



CITY OF ALLEGAN

STUDY SESSION

Monday, June 22, 2020 – 6:00PM

City Hall – 231 Trowbridge Street Allegan, MI 49010

6:00 PM Council Meeting (Action to be taken by Council on the following agenda items)

Notice of Public Meeting via In Person & Video Conference

In accordance with [Executive Order 2020-75](#), which declared that public bodies subject to the Open Meetings Act can use telephone and/or video conferencing technology to meet and conduct business during the ongoing public health situation, the Allegan City Council will conduct its regularly scheduled meeting on Monday, June 22, 2020 at 6:00 p.m. virtually for the purpose of conducting normal and necessary business while complying with Gov. Gretchen Whitmer and the Michigan Department of Health and Human Services' recommendations designed to help prevent the spread of Coronavirus Disease 2019 (COVID-19). For up-to-date information regarding the ongoing public health crisis, please visit: <http://www.Michigan.gov/Coronavirus> or <http://www.CDC.gov/Coronavirus>.

Instructions for Viewing and Participating in the Meeting

The public may view the meeting in person or by clicking the meeting link on the City's website at <http://www.cityofallegan.org/> and join the meeting through the Zoom meeting link. There will also be a phone number listed on the City's website for members to call in to the meeting as well; please note, this will be a toll free number and will not be the normal number for the Allegan City Hall. It is preferred that the public connects to the meeting through the City's Website and the Zoom meeting link.

The public will be able to listen to all discussion by the City Council and all official materials for this meeting prepared for the City Council will be included in the meeting packet and available to the public on the City's website. Individuals will be permitted to speak for up to 3 minutes during the public comment portion of the agenda, which will be near the beginning of the meeting. City staff will facilitate the public comment periods.

Audience Participation in the Meeting

In addition to addressing the Council during public hearings and under "Public Comment," members of the audience may address the Council, on items listed under agenda numbers 11B-11F; please limit your comments to three minutes or less per item. Please step up to the Podium and state your name and address.

The proposed process for items listed under agenda numbers 11B-11F above shall be as follows:

- 1. Announcement of the agenda item by the Mayor.*
- 2. Verbal report provided by staff.*
- 3. Mayor asks council members if they have any questions for staff to clarify the staff report.*
- 4. Mayor opens/closes the floor to receive public comment (if a public hearing is required or if the mayor determines public comments is warranted).*
- 5. Motion is made by a council member and seconded by another council member.*

6. *Mayor then calls on council member who made motion to discuss the motion, if councilmember wishes to discuss.*
7. *Mayor then calls on council member who seconded motion to discuss the motion, if council member wishes to discuss.*
8. *Mayor then calls on all council members to discuss the motion, if council members wish to discuss.*
9. *Mayor calls for a vote on the item after discussion has occurred.*

Audience Participation prior to the Meeting

Written comments may be submitted via email on any agenda item prior to the meeting, and will be read into the record during discussion of the item to which the comment pertains, or during the public comment portion of the meeting should the comment relate to an item not on the agenda. To submit comments please email Chris Tapper, City Clerk and in the subject line of the email, please type the following statement: City Council Public Comment.

If you would like to contact the City Council about any matter, on the agenda or otherwise, prior to the meeting, please do so via the email addresses provided below:

- Mayor, Traci Perrigo, tperrigo@cityofallegan.org
- Mayor Pro Tem, Delora Andrus, dandrus@cityofallegan.org
- Council Member, Roger Bird, rbird@cityofallegan.org
- Council Member, Peter Hanse, phanse@cityofallegan.org
- Council Member, Teresa Galloway, tgalloway@cityofallegan.org
- Council Member, David Redding, dredding@cityofallegan.org
- Council Member, Rachel McKenzie, rmckenzie@cityofallegan.org
- City Manager, Joel Dye, jdye@cityofallegan.org

Electronic Meeting Conduct

For the purpose of creating an orderly environment for the City Council to work, please be respect the following:

1. A member of the City Council's remote attendance shall be considered attendance for the purpose of establishing a quorum.
2. Any vote by a member of the City Council participating at this meeting remotely shall be counted in the total number of votes for any matter and shall not be held in valued for the reason that it was cast remotely.
3. All votes on any matter at this meeting will be taken by roll call vote.
4. Adjournment of a meeting shall occur at this meeting only on a roll call vote of the City Council.
5. Emails, texting, or other forms of electronic communications by or between members of the City Council that are not part of the public meeting shall not be allowed during this meeting.
6. Any member of the public commenting or posting comments in the chat room that are disruptive or derogatory will be removed from the meeting.

Accommodations for those with Disabilities

The City of Allegan will provide reasonable accommodations to those with disabilities. Persons with disabilities who require assistance in order to participate in the electronic public meeting should contact City Clerk Chris Tapper as soon as practically possible prior to the meeting by emailing ctapper@cityofallegan or by calling City Hall at (269) 673-5511 as some accommodations may require 48-hours to provide.

Additionally, Hamilton Relay provides telecommunications relay services for the State of Michigan including TTY, Voice Carry Over (VCO), Hearing Carry Over (HCO), Speech-to-Speech (STS), and more. This free service can be accessed by dialing 7-1-1.

If you have any questions about this information, please contact Joel Dye, City Manager, at 269-673-5511 or <mailto:jdye@cityofallegan.org>. Thank you in advance for your cooperation and patience during this process.



**CITY OF ALLEGAN
CITY COUNCIL STUDY SESSION MEETING
Monday, June 22, 2020 6:00PM
City Council Chambers - 231 Trowbridge Street
Allegan, Michigan**

*****NO ACTION IS TAKEN DURING THE STUDY SESSION*****

Call to Order

Public Comment Period

Police Department Review and Discussion

Review of Regular Meeting Agenda for Monday, June 22, 2020

Other

Adjourn to regular meeting to begin at 7:00 pm

Agenda Item Study Session

MEMORANDUM

TO: Allegan City Council
FROM: Joel Dye, City Manager
Jay Gibson, Police Chief
RE: Discussion on City of Allegan Police Department
DATE: June 22, 2020

Summary:

It is requested that City Council review and discuss the City of Allegan Police Policy Book and Police Operations.

Over the course of 2020 we plan on bringing each department in front of the City Council during a study session to discuss the composition and operations of that department. Earlier this year we looked at the Water Utility Department and subsequently identified a city council sub committee to dive deeper into that department in line with city council's 2020 Strategic Goal of understanding the Water Utility Department.

At your Monday, June 22nd Study Session we will be joined by Jay Gibson, Police Chief to discuss the composition and operations of that department. To help frame this discussion, we are attaching to this report a copy of the City Police Policy Book. We plan to use the majority of the study session for this discussion, so please take the time to look through the Policy Book, reflect on what you think policing should look like in our City and come prepared to have thorough discussion on how we operate.

Recommendation:

It is recommended that City Council review and discuss the City of Allegan Police Policy Book and Police Operations.

Attachments:

City Police Policy Book

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INTRODUCTION

Responsibility

This is your policy manual. It contains the policies, procedures, rules, and regulations of the Allegan City Police Department. You are responsible for reading, understanding, and following the policies set forth in this manual. This is not meant to stifle creativity in doing your job. Rather it is intended to be the bedrock upon which you base decisions to better do that job.

Sections to Note

I want to call your attention particularly to two sections of the manual. The first is the use of deadly force. It concerns a decision that is irreversible. The guidelines listed in this manual will serve you in good stead should you ever need to make a decision concerning the use of deadly force.

The second section I draw to your attention concerns pursuit driving. It is an act, which can have deadly consequences, even though that was not your intent in participating in a pursuit. It is all the more serious because the death that could be caused may be that of an innocent bystander and not the person who originally caused the pursuit to take place. Again, guidelines have been provided to assist you in making a decision about pursuit driving. You should also have in mind the deadly force guidelines when you are involved in a pursuit.

Philosophy

It is the philosophy of the Allegan City Police Department that we exist to protect and serve the people of Allegan. Apprehending people who threaten the safety of the people we serve is part of the job. But, if done in a manner that creates greater danger to the people we are sworn to protect, we are defeating our purpose.

Read and know this manual. It will help you do a better job of serving the people of Allegan.

Jay Gibson,
Chief of Police.

Authority, Mission, Belief and Organization

A. Legal Authorization

1. The Allegan City Police Department is established in accordance with Michigan law and the Charter of the City of Allegan.

B. Official Rules

1. The Chief of Police hereby establishes this manual as a working statement of departmental policies and rules. Any policies or rules that would not conflict with contractual agreements may be added, amended, changed or revoked, as circumstances require. All other departmental guidelines issued any time in the future will not be contrary to any portion of this manual. All previously issued directives that are in contradiction to those contained herein are hereby revoked.

C. Priorities of the Department

1. Enforce the criminal statues and City ordinances.
2. Provide an immediate response to criminal incidents, accidents, and other emergencies.
3. Work in partnership with all members of the community.
4. Provide crime prevention, awareness and educational programs to the community.
5. Provide other services that will benefit citizens and the community as a whole.

D. Mission Statement

Our mission is to identify and solve problems in neighborhoods, by empowering police employees and holding them accountable to work in partnership with citizens, city services, schools and other stakeholders.

E. Vision and Values Statements

VISION STATEMENT

The Allegan City Police Department shall lead in developing collaborative working partnerships with all of our community and service providers so that each and every citizen may enjoy the highest quality of life. Personalized community service shall be provided through Section Liaison Officers. Through our leadership, courage and relentless pursuit of service excellence, the City of Allegan will lead the Law Enforcement Community into the twenty-first century.

