply for Animal Services.

Once removed from Day Watch, an officer must remain on the Evening Watch for at least 3 months before requesting the Day Watch again. Once an officer is on the Day Watch, every effort will be made to see that they have at least four (4) months on Day Watch if at all possible. Suspension time will not count toward this time.

A request for transfer to Day Watch must be approved by the officer's immediate supervisor. All transfer requests will be submitted in writing, with a reason shown, and will be honored according to the date on the request.

When an officer requests a transfer to the Day Watch and that request is granted, then the officer who has served the longest on the Day Watch will be the one who is transferred from the Day Watch and will go to the watch of the requesting officer.

All officers who are on the Day Watch will themselves know when they are the oldest Day Watch officer in service working days and should prepare to be transferred when the time draws near.

E. ROLL CALL

There will be a "Roll Call" each day. The purpose of the roll call will be to make daily assignments and to discuss any problem areas or situations that occurred on the previous watch, and discuss Safety Topics.

The roll call time will also be used by the supervisors to inspect each officer for cleanliness, neatness, etc.

Roll call should not last over 15 minutes. All supervisors should arrive 30 minutes prior to roll call and prepare all assignments to be handed out.

Officers will be permitted to clock-in 5 minutes prior to roll call.

Officers should have all their equipment ready and in one place so they will be able to go 10-41 within 15 minutes after roll call is completed.

F. USE OF RADIO

The following procedure will be used in dispatching calls over the Radio: Office personnel will obtain as much information as possible from citizens when they call for service. The dispatcher will then give the AC officer only the code of the call, the address, main Cross Street, specifics of the call, and advise the officer if it is a dog, cat, horse, etc., or if there is a dangerous animal involved. The officers in the field will acknowledge the call by simply saying "10- 4.

The following radio codes will be used when dispatching calls via the radio:

CODE	MEANING
01	To be euthanized
02	West Nile Specimen
07	Give-up of Injure/Sick
08	Immobilization (Dart/Tranquilize)
09	PR Case: School or community presentation; special assistance for citizen
10	Follow-up: Complainant not home on initial call
11	Follow-up: Owner not home; deliver citation(s) or warning
12	Follow-up: 1 to 2 canines that were not caught
13	Follow-up: Pack of dogs; wild; female in season; several strays
14	Reported DOA
15	Reported DOA with citizen standing by
16	Animal (s) in garbage as reported by sanitation
17	Address of owner giving up pet
18	Address of owner of loose animal(s)
19	Address of Complainant
20	Female animal in season
21	Patrol area for violation (no address given)
22	Possible rabid animal
23	Injured animal
24	Bite case with limited information (get complete report and location of animal)
25	Bite case, report complete, animal is quarantined.
26	Health check of animal quarantined at owners home.
27	Reported cruelty, investigate and make report.
28	Abandonment
29	Sick animal, owner unknown
30	Complaint from Commissioners Office
31	Complaint by P.D.
32	Rescue
33	Pick up/deliver supplies
34	Take Lab specimen to State Lab.
35	Wildlife related complaint.
36	Trap-pick up or set.
37	Pet Shop complaint-cruelty or neglect
38	Transport to or from Veterinarian

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- 39 Eviction-59 with Marshall
- 40 Aggravated Situation
- 41 Livestock complaint
- 42 Animal in Trap
- 43 Refer to Special Operations Section (SOS)
- 44 Complaint or problem at a School
- 45 Complaint involving a Pit Bull
- 46 Dangerous Animal

Officers will use those 10-signals that are commonly used by Police Department as well as those designated for Animal Services use. Animal Services is not limited to those listed but may use others if the situation warrants their use.

### G. MAP BOOKS

A map book will be issued to each Animal Services Officer, Radio Dispatch Room, and Kennel Receiving Desk. Map books issued to Animal Services Officers are to remain with the officer to whom it is assigned, and are not to be left in the unit after the Officer goes 10-42 or leaves the unit with Fleet Maintenance. Radio Dispatch copy is to be placed in the office Officer In Charge's desk at the end of each day. Kennel Receiving Desk copy is to remain at the desk at all times.