VALUES STATEMENT

- We believe our Oath of Office and our Manual of Conduct define our highest standard of behavior.
- We value honesty, integrity, civility and respect for others and ourselves.
- We believe our employees are our greatest asset and should be developed to their fullest potential.
- We value knowledge, wisdom, understanding and compassion.
- We value a trusting relationship with the community we serve.
- We believe in open communication among all stakeholders.
- We value collaboration and the opportunity to work with other city agencies as partners in community-oriented government.
- We believe in the protection of life and property.

Jay Gibson,
Chief of Police

ALLEGAN CITY POLICE DEPARTMENT
RULES AND REGULATIONS

PURPOSE:

The purpose of this directive is to establish the Rules and Regulations that will govern the conduct of all members of the Allegan City Police Department regardless of assignment.

These orders are for Police Department use only, and do not apply to any criminal or civil proceedings. This policy should not be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

POLICY:

It is the policy and philosophy of the Allegan City Police Department that we will accomplish our mission through the collective contributions of our people and the community. We will manage our responsibilities and resources, take ownership for our work, responsibility as individuals and as members of a team; and keep our skills knowledge and abilities current.

As an organization we encourage creative problem solving, celebrating our accomplishments and acknowledging that there will be mistakes from which we can learn. We constantly evaluate our actions in concert with our basic values of ethical behavior.

The Rules and Regulations contained herein are designed to serve as a professional standard governing employee conduct. Equally important is the official recognition that members of the Allegan City Police Department possess certain basic individual rights, which the department has an ethical obligation to protect. Protection of employee rights enhances the integrity of the agency and further promotes the goal of furnishing to the community the highest quality of police services.

DEFINITIONS:

Members – All personnel, sworn and non-sworn, who are employed in any capacity with the Allegan City Police Department.

RULES:

The Rules of the Allegan City Police Department are an integral component of our departmental values. Our values, mission, vision, focus, operational philosophy and principles are manifested in our Rules and Regulations and the procedures that flow from them. Members comply with the following rules:

- A. Compliance with Directive System

1. Members of the department maintain familiarity with, perform their duties, and conduct themselves within the framework of the agency Value Statement. Members also comply with the rules as city employment.

B. Conformance with Laws

1. Members obey the laws of the United States of America and of any state or local jurisdictions. Members immediately inform the Chief of any arrest or conviction. A conviction for violation of law is prima facie evidence of a violation of this rule.

C. Truthfulness

1. Members will be truthful in matters associated with agency responsibilities.

D. Respect for Others

1. Members treat others courteously, with fairness and respect. A member's conduct toward fellow employees and members of the public is extremely important to the image and safe and productive operation of this agency. Members maintain high standards of courtesy in their relationship with the public and other employees. Members display courtesy when encountering behavior that is abusive.

E. Positive Behavior

1. On-duty behavior is courteous, positive and supportive of the goals of this agency. Members use legitimate forums for questions and expressing ideas, such as private discussions with their supervisors or senior command in the agency.

2. Members refrain from negative behavior such as abusive, profane and obscene language; rudeness, disrespect and disruption; intimidation, dissension, fight and organizational disloyalty, or similar actions, which are counter-productive to achieving the objectives of this agency.

F. Public Trust

1. Members are entrusted to effectively, helpfully, and non-abusively use the power and public trust vested in them. Members always use their position and credentials appropriately.

G. Abuse of Authority

1. Members do not abuse the particular level of authority conferred upon them or the trust of the community they are sworn to serve. Members do not take any action, which they know, or should know, is not in accordance with the law. Members act within the limits of authority as defined by statute and judicial interpretation.

H. Gifts and Gratuities

1. Members do not use their departmental status to seek, or accept, any favors, rights, or gratuities, which would not ordinarily be afforded the general public.

I. Adherence to Orders

1. Members obey lawful orders. Members do not act in any way that implies failure to recognize and accept the authority of any supervisor. While members may request clarification, they willingly comply with a written or oral directive. They may confer with the issuing or higher authority at a later time.

J. Conduct

1. Members use reasonable judgment and refrain from conduct, which reflects unfavorably on the Allegan City Police Department. This type of conduct includes but is not limited to that which:
 2. Brings the department to disrepute;
 3. Reflects discredit upon the individual as a member of the department, or;
 4. Impairs or tends to impair the operation, effectiveness, or efficiency of the department or its members.

K. Discrimination

1. Members of this department have a primary responsibility to protect and support the civil rights of others.
2. Members do not discriminate with regard to race, sex, nationality, ethnic background, religion, sexual preference, height, weight, or marital status. Such action is prohibited in whole or in part by county policy, Michigan's Elliott Larsen Civil Rights Act, and various federal laws such as the 1964 Federal Civil Rights Act. Sexual harassment is, by definition, discrimination.
3. Members of the department will not tolerate discrimination in any form, including sexual harassment. Should any member feel they have been the victim of any form of harassment that creates an intimidating hostile or offensive working environment, or that submission to such harassment has been necessary to receive tangible job benefits or to continue employment, the matter shall be reported to their Sergeant, the Lieutenant, or the Chief. The matter will be treated seriously and promptly.

L. Confidentiality and Respect for Privacy

1. Members treat the official business of the department as confidential. Members recognize that all information and its related storage medium used or in the custody of this agency is the property of the department and the City of Allegan.

M. Investigations, Property and Evidence

1. Members assist any department-authorized investigation. Members do not interfere with investigations being handled by other members or by any other governmental agency. Members do not undertake any investigation or other official action that is not part of their regular duties without obtaining proper permission unless the situation requires immediate or emergency action.

N. Equipment

1. Members use any department equipment only for its intended purpose and do not abuse or negligently damage or lose such items. Issued equipment is maintained in proper order.

ALLEGAN CITY POLICE DEPARTMENT
CHAIN OF COMMAND AND ORDERS

PURPOSE:

The purpose of this order is to clarify the organization of management within the Department and to provide employees with direction as to their role in the organization.

These orders are for Department use only, and do not apply to any criminal or civil proceedings. The Department policy should not be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of Department administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

POLICY:

It is the policy of this Department that all employees shall follow the chain of command and in the course of normal affairs address their questions, concerns, and grievances to their immediate supervisors. If, due to unusual circumstances, this is not practical, employee should address these issues to the next high level of management.

It is the policy of this Department to communicate clearly with its members, and in a manner that promotes teamwork and goodwill. Therefore, it is the responsibility of the issuing authority to carefully state all orders in such a way that the recipient of such orders understands them fully.

CHAIN OF COMMAND:

The following descriptions represent the chain of command in order of decreasing authority:

Authority of the Chief:

The Chief is the ultimate authority in all departmental matters. The Chief may issue orders to any and all Departmental members. The official order of the Chief supersedes any General Order or Divisional Directive.

Authority of Sergeant:

A Sergeant reports directly to the Chief. A Sergeant may issue orders to any Officer or civilian employee within the division to which the Sergeant is assigned. The official order of a Sergeant **does not** supersede any General Order or Divisional Directive.

Authority of a Patrolman:

A Patrolman reports directly to the Shift Sergeant. In the event that a Sergeant is not on duty, the Chief or his designate may assign a Patrolman of their choice to act as shift supervisor until such time as that Patrolman is relieved by a Sergeant. The official order of the patrolman so appointed carries the same authority as that of a Sergeant.

Special Command Situations:

During special situations the Chief has granted persons an extra measure of authority in order that they may perform the duties they have been assigned in an orderly and efficient manner. During these situations the normal order of command may be superseded. These situations include but are not limited to:

1. Departmental training: In training situation, the designated training officer is in charge of and responsible for all personnel involved in the training exercise, regardless of rank. Ranking members shall subordinate themselves to any and all reasonable instructions of the designated training officer.
2. Areas of Specialization: In situations involving elements of the Department that have specialized training in areas such as tactical operations, underwater rescue and recovery, canine operations, accident reconstruction or crime scene processing, the department will operate under the Broad Mission concept of Command: The ranking command officer will assign a broad mission to the specialist(s) involved, but will not issue orders as to the specific details of performing the mission. The specialist will report to the commanding officer as to the feasibility of the mission, and will present the options available to the commanding officer with the recommendation as to the plan the specialist favors. The command officer will act to approve or disapprove one of the plans presented by the specialist. In the event, the command officer will not compel the specialist, to perform any act contrary to the specialist's judgment when the specialist, by reason of training or experience finds the direction of the command officer to be inadvisable. In essence, the specialist and the command officer must agree on a plan to carry out the mission assigned by the command officer.

Respect for Chain of Command

In the normal course of affairs, Department personnel should address their questions, concerns, and grievances to their supervisors. If, due to unusual circumstances, this is not practical, personnel may address these issues to the next higher authority in the chain of command.

DUTY OF SUPERIOR WHEN ISSUING ORDERS:

Further it is the responsibility of the issuing authority to issue orders in a firm but courteous manner, in such a way that a reasonable person would not find offensive or demeaning.

The Department recognizes that in certain critical situations, orders must be issued and obeyed without explanation or discussion. Accordingly, no member is relieved of their responsibility to comply with the orders of a superior because of the manner in which the order is issued.

PROCEDURE FOR ISSUING ORDERS:

A. Manner for Issuing Orders

Orders may be issued in any of the following manners:

1. Written
2. Verbal
3. Third party (i.e. via another member or through Central Dispatch)

B. Illegal Orders Prohibited

No order shall be issued which would require any subordinate to commit any illegal act.