### H. CLEANING UNITS

Each ACO is responsible for cleaning out their unit before he/she goes 10-42. This includes the cab as well as the cages. Should an ACO find a unit that has not been cleaned, they are to report it immediately to their supervisor.

### I. OPERATOR'S REQUEST FOR VEHICLE SERVICE

All employees will fill out an "Operator's Request for Service" form anytime any repairs are required on a vehicle and it is going to be taken to Fleet Maintenance.

### J. BREAK TIME

All employees will be required to take a thirty (30) minute break per shift (daily). This break may be used for breakfast, lunch, dinner, or any personal reason.

### K. COURT PROCEDURES

Any officer of the Animal Services & Enforcement who has issued a citation requiring the defendant's appearance in Court is also required to be in Court at the appointed time and place.

When appearing in Court, (Superior, State or Recorders), all Animal Services officers and supervisors are required to wear their uniforms. No civilian dress will be allowed except for office employees.

Officers MUST witness a violation to issue a citation without a subpoenaed witness. If the officer does not actually witness the violation then he must subpoena the person that saw the violation occur.

If an animal is picked up out of a trap, then the owner of the property where the trap is located must be subpoenaed to testify to the fact that the animal was on the property illegally.

Anytime there are multiple charges, or more than one animal in violation, there will be a separate citation written for each separate charge and for each animal involved.

Court dates will be set based on the Officer's assigned court schedule, except in the case of a Dangerous Animal.

Dangerous Animal cases are to be set for two (2) weeks following the date of issue. All cases are to be set on Friday unless changed at the discretion of the Court.

### L. QUARANTINE OF INJURED ANIMALS

When any ACO or citizen brings an animal to the Center that are injured to such an extent that quarantine would be inhumane and/or cause suffering for the animal, the animal will be transported to a Veterinarian for a recommendation. Said recommendation will be followed.

### M. LAB SPECIMENS

Any employee taking an exposure report will prepare the lab sheet and attach to the report.

Any officer who picks up a dead animal whose head needs to go to the Lab will decapitate the animal upon their arrival at the Center. It will be that person's job; it will not be left for another to do.

Any animal that is still alive and which needs to be tested, will be euthanized and decapitated by Kennel personnel.

Any type of bat that needs to be tested will be euthanized and taken to the Lab without being decapitated. When Animal Services has required the quarantine of an animal as a result of a bite/scratch, and the animal is being confined at a Veterinarian hospital, and that animal dies or is euthanized there, Animal Services will be responsible for transporting the head to the State Laboratory for testing.

**4-18.9 ANIMALS AT VET**

Anytime an officer transports an animal to a Vet Hospital for treatment, they will completely fill out a cage card for those animals. Make sure the name of the veterinary hospital where the animal is left is on the card. The card is to be placed in the rack on the Kennel supervisor's office door.

**4-18.10 TRANSPORTING LAB SPECIMENS FROM VET**

When Animal Services has required the quarantine of an animal as a result of a bite/scratch, and the animal is being confined at a veterinary hospital, and that animal dies or is euthanized there, Animal Services will be responsible for transporting the head to the State Laboratory for testing.

**4-18.11 HOME QUARANTINE ELIMINATED**

There will be no home quarantines. This is for the safety of all ACO's. The only exception being, when an immediate family member has been bitten by his or her own, currently inoculated pet, and there is a secure area for confinement away from other animals.

**4-18.12 GIVE-UP CARDS IN FIELD**

When an officer picks up "give-up" animal in the field, the officer will make sure the back of the Cage I.D. Card is signed by the owner giving up the animal.

Signatures are required on ALL "give-ups" picked up in the field and taken in by the Kennel.

**4-18.13 CRUELTY INVESTIGATION REPORT**

This report is to be completed in addition to an incident report in cases where cruelty is "founded". In those cases of "unfounded cruelty", only an incident report is required.

All cruelty reports will have all blanks filled to assure appropriate information is available to investigate and follow up on the case.