C. Compliance with Police, General Orders, Etc.

All orders shall be in compliance with existing Department Policies, General Orders, Division Orders, and Special Orders except in cases of extenuating circumstances. Orders issued contrary to Department Policy, General Orders, or Special Orders shall be documented by the issuing authority. The method of documentation will be an incident report filed with the superior officer of the issuing authority. This report must be filed within the same shift in which the order was issued.

CITY OF ALLEGAN
JOB DESCRIPTION

POLICE CHIEF

Supervised by: City Manager
Supervises: All departmental personnel

Position Summary:

Under the general direction of the City Manager, oversees and directs the daily operation and activities of a Police Department engaged in the detection, apprehension, and prevention of crime, and enforcement of state and local laws and ordinances. Represents the Department at City, County, and State levels to ensure compliance with law enforcement policies and procedures.

Essential Job Functions:

An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties which the employee may be expected to perform. To perform this job successfully, an individual must be able to perform each essential function satisfactorily.

1. Plans, organizes, and directs all aspects of departmental operations including personnel, budgeting, planning general administration, and capital needs assessment. Develops and implements policies and procedures in accordance with City, State, and Federal regulations.
2. Directs the recruitment and hire of Department personnel. Working through second level commanders, ensures coordinated work assignments, appropriate supervision, performance evaluation, and training and professional development opportunities. Takes disciplinary or corrective action according to established procedures.
3. Prepares and presents annual budget requests, administers departmental budget, and ensures that the authorized budgetary and purchasing procedures are properly used.
4. Maintains cooperative relations and coordinates police activities with other departments and peer agencies to ensure integrated service delivery and consistent application of City policies. Establishes and administers mutual aid compacts and contingency plans with other jurisdictions.
5. Keeps abreast of modern policing methods, new administrative techniques, and current issues through continued education and professional growth. Attends conferences, workshops, and seminars as appropriate.

6. Develops proactive community relations programs and strategies. Identifies and addresses community priorities and concerns, and participates in civic organizations as appropriate.
7. Acts as a department spokes person, establishing and maintaining effective relationships with citizens, news media, community groups, City officials, employees, and other interests.
8. Responds to public safety emergencies and major crime scenes or accidents on a 24-hour basis. Establishes and utilizes a well-defined command structure and related procedures for emergency situations.
9. Advises and assists the City Manager and City Council regarding law enforcement and crime prevention issues. Attends Council meetings, and other meetings as required.
10. Performs related work as required.

Required Knowledge, Skills, Abilities and Minimum Qualifications:

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. A qualified individual with a disability must be able to perform the essential functions of the position with or without reasonable accommodation.

Requirements include the following:

- An Associate's degree preferred, or equivalent in public administration, law enforcement, criminal justice, or related field.
- Eight or more years of progressively more responsible experience in patrol and command positions including both supervisory and administrative duties.
- Certification as a Police Officer by the Committee on Law Enforcement Standards.
- A State of Michigan Vehicle Operator's License.
- Thorough knowledge of the principles, practices and techniques of modern police science to establish and maintain effective law enforcement operations.
- Thorough knowledge of professional public management techniques involved in budgeting, personnel administration, labor relations, and operations management.
- Thorough knowledge of state and federal laws, local ordinances, and other regulations governing police authority.
- Skill in the operation of police vehicles, surveillance and communication equipment firearms, chemical sprays, and other implements used in the line of duty.

- Skill in assembling information analyzing data, preparing comprehensive and accurate reports and formulating policy and service recommendations.
- Skill in effectively communicating ideas and making presentations in a public forum.
- Ability to exercise a high degree of diplomacy in contentious or confrontation situations.
- Ability to maintain discipline, supervise a large staff through second level managers, and lead and command employees effectively in standard and emergency conditions.
- Ability to establish effective working relationships and use good judgment, initiative and resourcefulness when dealing with the media, the public, other employees, and representatives of other law enforcement and governmental units.
- Ability to travel to other locations

Physical Demands and Work Environment

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. A qualified individual with a disability must be able to perform the essential functions of the position with or without reasonable accommodation.

While performing the duties of this job, the employee's environment can range from an office setting to highly dangerous law enforcement situations. Physical demands, therefore, range from sitting in an office or vehicle to the potentially enormous physical exertion associated with apprehending criminals.

The employee may be exposed to outside weather conditions, and potentially exposed to moving mechanical parts; high, precarious places; fumes or airborne particles; toxic or caustic chemicals; risk of electrical shock; explosives; risk of radiation; and vibration. The noise level in the work environment ranges from quiet to moderate in the office to potentially loud in the field.

CITY OF ALLEGAN
JOB DESCRIPTION

POLICE SERGEANT

Supervised by: Police Chief
Supervises: Subordinate officers on applicable shift

Position Summary:

Under the general direction of the Chief, performs responsible law enforcement and patrol work. Maintains order, regulates traffic, protects life and property, and prevents crime and disorder within the City boundaries and in mutual aid situations. Provides assistance at the scene of accidents, fires, and other emergency situations. Provides leadership and supervision of subordinate officer.

Essential Job Functions:

An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties which the employee may be expected to perform. To perform this job successfully, an individual must be able to perform each essential function satisfactorily.

1. Supervises the activities of subordinate Police Officers. Makes sure all rules, regulations, and policies are followed and reports any violation to the Lieutenant. Handles special problems in the field.
2. Prepares daily activity report of events of assigned shift, work schedule, and other administrative reports as necessary. Review officers' daily reports, corrects as needed and maintains associated files and records.
3. Responsible for briefing assigned shift on events of the previous shifts and other pertinent information, and for relaying a summary of the events on assigned shift to the supervisor of upcoming shift.
4. Functions as a patrol Officer assigned to shift duty. Patrols in a radio-equipped vehicle to prevent crime, protect life and property, and enforce motor vehicle operation and parking.
5. Answers calls for assistance and restores order. Investigates reports of criminal activity.
6. Conducts criminal investigations. Searches for, collects and preserves evidence at crime scenes. Locates and interviews victims and witnesses. Identifies suspects, obtains warrants and exercises powers of arrest.
7. Assists in apprehension of wanted persons. Guards prisoners and assumes responsibility for their safety and personal property while in custody.
8. Issues citations for parking infractions, vehicle operation, code, ordinance, and other violations.

9. Prepares and maintains reports of accidents, complaints, offenses, and other incidents. Assists in the prosecution of suspects. Attends court proceedings as necessary to testify regarding criminal investigations or traffic enforcement activities.
10. Serves civil and criminal processes, including warrants and subpoenas.
11. Assists at fires and other emergencies by controlling crowds, directing traffic and assisting in rescue operations. Directs traffic at parades, ceremonies and other events. Performs police escort work as required.
12. Operates police vehicle surveillance and communication equipment, breathalyzers, firearms, and other implements approved for use in the line of duty.
13. Serves as a Field Training Officer and oversees departmental training programs including use of force training.
14. Oversees and evaluates the progress of new officers and bring performance issues to the Lieutenant's attention. Compiles statistical information for officer's evaluations and activity analysis. May have responsibility for particular training curriculums.
15. Assists in internal affairs investigations. Follows-up on complaints related to violations of laws or policies by Department personnel and initiates remedial action as required.
16. Assists the Lieutenant in manpower scheduling. Reschedules officers, as needed, to ensure full coverage. Assists the Lieutenant with other duties as needed.
17. Performs related work as required.

Required Knowledge, Skills, Abilities and Minimum Qualifications:

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. A qualified individual with a disability must be able to perform the essential functions of the position with or without reasonable accommodation.

Requirements include the following:

- An Associate's degree preferred, or equivalent in public administration, law enforcement, criminal justice, or related field.
- Five years of experience as a Police Officer.
- Certification as a Police Officer by the Michigan Commission on Law Enforcement Standards.
- State of Michigan Vehicle Operator's License.

- Substantial knowledge of principles, practices and techniques of modern law enforcement.
- Thorough knowledge of the laws and regulations applicable in criminal investigative work and municipal police work and skill in following these procedures in routine and emergency situations.
- Knowledge of City ordinances and processes for achieving code compliance.
- Knowledge of the basic rules of evidence and other legal procedures applicable in the prosecution of crimes.
- Knowledge of Federal and State laws and local ordinances and the limitations on police authority to effectively advise subordinates and meet public safety needs.
- Skill in the operation of police vehicles, surveillance and communication equipment, firearms, breathalyzers, chemical sprays, and other implements used in the line of duty.
- Ability to maintain discipline, lead and command employees effectively under emergency conditions.
- Ability to perform police duties in situations requiring the use of physical strength, agility and endurance, including running, jumping, lifting, turning and bending.
- Ability to perform law enforcement, investigative and rescue operations often in conditions of extreme or changing temperatures, noise and visibility.
- Ability to work effectively under stress in emergency and confrontational situations, to maintain discipline according to an established command structure, and observe established procedures.
- Ability to make sound, independent decisions when no assistance is available.
- Ability to exercise good judgement, initiative and resourcefulness and maintain effective working relationships with the public, elected officials, community leaders, victims, detainees and other professionals.
- Ability to effectively communicate and present ideas and concepts orally and in writing.
- Ability to work in shifts of varying lengths and different times of the day, including weekends and holidays, as necessary.

Physical Demands and Work Environment

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee's environment can range from an office setting to highly dangerous law enforcement situations. Physical demands, therefore, range from sitting in an office or vehicle to exercising the strength, mobility, dexterity and stamina associated with apprehending criminals. The employee is regularly required to communicate with others in person and on the telephone or radio, use sight to review documents and assess public safety scenes, and must regularly travel to other locations

While performing the duties of this job, the employee may be exposed to adverse weather conditions, extreme heat, high, precarious places, fumes or airborne particles, toxic or caustic chemicals, risk of electrical shock, explosives and other dangerous situations. The noise level in the work environment ranges from quiet to very loud.

CITY OF ALLEGAN
JOB DESCRIPTION

POLICE OFFICER

Supervised by: Police Chief or Sergeant

Supervises: No supervisory responsibility

Position Summary:

Under the general direction of Police Sergeant, performs responsible law enforcement and patrol work. Maintains order, regulates traffic, protects life and property, and prevents crime and disorder within the City boundaries and in mutual aid situations. Provides assistance at the scene of accidents, fires, and other emergency situations.

Essential Job Functions:

An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties which the employee may be expected to perform. To perform this job successfully, an individual must be able to perform each essential function satisfactorily.

1. Patrols on foot, in a radio-equipped vehicle or by other approved means to prevent crime, protect life and property and enforce motor vehicle operation and parking regulations.
2. Answers calls for assistance and restores order. Investigates reports of criminal activity.
3. Issues citations for parking infractions, speeding, code, ordinance and other violations.
4. Assists in the apprehension of wanted persons. Transports prisoners and assumes responsibility for their safety and personal property while in custody.
5. Searches for, collects and preserves evidence at crime scenes. Conducts criminal investigations. Identifies suspects and exercises powers of arrest.
6. Prepares and maintains reports of accidents, complaints, offenses and other incidents. Assists in the prosecution of suspects. Attends court proceedings as necessary to testify regarding criminal investigations or traffic enforcement activities.
7. Serves civil and criminal processes, including warrants and subpoenas.
8. Assists at accidents and fires and other emergencies by controlling crowds, directing traffic and assisting in rescue operations. Directs traffic at parades, ceremonies and other events. Performs police escort work as required.
9. Operates police vehicles, surveillance and communication equipment, breathalyzers, firearms and other implements approved for use in the line of duty.

10. Responds to complaints and pro-actively addresses violations of the City's Property maintenance and other codes and ordinances.
11. Assists in coordinating activities and informational exchanges with other law enforcement agencies and obtains advise from the City Attorney, Court Administrator and Prosecutor's Office regarding cases and procedures.
12. Serves as a School Liaison Officer if so assigned. May be responsible for specialized programs such as drug education and crime prevention. Acts as a contact between police, schools and parents. Teaches classes about drug and violence avoidance. Engages in public relations, youth counseling, and police outreach activities.
13. May function as a Field Training Officer instructing new officers in policies and procedures. In any event, assists in the advising, instruction and evaluation of new recruits. An FTO will be given two hours of comp time per shift while training an officer.
14. Performs related work as required.

Required Knowledge, Skills, Abilities and Minimum Qualifications:

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. A qualified individual with a disability must be able to perform the essential functions of the position with or without reasonable accommodation.

Requirements include the following:

- An Associate's degree preferred, or equivalent in public administration, law enforcement, criminal justice, or related field.
- Certification as a Police Officer by the Michigan Commission on Law Enforcement Standards.
- A State of Michigan Vehicle Operator's License.
- Thorough Knowledge of the principles, practices and techniques of modern law enforcement and investigative techniques.
- Knowledge of the laws and regulations applicable in police work and skill in enforcing them in routine and emergency situations.
- Knowledge of the basic rules of evidence and other legal procedures applicable in the prosecution of crimes
- Knowledge of the geography, streets and facility locations within the City.
- Knowledge of Federal and State laws and local ordinances and the limitations on police authority to effectively advise subordinates and meet public safety needs.

- Skill in the use of standard office equipment including knowledge of computers and related software.
- Skill in the operation of police vehicles, surveillance and communication equipment, firearms, breathalyzers, chemical sprays, and other implements used in the line of duty.
- Ability to perform police duties in situations requiring the use of physical strength, agility and endurance, including running, jumping, lifting, turning and bending.
- Ability to perform law enforcement, investigative and rescue operations often in conditions of extreme or changing temperatures, noise and visibility.
- Ability to work effectively under stress in emergency and confrontational situations, to maintain discipline according to an established command structure, and observe established procedures.
- Ability to make sound, independent decisions when no assistance is available.
- Ability to exercise good judgement, initiative and resourcefulness and maintain effective working relationships with the public, elected officials, community leaders, victims, detainees and other professionals.
- Ability to effectively communicate and present ideas and concepts orally and in writing.
- Ability to maintain poise and professionalism in stabilizing and treating emergency patients and accident victims.
- Ability to travel to other locations and respond to emergencies on a 24-hour basis.
- Ability to work in shifts of varying lengths and different times of the day, including weekends and holidays, as necessary.

Physical Demands and Work Environment

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee's environment can range from an office setting to highly dangerous law enforcement situations. Physical demands, therefore, range from sitting in an office or vehicle to exercising the strength, mobility, dexterity and stamina associated with apprehending criminals. The employee is regularly required to communicate with others in person and on the telephone or radio, use sight to review documents and assess public safety scenes, and must regularly travel to other locations

While performing the duties of this job, the employee may be exposed to adverse weather conditions, extreme heat, high, precarious places, fumes or airborne particles, toxic or caustic chemicals, risk of electrical shock, explosives and other dangerous situations. The noise level in the work environment ranges from quiet to very loud.

CITY OF ALLEGAN
JOB DESCRIPTION

PUBLIC SAFETY OFFICE MANAGER
(Full Time & Part Time)

Supervised by: Police Chief
Supervises: No supervisory responsibility

Position Summary:

Under the direct supervision of the Chief, assists in providing administrative and executive secretarial assistance in the Public Safety Department and maintains confidentiality of sensitive information.

Essential Job Functions:

An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties which the employee may be expected to perform. To perform this job successfully, an individual must be able to perform each essential function satisfactorily.

1. Performs tasks such as typing, entering data, photocopying, filing and other secretarial tasks while maintaining a high level of confidentiality.
2. Prepares department correspondence, processes departmental mail, maintains calendars, and prepares reports.
3. Processes departmental payables, billings, and payroll including recording and tracking sick, vacation, personal time, overtime, and other work time.
4. Coordinates travel, training, special events, and other activities and the associated registrations, reservations, and accounts payable requests for departmental personnel.
5. Maintains a concise and comprehensive filing system, including the handling of confidential documents and related computer databases, filing and records systems.
6. Dispatches patrol officers and relays vital information. Ensures the proper handling of all LEIN and NCIC inquiries.
7. Performs monthly required LEIN validations and submits to the State of Michigan, enters and removes vehicles, boats, trailers, license plate, people...ECT from LEIN while maintaining and following TAC rules and regulations.
8. Attends bi-annual TAC Training and maintain records pursuant of LEIN rules and regulations in preparation for LEIN AUDITS. Also provide training for officers to maintain LEIN certification.
9. Submit required monthly MICR reports to the State of Michigan to provide data to the FBI.
10. Receive and process FOIA requests within the guidelines set forth by the State of

Michigan, attend yearly FOIA trainings.

11. Prepares and submits 302 yearly reports for training funding.
12. Register, verify and update Tier I, II and III registered sex offenders, collect fees, check for warrants and determine if they reside in a school safety zone and organize random compliance sweeps. Submit records to State of Michigan Sex Offender Unit. Maintain updated training on Offender Watch and sex offender compliance.
13. Process and issue/deny pistol purchase permits. Run background checks and have knowledge in disqualifiers, collect and submit Pistol Sales Records with the State of Michigan. Attend Michigan Firearm Disqualifier Trainings.
14. Liaison between Allegan Public Schools needs and Allegan City Police Department Officers.
15. Issue Peddler Permits, collect fees and issues Bike Registrations.
16. Maintain and manage the use of the Allegan City Police Department's Seatbelt Convincer.
17. Receives screens and directs telephone calls and visitors to the Department. Responds to inquiries and provides general information regarding public safety operations and policies.
18. Compiles information for special projects and assembling data as requested.
19. Ensures updated and proper court/legal documents for submission by the officers.
20. Navigates and maintains the IyeTek Crash System used for UD-10 tracking.
21. Ordering of all department supply needs.
22. Department janitorial duties include but not limited to: Vacuuming, mopping, dusting, taking out trash, cleaning bathrooms, cleaning weight room, washing of inside of windows.
23. Requires on-going communication and relationships with prosecutors, city attorney and other court officials.

24. Coordinates the review and updating of department Rules and Regulations, General Orders, Special Orders, Standard Operating Procedures, Manuals, and other documents as needed.

25. Performs related work as required.

Required Knowledge, Skills, Abilities and Minimum Qualifications:

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

Requirements include the following:

- A high school diploma or equivalent with additional specialized vocational training in secretarial science, office management, or a related field.
- Three or more years of progressively responsible office experience of a clerical or secretarial nature with a preference for confidential municipal experience.
- Thorough knowledge of modern office procedures, and skill in applying them.
- Knowledge of the laws and procedures associated with the handling of confidential information.
- Skill in the operation of standard office equipment, including computers and word processing software.
- Skill in maintaining a complex filing system, including sensitive information requiring confidentiality and discretion.
- Skill in preparing clear and accurate reports.
- Ability to type and enter data with speed and accuracy.
- Ability to maintain high level of confidentiality and use discretion when dealing with sensitive issues.
- Ability to understand and follow complex oral and written instructions, and carry them out independently.
- Ability to effectively communicate orally and in writing, and exercise diplomacy in contentious situations.
- Ability to work effectively alone or as a member of a team with minimal supervision, and independently schedule work load and prioritize assignments.