**4-18.14 TRANQUILIZER EQUIPMENT PROCEDURES**

Philosophy and Consideration of Chemical Immobilization:

The purpose of using chemical immobilization for the capture of free ranging animals is to physically take into possession or secure such animals alive and unharmed.

Before using this technique, the first consideration should be the humanness of its application. Every possible effort must be made to assure the safety and welfare of the animal. The principle objective of chemical immobilization should be to capture the animal while inflicting the least amount of fear, pain, injury and stress.

The person who is responsible for administering the drug to an animal must also accept the responsibility for the life of that animal. If one is not prepared to accept such responsibility, or is lacking the knowledge and qualifications to do so, alternative methods of capture should be sought.

Elements of the Perfect Chemical Capture:

Surprise - Animal is totally unaware of what is about to happen; Animal Services officer has approached the animal without the animal detecting/noticing the Animal Services officer.

Stationary Target - Animal is as motionless (not moving) as possible, preferably resting or sleeping; Animal Services officer is able to rest the delivery device (blow dart, pistol, gun), calmly take aim and shoot.

Painless Injection/Quick Acting - The drug itself does not produce pain when it is released in the muscle; The projectile (dart) is very light and has enough speed for the needle to penetrate but not so much as to slap or create an uncomfortable and painful impact on the animal; projectile's needle is thin and sharp just like a regular injection needle. Penetration by the needle is as painless as possible.

Zero Flight/Escape Response - The animal having experienced no pain and not knowing what happened does not experience fear and hence is drugged right where it was hit by the dart.

How to Achieve the Perfect Capture - The closer the Animal Services officer adheres to the conditions of perfect chemical restraint, the more success he/she will have in capturing the animal. Planning and studying the situation is essential. Be Patient.

The Animal and The Environment - Animals are creatures of habit (especially the dog). They will stick to a very strict daily routine. It is essential for the Animal Services officer to identify the habits of the animal in question.

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One-way of pinpointing the habits of the animal is by interviewing the complainant or neighbors where the animal is hanging around: What times it shows up? Where does it come from? Invariably, there will be a resting area the animal will use daily during the hot periods of the day, or maybe a neighbor is feeding the animal at a certain time of the day. Their resting or feeding areas are excellent places to tranquilize and capture the animal.

Study the area carefully. Determine whether you can shoot from your vehicle or if you need to construct a simple blind. Consider wind direction and velocity.

Never look at the animal directly while doing the preliminary investigation, or when you are attempting to capture an animal. A direct stare in the animal kingdom is a definite sign of aggression. It is recommended that the Animal Services officer wear sunglasses while preliminary investigations are conducted.

The Animal Services Officer - Be conservative. Chemical capture should be used as a last resort. Officers should attempt all other methods of capture first. Chemical capture can hurt the animal if misused or if certain equipment is used.

Only true un-owned stray animals should be tranquilized unless there is imminent danger.

Be extremely careful with bite animals. While attempting to tranquilize a bite animal, you may scare it to the point that the animal may decide to move and go somewhere else. Make sure you consult with the victim and all other parties involved and make them aware of their choices. After 10 days quarantine is over, you may attempt to capture the animal just as any other stray.

If you do not have a good shot, do not shoot. This is probably your hardest decision to make, but remember if you shoot and miss, you are going to make the animal wilder and more careful than before. If you choose not to shoot, there will always be another chance.

Escape Routes - As mentioned previously, dogs will develop very strict routines. The route of escape used for a dog today will be more than likely the one the dog will use the next day. If you attempt to tranquilize a dog and lose it before it is drugged, a strategically placed person in hiding along the escape route can mean successful capture.

One or more trackers in addition to the shooting Animal Services Officer are advisable. If you can track in the truck, it is better as it is easier to keep track of the running animal. Be careful, the more people involved, the less likely you will have the element of surprise.

The Delivery System - The delivery system and projectile/dart should be as painless as possible and incapable of producing serious injury to animals, persons or property. The drug utilized should also be painless when injected and as quick acting as possible.

Dekalb County Animal Services will use the Telinject Blow Pipe System except in those cases where a long range (over 50 feet) shot is required. In the case of the long-range shot, the Crossman Gas Rifle may be used.