ALLEGAN CITY POLICE DEPARTMENT
DISCIPLINARY PROCEEDINGS

DISCIPLINARY PROCEEDINGS

Department members may only be dismissed for good and just cause. For the guidance of the Chief of Police and department members in determining the degree of seriousness of various offenses the following categories of violations have been established:

Class 1: Corrective action in the form of verbal correction and/or letter of communication, which will be retained in the member's personnel file for not over one year from the date of issuance.

Class 2: Corrective action in the form of written reprimand retained permanently in the member's personnel file and/or disciplinary layoff not to exceed three days.

Class 3: Corrective action in the form of a disciplinary layoff or dismissal.

- A. In cases of a second violation of class 1 or 2 offenses where corrective action has proven ineffective, the violation may be referred to the next highest level for resolution. Lower level referrals should be properly documented at the time of occurrence.
- B. In cases where extenuating circumstances are involved in class 2 or 3 violations, the Chief of Police may take corrective action in a lower class, if in his judgment circumstances indicate that the welfare of the department as well as the officer involved would be best served by that level of disposition.
- C. In cases where the determination of guilt or the degree of punishment is disputed by the offender at levels 1, 2, or 3, the matter may be pursued as a grievance in accordance with the procedures set forth in the collective bargaining agreement for union employees and as set forth in the personnel rules for non-union employees.
- D. In cases of minor class 1 violations, the Chief of Police may administer correction without issuing a letter of communication. Cases of more serious class 1 violations and all class 2 and 3 violations shall be documented in the form of a letter of communication whenever punishment is in the form of a warning only.
- E. The Chief of Police will have the power to place written documentation of violations in a member's file and will inform the member of such action in a timely manner. In all cases where written documentation of a violation is placed in a member's personnel file, the involved member has the right to make written rebuttal which will also be placed in his/her file. The Chief of Police will offer

the member an opportunity to defend himself/herself verbally prior to any written documentation being placed in the member's personnel file.

COMPLAINTS

- A. Complaints about departmental procedure or policy shall be reported in writing and directed to the Chief of Police who will take whatever action the complaint warrants. Such action may consist of an explanation of the policy to the complainant or steps may be taken to change the policy or procedure if justified complaints indicate the necessity of revision.
- B. All complaints against a department member shall be accepted by anyone within the department. The Chief of Police shall be informed of the complaint. Each complaint will be reviewed by the department, in accordance with citizen complaint process found on page 45.
- C. Any statement made in a required special report shall be for departmental administrative proceedings and derivative evidence may be used against the accused member in a related criminal prosecution.
- D. The Chief of Police may relieve from duty with pay any subordinate member, whenever it is necessary for the preservation of good order, efficiency, and discipline. This action is limited to violations that necessitate immediate action. In every instance, the Chief of Police or a designated representative will immediately notify the City Manager of such action stating the reason and status of the involved member. The City Manager, upon receipt of such notification, may order the member suspended, if necessary in accordance with personnel rules and regulations and any applicable collective bargaining agreements, or take such action as he deems appropriate. Such member shall not be restored to duty without authorization of the City Manger.
- E. Any officer involved in a fatal shooting shall be placed upon paid administrative leave by the Chief of Police pending completion of an investigation.
- F. Any officer charged with a criminal offense shall be suspended by the City manager without pay pending an investigation of the circumstances.
- G. Except as otherwise directed, members of the department relieved of duty shall immediately surrender their badges, identification cards, and department firearms to the Chief of Police. Following suspension by the City manager, the member may be required to surrender all city property, which has been issued to him/her.
- H. An officer relieved or suspended from duty shall have no police authority, however, he/she shall be liable for any violation of rules and regulations, official orders, and established policy directives, except those which specifically apply to police functions, while on or off duty. During the period a member is suspended,

he/she shall not be permitted to wear the uniform of the department or occupy department facilities.

DISCIPLINE AND TERMINATION

PURPOSE:

- A. The purpose of disciplinary action is to correct undesired conduct, behavior or performance, and in doing so to help a member become a better member. Disciplinary action is designed to correct improper performance once it is shown the member knew, or should have known, what was expected and was capable of performing properly but failed to do so. Discipline is particularly appropriate when other, lesser corrective actions such as supervisory counseling or formal counseling, have been tried and have failed to bring about effective and lasting results. These included, but are not limited to incident where:
1. The Allegan City Police Department's public image has been seriously damaged.
 2. Serious risk of liability has been created.
 3. Member safety has been seriously compromised.
 4. The member has demonstrated, directly or constructively, that less severe corrective action did not change performance significantly.
- B. Member culpability is an important element in the decision to use disciplinary action. Performance deficiencies caused by the member culpability show a lack of regard for the department's mission as well as for management's priorities; therefore, they are treated as a more serious problem than are errors due to an ignorance or lack of ability, even though the results are the same or similar.
- C. When it is established through substantial evidence that member culpability exists and immediate termination is not warranted, discipline is appropriate provided the member's position is worth saving, the member has a good productive work history, and the member demonstrated an ability and willingness to correct the problem with a minimal amount of direct supervision. In different situations, termination is the appropriate resolution.

POLICY:

- A. It is the policy of the Allegan City Police Department to avoid terminating an otherwise productive member when performance problems occur, if possible. A preferred practice is to use progressive disciplinary action to bring about changes once it is shown that a member knew, or should have known, that such conduct, behavior or performance failed to comply with established directives, provided that:

1. The conduct, behavior or performance was not caused by a lack of skills or ability that the typical member would not be expected to possess.
 2. Prior to taking such disciplinary action other, lesser forms of actions, such as supervisory consulting or formal counseling, were appropriate to use and were followed.
- B. It is policy to terminate members when situations beyond the Allegan City Police Department's control, or the member's actions or inactions, or when results of the member's actions or inactions, are such a nature that:
1. Economic necessity requires reductions in the work force.
 2. A member fails to demonstrate a willingness or ability to improve his/her conduct, behavior or performance deficiencies without intense supervision.
 3. Failing to terminate the member would create an unreasonable risk or negligently retaining a member who has failed to display the necessary competencies to remain in his/her job position.
- C. When discipline is deemed appropriate, it is policy to use a progressive system, when practicable. Furthermore, discipline shall be of cause and shall follow the basic concepts of due process as established elsewhere by administrative procedures.
- D. This department does not intend to illegally discriminate against current members, potential members or members groups on the basis of sex, sexual orientation, ethnic background, race, religion, color, age, or physical disability in any disciplinary or termination proceedings.
- E. This policy places a responsibility on management to ensure that FAIR enforcement decisions will be made in the use of disciplinary or termination action. Fair enforcement incorporates the concepts of equality and equity. That means management will not discriminate against members and will treat them equally when making decisions about appropriate types of intervention to use in correcting a performance deficiency. Solutions include training, discipline, remedial training, reassignment, demotion or termination. Whatever the administrative action though, its amount and degree must be based on equity.
- F. This policy also places a high level of responsibility on members to know the type of conduct, behavior or performance that can result in disciplinary action or termination. To successfully defend against the should-have-known standard this policy places on members, members must be able to produce substantial evidence that the typical member could not have known that such conduct, behavior or performance could lead to disciplinary action or termination.

DEFINITIONS:

Equity: Equity means that management reviews each member's performance deficiency and considers the following circumstances to help determine the amount and degree of administrative action.

1. The seriousness of the deficiency or offense.
2. Management's expectation that the type and level of administrative action will facilitate or deter the conduct, work proficiency or behaviors of others.
3. The member's overall conduct, work productivity, time between other violations (if other offenses occurred) and behavior record.
4. Management's expectation, based on the member's overt behavior that the type and level of administrative action will improve the member's future performance. In other words, does the member respond positively to discipline?
5. The member's seniority.

Culpability: Culpability means that the member violated the directive, mission statement, rules or policy purposefully, recklessly, negligently or without due regard for the explicit and connotative (intended) meaning in official directives.

The term "culpability" will be used throughout both the rules and regulations and the policy and procedure when violations occur.

Standard of proof:

1. Preponderance of evidence: For violations that will result in termination or suspension, the standard of proof will be preponderance of the evidence.
2. Substantial evidence is the kind of evidence that "a reasonable mind might accept as adequate to support a conclusion".
3. All relevant evidence submitted, no matter the source, will be considered. The board will rule on relevancy of all evidence.

MEMBERS WHO LACK OF BASIC SKILLS AND ABILITIES:

- A. Discipline is not appropriate when, after regular training, a member lacks the basic skills and ability to perform properly. In these cases the member is not culpable, but fails to display the necessary competencies to hold his or her current job position. If the member has other requisite skills and abilities THAT ARE NEEDED ELSEWHERE IN THE DEPARTMENT AND HAS DEMONSTRATED POSITIVE EMPLOYMENT HISTORY, then returning the member to probation status and placing him/her in an in-service coaching

program monitored through a system intense performance evaluations may be appropriate in order to give the member a second chance.

- B. It is policy to terminate members when situations beyond the department's control, or when the member's actions or inactions, or when results of the member's actions or inactions, are of such a nature that:
 - 1. Economic necessity requires reductions in the work force.
 - 2. A member fails to demonstrate a willingness or ability to improve his/her conduct, behavior or performance deficiencies without intense supervision.
 - 3. Failing to terminate the member would create an unreasonable risk of negligently retaining a member who has failed to display the necessary competencies to remain in his/her job position.

NON-DISCIPLINARY STEPS:

- A. Not every supervisory interaction or intervention with a member is to be construed as discipline. Except in cases of culpability, correcting undesirable conduct, behavior or work performance is at times best handled by the immediate supervisor in a non-formal atmosphere. This means taking the member aside and discussing the problem, candidly and openly. These actions may or may not be formally documented, depending on the supervisor's discretion. Facts to be considered in making these decisions will include, but will not be limited to, the member's intentions to do well, the member's appreciation of the supervisory consulting and the member's immediate actions to correct the problem.
- B. In addition to supervisory consulting, the following situations ARE NOT CONSIDERED TO BE DISCIPLINARY. They are:
 - 1. Counseling. At times personal problems may interfere with the member's ability to perform normally. When the results are not serious enough for discipline but call for more formal type of supervision than consulting with the member, counseling is the proper tool to help the member. Counseling is not a form of discipline but is the last tool management has available to correct a problem is the member is not capable of doing so.
 - a. Employees will receive supervisor counseling for areas of concern about the following:
 - 1. Job performance.
 - 2. Changes they need to make or have made related to their jobs.
 - 3. The counseling form will be used and when completed placed in the employee's personnel file.
 - 2. Administrative Leave: Administrative leave occurs anytime the member must be removed from duty until a proper investigation or other administrative proceeding can be held. Usually the situation involves a case of suspected

misconduct, such as drinking, fighting, or being mentally or physically unfit for duty. In such cases, leaving the member in position would create an unreasonable liability or safety issue for the organization.

The immediate supervisor can order a relief from duty for the member and then immediately report the action to the next supervisor in the chain of command. Incident documents should follow the chain of command to the department administrator/commander, who should initiate an investigation and make a decision.

3. Administrative Furloughs: Following a deadly use of force: These types of furloughs are not discipline and should not be viewed as such. Rather, they are additional administrative actions that may be necessary after a deadly use of force.

The purpose of an administrative furlough is to help the member adjust and handle a personal or emotional need(s) resulting from traumatic events. Administrative furloughs are mandatory and should be initiated by the duty commanding officer and should continue until the chief orders otherwise.

4. Incompetence or Inability to Serve: Anytime a member's performance is consistently poor or the member is not able to perform all the assigned responsibilities, duties, or tasks of the job in a competent manner, causes exist to terminate the member's position.

PROGRESSIVE DISCIPLINE:

- A. When discipline is deemed appropriate, it is policy to use a progressive system, when practicable. Furthermore, discipline shall be for cause and shall follow the basic concepts of due process as established elsewhere by administrative procedures.
- B. Progressive discipline will be used in determining the level of discipline to be applied, all members will be treated with equity as defined in this policy.

1. **Written Warning:** Written warnings are written records and the first level in the progressive discipline system. They are intended to be the least intrusive form of discipline. To be effective, however, written warnings must be timely. Otherwise, the member may believe future infractions will be tolerated.

- a. This may be used for Class III violations at the supervisor level.
- b. Written warnings will contain the following information:
 - 1.. Member's name.
 - 2. Date of warning.
 - 3. List of violations that member was found culpable of violating.

4. What will occur if the member fails to comply.
5. What will occur if the member has further performance problems.

2. **Written Reprimands:** A written reprimand is the second level in the discipline, unless circumstances of the case justify a high level of discipline, in which case this can be bypassed.

- a. The shift supervisor can authorize a written reprimand if a suspension or demotion is not involved, or when no investigation is required.
- b. The Chief must approve and sign all reprimands.
- c. Reprimands will include the following information:
 1. Name of employee.
 2. Date reprimand is written.
 3. List of violations the employee was found culpable of violating.
 4. The amount of time the employee has to bring his/her behavior into line with established norms. (if applicable)
 5. What will occur if the employee fails to comply.
 6. What will occur if the employee has future performance problems.
 7. A copy of the board of inquiry recommendation will be attached to the reprimand. (if applicable)

3. **Suspensions and Demotions:** Only the Chief can authorize the use of a written reprimand, if a suspension or demotion is involved.

- a. **Suspensions:** Are serious interactions and occur when a member fails to respond positively to lesser forms of discipline. Suspensions can also be the first step in progressive discipline if they act, and/or result of the act, is serious enough that a written warning or reprimand would not promote the intent or spirit of the purpose and need for disciplinary action.
- b. **Demotions as forms of discipline:** Demotion as a form of discipline is intended to be punitive and can occur concurrently with a suspension when a supervisor is involved. This is perhaps the most serious form of disciplinary action for a supervisor and the last effort for the department to try and save the member's position.

4. **Termination:** All members are subject to termination for the following general conditions:

- Reductions in the work force brought about by economic considerations such as a lack of work.

- Consistent performance failure(s) or a single performance failure that results in serious consequences to the department's credibility or ability to do business in an effective and efficient manner, with or without fault.
- Decisions of the administration as permitted and retained by law.

a. Termination for reductions in work force: Termination for reductions in work force results from many factors, including reduced operating budgets and events that increase current operations expenses. These events may include excessive overtime costs, damage awards, unplanned management costs, and poor member performance, among others. In such cases, it is management's intent to make termination decisions based on the effective, efficient and safe continued operations of this department. Seniority is the determining factor if all other factors between members are similar, as in compliance with contractual agreements, for example.

b. Termination for performance failure (through acts of omission or commission while on or off duty) can occur with or without fault on the member's part. While no attempt is being made here to list all situations that may result in such removals, the following examples illustrate the kinds of failure that lead to this cause of termination.

1. Termination with fault: Examples include insubordination, threatening a supervisor, fighting and assaults or provoking a fight or assault, forbidden harassment, endangering another, drug or alcohol abuse, theft, and false reporting or witnessing. In cases of termination with fault, management attempts to establish, through preponderance of evidence that the member had culpability, in other words, that the member acted purposefully, knowingly, recklessly or negligently.
2. Termination without fault: Examples include chronic problems, substantial impairment of the employment relationship, and situations where performance is not reasonably expected to improve or where problems are not expected to be resolved in a reasonable time.
3. Chronic problems include excessive excused and non-excused absences, failure to consistently accomplish expected levels of performance results on assigned tasks, and chronic complaining about operations to the extent that management must spend excessive time dealing with the problems caused by complaints.
4. Examples of substantial impairment of the employment relationship include unreasonable disruption to normal operations of the organization, endangering the organization's mission purpose, actions or inactions that contribute to an unnecessary risk to the public image, and creating conflicts of interest.
5. Situations where performance is not reasonably expected to improve past failures to respond positively to progressive discipline; habitual violations of directives; working effort requiring excessive supervision after reasonable training has occurred to prepare the member for the duties

and responsibilities of the position; the member's failure to learn the informal aspects of the job not covered by formal training but that are reasonable to expect of a competent member who has gained knowledge and experience from the normal work environment; and the member's failure to accept the organizations' business purpose, mission, code of conduct, or oath of office.

6. Failures to comply with directives are normally handled through an investigative process. These investigations are conducted to determine the appropriateness of discipline and administrative sanctions. Important considerations in decisions to discipline include maintaining and advancing the organization's effectiveness, efficiency and safe operations. These considerations are combined with the demonstrated performance conduct, proficiency and behavior of the member.

5. Notice of Termination: If a member's performance requires an investigation, the member may be placed on administrative leave pending outcome of the investigation. Depending on the findings, the member may then be terminated. If this occurs, members are provided with information that includes:

- a. The reasons for termination.
- b. The effective date of termination.
- c. Who to contact regarding status of fringe and retirement benefits.
- e. A statement that the content of the member's record relating to the termination will be made available to the member according to state public law.

DUE PROCESS PROCEDURE:

INTRODUCTION

This section assures members that when discipline is used it will be used only for just cause, it will follow a due-process procedure and it will not be used in an illegally discriminatory manner. The essence of these concepts are incorporated in the following elements:

- A. The member receives advance notice of the possibility of discipline.
- B. Directives are reasonably related to the department's business necessity.
- C. A fact-finding effort was made prior to disciplinary action.
- D. A fair and objective investigation will be held.
- E. The level of proof required to support a disciplinary action will be of the proper level for the action taken.

F. The decision to discipline will be made and applied in an equal and equitable manner.

G. The member is entitled to know all the facts surrounding a disciplinary decision and is given an opportunity to present a defense.

STANDARD OF PROOF

A. The standard of evidence used in such proceedings will be “substantial” for violations that could result in discipline less than suspension. For violations that could result in suspension or termination, the level of evidence will be “preponderance”. For definitions, see this policy.

INVESTIGATION

A. The division requesting the board of inquiry will:

1. Do a complete investigation of the accusations.
2. Include with a complete report, a list of all witnesses, witness statements and evidence.
3. Have the investigating officer available to do any clarification that might come out of his/her report.
4. Give the officer in question written notice of the hearing, rules he/she is accused of violating, and a list of witnesses.
5. The investigating officer will be given authority by a supervisor.
6. If an employee refuses to cooperate with the investigator he/she will be shown a copy of the investigator’s authorization and Garrity.
 - a. The employee will then be ordered to give information.
 - b. If he/she still refuses the employee will be suspended until such time as a hearing date can be set.
 - c. All employees will be advised that they are ordered not to discuss the investigation with anyone.