Telinject Advantages: Very light plastic syringes, safety, needles are thin, unbarbed and as painless as possible, silent, low-impact, good public relations, and harmless to animals, persons or property.

Telinject Disadvantages: Short range and medium accuracy.

Crossman Advantages: Long range, accuracy, quicker injection of chemical upon impact and time saving.

Crossman Disadvantages: Could injure animal at short ranges.

### 4-18.15 KENNEL OPERATIONS

#### A. CAGE CARDS

A Cage Card shall be prepared for every animal that enters the Center, giving all-important data, i.e. description, color, sex and characteristics of the animal. All Veterinarian treatment and ultimate disposition of the animal shall be placed on, or attached to, the card with the date.

#### B. ANIMAL IMPOUNDMENTS

Depending on the reason for impoundment, animals will be required to stay the following minimum number of days:

1. Animals with identification are required to stay three (3) days after the return of the "return receipt", of the letter itself, or owner notification in person.

2. Animals without I.D. are required to stay five days (5) days. These animals are to be moved on the morning of the sixth day and put up for adoption or euthanized.
3. Eviction animals are required to stay for a five (5) days and then put up for adoption or euthanized.
4. Animal to human bite case animals are required to stay a full ten (10) days from the date of the bite incident for rabies observation. At the end of this time they will be released to the owner or euthanized. In the case of an injured animal which should be quarantined, if the injuries are to such an extent that would cause undue pain and/or suffering for the animal, a supervisor will be notified and the animal will be transported to a licensed Veterinarian for a recommendation and a determination will be made by the Veterinarian and/or the owner whether or not to euthanize the animal at that time.
5. Wildlife to domestic animal contact that requires a rabies quarantine period will be determined by the domestic animal's vaccination status as defined by State law and CDC recommendation. In the case of an injured animal which should be quarantined, if the injuries are to such an extent that would cause undue pain and/or suffering for the animal, a supervisor will be notified and the animal will be transported to a licensed Veterinarian for a recommendation and a determination will be made by the Veterinarian and/or the owner whether or not to euthanize the animal at that time.
6. Livestock will be kept and maintained for a period of fifteen (15) days at which time a decision will be made by the Kennel Supervisor as to their disposition.
7. Abandoned animals will be held on a case by case basis. If owner information is available, the animal(s) will be held until Field Operations can complete prosecution. If no owner information is available, the animal will be held for five (5) days and then be put up for adoption or euthanized.
8. Injured animals will be transported to a licensed Veterinarian for a Veterinarian recommendation. If, based on the recommendation, the animal can be held it will be kept for five (5) days and then be put up for adoption or euthanized. If, in the Veterinarian's opinion, the animal cannot be humanely held for the holding period, it will be euthanized based on Veterinarian recommendation.
9. Cruelty Case animals will be kept as long as the court case is pending. Pictures will be taken of the animal upon its arrival at the Center and then every effort will be made to improve the animal's health and well-being.
10. Dangerous Animal Cases will be kept as long as the court case is pending. Pictures will be taken of the animal upon its arrival at the Center.
11. Police impounds upon impound, a Property Release form will be completed by the impounding Police Officer stating whether the animal(s) are, or are not, part of the investigation. If the animal(is being held, they will be kept as long as the case is active and the Kennel Supervisor will remain in contact with the Police Officer, District Attorney's office or the Solicitor's office determine if a final disposition can be made on the animal, and when. If the animal is not part of the investigation, they will be held five (5) days and processed as a stray.

In the event that a Police Impoundment or Dangerous Animal is found dead, in the Animal Services Center, the Animal Services Officer will first make a supervisor aware of the incident, and then write a supplemental report detailing the incident. The statement should include the following:

1. Date and time of the discovery;
2. The cage number where the animal was found;
3. A complete description of the animal; (species, color, tag, sex, size, etc.)
4. The Police case number;
5. The associated ACTS or KART number;
6. The Police Officer's name and badge number;
7. Any circumstances that might seem unusual.