SUSPENSION MEMBER BY SHIFT SUPERVISOR

A. A shift supervisor may suspend an employee from duty if, and only if, one of the following conditions exist:

1. For very serious violations of policy procedures or rules.

2. Suspected of committing a serious crime.
3. If left on duty, the member presents a liability problem.
4. If left on duty, the member could hinder the investigation.
5. If left on duty, the member's presence would be detrimental to the credibility of the department.
6. To maintain order within the department.

ALLEGAN CITY POLICE DEPARTMENT
FIELD TRAINING AND EVALUATION PROGRAM

PURPOSE

The Allegan City Police Department in keeping with the strictest levels of performance requirements, must always strive to maintain the highest standards of professionalism. To this end, the attainment of highly trained police officers shall remain a fundamental goal of the Department.

The Allegan City Police Department's Field Training and Evaluation Program is an extension of the law enforcement selection process that combines pre-field training with objective evaluations to ensure that the standards of a competent law enforcement officer are met.

To establish an improved in-service retraining program by providing a system for retraining and orientation to sworn officers returning to patrol from extended absences or assignments.

The administration of the Allegan City Police Department is committed to the tenets of this program, and gives full support of the Field Training and Evaluation Program concepts, which are necessary for the successful achievement of the Department's goals.

DEFINITION

A systematic organized and consistently administered period of formal field training and performance evaluation with the goal of producing a patrol officer capable of providing solo patrol services in a safe, courteous, efficient and effective manner.

ADMINISTRATIVE CONTROL

The planning and development of the Field Training and Evaluation Program is the responsibility of the Field Training Unit. The implementation and supervision of the operation of the program shall be the responsibility of the Patrol Division, and the program shall adhere to the provisions of all departmental rules and regulations, as well as M.C.O.L.E.S., as set forth.

FIELD TRAINING SUPERVISORS AND OFFICERS

Upon being selected in the Field Training Officer program the supervisor and/or officer shall attend an M.C.O.L.E.S. certified Field Training Officer school and shall, upon return, undergo continued in-service training.

- A. The Field Training Supervisor is responsible for the supervision of Field Training Officer's working on shift, first line supervision of trainees, staff assistance to the

Program Coordinator, trainee discipline and other duties as outlined in the Field Training and Evaluation Program Manual.

- B. Field Training Officers are responsible for the supervision, training and evaluation of trainees as outlined in the Field Training and Evaluation Program Manual.

FIELD TRAINING AND EVALUATION PROGRAM MANUAL

- A. A complete description of the training program, personnel responsibilities and evaluation criteria.
- B. A list of performance tasks and standards to aid the Field Training Officer in the evaluation of the trainee.
- C. All rules and regulations as outlined in the Manual shall be followed and considered as part of this General Order.

FIELD TRAINING AND EVALUATION RECORDS

- A. All records will be kept by the Field Training Coordinator. These files shall be maintained in strict confidence.
- B. Field Training and Evaluation Program files shall be open only to the following personnel:
 - Chief
 - Field Training Supervisor
 - Field Training Officers
- C. Upon completion of the Field Training and Evaluation Program these files shall become part of the employee's permanent Department personnel file.

ALLEGAN CITY POLICE DEPARTMENT
CITIZEN COMPLAINT PROCESS

PURPOSE

The purpose of this order is to ensure the quality of services provided to promote a high level of public confidence and to maintain the professional integrity of this department and its members.

POLICY

It is the policy of this department to accept, document, review, and investigate instances of alleged misconduct, to include complaints regarding the directives or procedures of the department, and to equitably determine whether the allegations are valid or invalid and to take appropriate action. Allegations of misconduct will be investigated, regardless of whether initiated by citizen complaint, or other external agencies, internally generated, or discovered through the internal review and administrative processes of the department.

CITIZEN COMPLAINTS

- A. Citizen complaints pertaining to departmental policies or procedures, or that allege officer misconduct, shall be documented and investigated by the department. A citizen who has a complaint expects action. All complaints shall be accepted in a courteous, understanding, and professional manner.
 - 1. Complaints may be given in person, over the telephone, or in writing.
 - 2. Anonymous complaints, or complaints from citizens who wish their names to be held in confidence, shall not be accepted for investigation.

- B. Citizen complaints shall be accepted by any member of the department and directed to a supervisor of the department who is approached for such assistance.
 - 1. The supervisor shall document the complaints in writing.
 - 2. The supervisor will provide the citizen with a statement form. She/he will explain the method for completing the form and respond to any questions the citizen may have in completing the form.
 - 3. Following completion of the form, the supervisor will review the contents for completeness and will ask the citizen about any part of the complaint that is unclear or is incomplete. The supervisor will explain the steps of the internal investigation process.

4. In every case, where a citizen indicates physical inability or lack of minimum writing skills to complete the statement form, it shall be prepared for the citizen by the supervisor.
 5. Should the citizen refuse to submit the complaint on a statement form and/or sign it, the supervisor shall note such refusal on the form and submit it to the Chief.
 6. Citizens who are unable to speak and/or write in English language should be encouraged to submit the complaint forms in their native language.
 7. All completed citizen complaint statement forms will be given a sequential internal investigation control number, preceded by the year, i.e., 96-0001. The Chief will record the complaint and make a duplicate of the complaint prior to forwarding the original to the internal investigator, if one has been designated by the Chief.
 8. All complaints received and assigned a control number will be investigated following the internal investigation policy found elsewhere in this manual.
 9. The supervisor may attempt to resolve a complaint with an explanation of departmental policies and procedures. Where applicable, attempts to resolve complaints shall be noted on the complaint form. A supervisor who successfully resolves such a complaint shall document the complaint and forward a copy to the Chief or his designee.
- C. Upon receipt of a citizen complaint, the Chief or his designee shall contact the complainant and advise them that the matter is under investigation. The Chief or his designee shall advise the complainant of the departmental procedures for processing an investigating citizen complaint.
 - D. Investigations of complaints shall be completed according to the procedures as prescribed in the internal investigation policy located elsewhere in this manual.

OFFICER RESPONSIBILITIES

- A. Each member of this agency is responsible for accepting and documenting citizen complaints following the procedures prescribed herein.
- B. All complaints shall be accepted in a courteous, understanding, and professional manner.
- C. Where possible, officers will refer complainants to the on-duty supervisor.

- D. In instances when a supervisor is not readily available, the officer receiving notice of a desire to make a complaint will accept and document the complaint as described above.
- E. After receiving a complaint, members will forward the complaint to their supervisor, if available. If a supervisor is not available, it will be forwarded without delay, to the Chief.

OUTSIDE AGENCY INFORMATION/COMPLAINTS

Complaints forwarded to this department from the Prosecuting Attorney, Federal Bureau of Investigation, State or Federal Attorney General's Office, etc., will be summarized on the complaint form. The receiving supervisor will prepare a cover memo including the outside agency contact person and forward both complaint forms and the memo to the Chief's office immediately.

GENERAL CONSIDERATIONS

- A. In the event that the officer or supervisor receiving a citizen complaint considers it to be of a very serious nature or an emergency circumstance, the Chief or his designee should be notified immediately.
- B. In any extremely serious case or emergency circumstance, supervisory officers and above have the authority to immediately relieve an employee from active duty status pending further investigation of the incident. This initial suspension from duty will be with pay.
- C. No employee of this department will harass, verbally abuse, or otherwise threaten any citizen or fellow employee who files a complaint against an employee of this department.

COMPLIANCE

Violations of this policy, or portions thereof, may result in disciplinary action.

OFFICERS ASSIGNED TO OTHER AGENCIES

Officers of this department assigned to or assisting other law enforcement agencies will be guided by this policy.

APPLICATION

This order constitutes department policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard or safety or case in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by law.

ALLEGAN CITY POLICE DEPARTMENT
IN-CAR VIDEO SYSTEM

PURPOSE

To establish standards for operation of the in-car video system and procedures for maintaining an evidentiary chain of custody.

SYSTEM COORDINATION

- A. Officers will check the camera system at the beginning of every shift to ensure that it is working properly.
- B. Any equipment failure will be reported as soon as practical to the shift supervisor.
- C. Only those officers trained in the operation of the equipment will be allowed to use it.

OPERATION OF THE VIDEO SYSTEM

- A. The system will remain in operation at all times except when the officer leaves the car for duty in the station, court, break or similar activity. On each traffic stop or attempted traffic stop the officer shall activate the microphone. When investigating critical incidents, the officer shall activate the microphone.

PROCEDURES FOR REPLAY, INSPECTION OR REVIEW

- A. The recordings will be routinely reviewed however, a review may occur as an investigative follow-up or upon the receipt of a written citizen complaint. In addition, the shift supervisor will periodically check to make sure officers had their microphones on their person.
- B. The video may be viewed by those participating in the criminal justice process with the permission of the assigned investigator.
- C. Requests as part of civil action or Freedom of Information Act must be submitted in writing to the Chief of Police.
- D. Recordings may prove useful for training purposes by demonstrating either proper or improper procedures. Prior to using the video demonstrating improper procedure, the officer recorded will be consulted.

ALLEGAN CITY POLICE DEPARTMENT
EVIDENCE

PURPOSE

This order establishes procedures for receiving, storing, releasing, and disposing of property seized as evidence and/or property held for safekeeping.