The Animal Services Supervisor will then call the Crime Scene Unit to respond and photograph the dead animal. Additionally, that supervisor will call the Police Officer's supervisor and advise them of the situation, documenting the call. The photos, statements, cage card(s) and any and all other documents associated with that animal will be turned over to the Special Operations Section (SOS) for record keeping.

Upon discovery of a police animal impoundment or Dangerous Animal case animal which is found to be sick or injured while in the care of the Animal Services Center, arrangements will be made immediately to transport the animal to a Veterinarian to determine the cause of the sickness/injury, and treat the animal so it may be humanely held. Upon return to the Center, the diagnosis and recommendation for treatment will be attached to the cage card. If the animal is reclaimed, all documents associated with that animal will be turned over to SOS for record keeping. If the animal must be euthanized, or dies, the procedures above will be followed.

#### C. SECURITY IN KENNEL

## ANIMAL SERVICES & ENFORCEMENT

All kennel runs and cages within the Kennel area will be secured as long as there is an animal in the cage or run. Doors to any "Restricted Area", e.g. Euthanasia area, Bite Ward, will remain locked at all times.

### D. ANIMAL PROCESSING

Animals will be processed out of the Center through one of four options:

1. Reclaim: Owners may reclaim their pets upon payment of applicable fees.
2. Adoption: Animals will be screened for adoptability based on temperament, health, breed/species, and space availability as defined in the Kennel Manual.
3. Rescue: Animals may be made available to various Rescue Organizations provided such organizations are State Permitted and have completed an application and received approval to rescue through the Deputy Director.
4. Euthanasia will be performed based on State and Federal guidelines as defined in the Kennel Manual. Animals will be screened for euthanasia based on temperament, health, breed/species, and space availability as defined in the Kennel Manual.

### E. FEES TO RECLAIM, ADOPT, OR RESCUE

There are certain fees associated with the following:

1. Registration & Registration-Late;
2. Rabies-Late;
3. Impoundment Fee;
4. Board & Quarantine Board;
5. Impoundment-Livestock;
6. Adoption - Male Dog, Female Dog, Male Cat and Female Cat;
7. Rescue fee;
8. Alter fee, if appropriate;
9. Vaccination fee, if appropriate;
10. Other species adoptions.

Specific fees can be obtained by contacting the Animal Services & Enforcement.

Spay/Neuter is required, therefore the adoption fee is added to the fee for the particular type animal.

Adoption of livestock and other species will be determined by the Deputy Director or Kennel Supervisor.

### F. KENNEL ARRANGEMENTS

- Ward 0 – cage #s 001-021 Adoption cats
- Ward 0 – cage #s 023-041 Adoption adult dogs
- Ward 0 – cage #s 042-053 Adoption puppies
- Ward 1 – cage #s 101-139 Stray cats
- Ward 2 – cage #s 242-286 Dogs: ID, Abandonments, PD Impds
- Ward 3 – cage #s 300-324 Even numbered cages - Stray female dogs
- Ward 3 – cage #s 300-324 Odd numbered cages – Stray males dogs
- Ward 4 – cage #s 437-467 Bite case, DA case, PD Impd dogs
- Ward 5 – cage #s 501-542 Wildlife, Feral Cats, Maternity Cats
- Ward 6 – cage #s 601-615 Bite case cats
- Ward 7 – cage #s 701-706 Euthanasia holding cages
- Ward 8 – cage #s 801-805 Holding dogs male
- Ward 8 – cage #s 806-810 Holding dogs female
- Ward 9 – cage #s 900-909 Injured wildlife, cats, dogs awaiting euthanasia
- Ward 9 – cage #s 920-998 Miscellaneous reptile, rabbit, pocket pet cages
- Ward 9 – cage 999 – Barn Lot/Pasture

### G. ANIMAL CARE

1. Separation of Animals will be maintained as defined by State Law.
2. Age Appropriate vaccinations will be administered to adoption animals only.
3. Feed will be offered as defined by State Law.
4. Cleaning procedures will be conducted as defined in the Kennel Manual.
5. Kennel environment will be maintained based on State recommendations.