These orders are for Allegan City Police Department use only, and do not apply to any criminal or civil proceedings. The department policy should not be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of administrative sanctions. Violations of law will for the basis for criminal and civil sanctions in a recognized judicial setting.

POLICY

It is the policy of the Allegan City Police Department to establish control over all property seized, found, or held by this Office and to insure that a chain of evidence is established and maintained. Further, it is the policy of this Office to ensure that property for return, sale or destruction is processed properly in accordance with all state or local laws.

RULES AND REGULATIONS

- A. All property and evidence shall be transferred to the control of the Evidence Custodian.
- B. Weapons for evidence shall be transferred to the control of the Evidence Custodian, as well as any other items that might be construed as weapons.
- C. Personal property on the person of one arrested, i.e., money, wallet and contents, jewelry, etc., shall not be taken from the arrestee by arresting officer except in unusual circumstances which necessitate the removal of such items for safekeeping. Any personal property removed from arrestee's person in these circumstances will be transferred to the control of the Evidence Custodian and so noted in the officer's report if evidence of crime only.
- D. All property removed from any vehicle shall be transferred to the control of the Evidence Custodian and so noted on the officer's report.
- E. All property found by police officers or received by police officers from another party who has found the property will be transferred to the control of the Evidence Custodian.

- F. All property seized shall be placed into the property room no later than the end of your shift, unless you have the following:
 - 1. Supervisor approval
- G. Any items that are contaminated with body fluids will be handled as biohazard material.

TRANSFERRING EVIDENCE TO COURT

Evidence required in court for prosecution purposes will be released by the Evidence Custodian to the officer presenting the evidence. The evidence will be returned to the Evidence Custodian immediately after all legal actions have been completed. When returned, the evidence will be, as released, in the original packages and all tags attached. In the event the evidence or any part thereof is retained by the court, the presenting officer will notify the Evidence Custodian in order that the records may be cleared and the receipt so noted. The property receipt will be signed by the officer when accepting control of the evidence and by the Evidence Custodian when receiving the evidence up its return.

DISPOSITION OF EVIDENCE

- A. Release from Evidence Status to Property:
 - 1. The impounding officer will release evidence to property status as soon as possible after the case has been concluded. When the evidence is released by the impounding officer, it is that officer's responsibility to notify the owner that he has 30 days to claim the property.
- B. Court Order:

Evidence will be released by court order from a court of competent jurisdiction. Destruction of contraband will also be carried out by the Evidence Custodian after receipt of a court order.
- C. Public Sale:

Unclaimed property will be sold at public auction in accordance with the governing ordinances. No department member regardless of rank shall be permitted to purchase items at auction. This includes sealed bidding and the use of an agent.
- D. By Conversion:

This shall be accomplished through forfeiture proceedings or by unclaimed found property.

E. By Return to Rightful Owner:

Property will be released to the person in whose name the property is listed upon proper identification of the legal owner or agent of the legal owner. Found property may or may not be released to the finder dependent upon attendant circumstances of the case and nature of property found. In all cases of found property, the department reserves the right to secure legal determination before releasing property.

F. Found Property:

Found property is classified in two ways:

1. Property of major value

Definition: Property of major value means any property that is not collectible currency, contraband, currency, evidence, hazardous material, junk, perishable property or property of minor value. (MCL 434.21)

2. Property of minor value

Definition: Property of minor value means any property whose fair market value is less than the total cost of preparing a property report, plus the costs of storage and disposition. (MCL 434.21)

3. Property of major value shall be returned to the legal owner when the evidence custodian is reasonably satisfied of the ownership.

4. If an owner does not appear, then a notice must be sent by mail to any known legal owner of collectible currency, currency, evidence, perishable property or property of major value to the last known address of record. The notice shall contain the following information:

- a. The date the property was found.
- b. The type of property found.
- c. The address whence the property is located.
- d. The cost of storage per day. (if any)
- e. A statement that the property must be claimed within six months of the date of letter on the property shall be considered abandoned and disposed of.
- f. The name of the law enforcement agency, the address and the telephone number where the legal owner can obtain the property.

5. If the legal owner is not located and after six months from the date of notice, the property shall be disposed of as follows:

- a. Unless the finder of the property cannot be located or does not want the property, return the property to the finder.
- b. If the finder of the property cannot be located or does not want the property, then do one of the following:
 1. Retain the property for use by the Allegan City Police Department. An incident report must be filled out and signed by the Sergeant and filed in the property room.
 2. Sell the property at a public sale and deposit the money in the City's general fund.
 3. Release the property to a charitable organization.

6. Property of minor value shall be returned to the legal owner when the Allegan City Police Department is reasonably satisfied of that ownership. If after three months the property has not been claimed by the legal owner, the property may be disposed of in any manner by the Allegan City Police Department.

PERISHABLE EVIDENCE/PROPERTY

- A. Officers may return perishable items to the owner or business after all of the following has been done.
 1. When the crime is a misdemeanor, document the complete description of the item and its container in the police report, i.e., item, weight, color, value, brand name, manufacture numbers, color of container (wrapper), other identifying marks.
 - a. Return the perishable property to the owner (store).
 - b. The owner is then free to sell the item(s).
 2. When the crime is a felony, document the complete description of the item and its container in the police report, i.e. item, weight, color, value, brand name, manufacture numbers, color of container (wrapper), other identifying marks and photograph the perishable item(s) with a camera, and log the film/photo into evidence. Then:
 - a. Obtain approval from the prosecutor on call to return the evidence to the owner.
 - b. Return the perishable property to the owner (store).
 - c. The owner is then free to sell the item(s).
 3. Officers will testify in court as to the description of the property, produce photograph (when available) as evidence.
 4. A refrigerator will be kept in the evidence room for evidence that requires refrigeration.

SPECIMEN COLLECTION KITS

- A. When an officer obtains a blood or urine specimen using the Collection Kit provided by the Michigan State Police and requests a laboratory analysis, the following steps will be taken:
 - 1. The kit will be sealed per instructions.
 - 2. The evidence custodian will see that the specimen kit is sent for analysis via certified mail.

LOGGING OF BICYCLES INTO PROPERTY

- A. Obtain a serial number and run a LEIN check.
- B. Complete the property tag and attach it to the bicycle.
- C. Photograph the bicycle, noting complaint number, date, and location found.
- D. All bicycles will be placed into the bicycle storage area.

LOGGING ALCOHOLIC BEVERAGE(S) INTO PROPERTY

- A. When a police officer takes into their possession any type of alcoholic beverage, then the following needs to occur:
 - 1. The police officer shall note in their report the type and quantity of the beverage.
 - 2. The police officer shall dispose of the beverage by dumping the beverage out and returning the container to the holder and shall also note the disposal method and information in their report.
 - 3. In the event that the beverage is obtained from a shoplifting incident or larceny incident, then the beverage shall be returned to the owner. A photograph can be taken for evidence purposes.

LOGGING FLAMMABLE LIQUIDS & FIREWORKS INTO PROPERTY

- A. When a police officer has an incident where they have flammable liquids or fireworks that have become evidence, then the following needs to occur:

1. All efforts shall be taken so that flammable/fireworks are disposed of instead of being placed into the property room, and all the information on the disposal must be noted in their report.

- a. Photos shall be taken of all disposed flammable/fireworks.
- b. Used containers.

LOGGING PHOTOGRAPHS INTO PROPERTY

- A. When a police officer has photographs that are taken of an incident, the following needs to occur.
 - 1. They shall be placed in a photograph envelope and the envelope must be completely filled out.
 - 2. If the photos need to be developed, then the appropriate box on the envelope should be checked.
 - 3. You do not need to fill out a property receipt or lab sheet, only the photo envelope.
 - 4. Place the photo envelope with the photos in a photo file.
 - 5. For further information refer to photographs policy.

HANDLING OF NARCOTIC AND DANGEROUS DRUG EVIDENCE

- A. Officers logging in narcotic or drug evidence will weigh the substance in the container that it was confiscated in. This weigh is only an approximation and is used to protect the officer from allegations of misconduct. The actual weight will be determined by the state police crime lab.
- B. Officers are not to weigh items that are extremely heavy or bulky.
- C. Officers will count any substance that is suitable for counting, such as pills.
- D. Seal the substance in an envelope, insuring that the glued flap is properly secured. In cases where the substance is too large to fit in an envelope it will be packaged in one of the other packaging devices provided and sealed.
- E. The evidence custodian, upon receipt of drug or narcotic evidence, shall inspect the packaging for signs of tampering. Any signs of tampering will be immediately reported to the supervisor for appropriate action. Such evidence will be kept in the drug locker until it is taken to the lab, court, or to the incinerator for destruction.

- F. Officers returning drug evidence from court or the lab will insure the package is properly secured. All drug and narcotic evidence that is no longer needed for court will be destroyed at the next scheduled drug destruction date. The evidence custodian and one officer appointed by the Chief or his designee will be present and will follow all state and federal laws in destroying the drugs.
- G. When other items are found in conjunction with narcotics, such as needles, pipes and syringes, they are to be packaged and logged separately as long as they do not contain amounts of drugs or narcotics. Needles, pipes, and syringes that do not contain narcotics or drugs, etc. are to be logged in the regular property log.

DUTIES OF ARRESTING OR REPORTING OFFICER

- A. It is the responsibility of the arresting or reporting officer to properly package and/or tag all property and/or evidence and to properly complete the property receipt before transferring the property to the control of the evidence custodian. In all cases, the property receipt must be turned in with the evidence or property. The arresting or reporting officer will insure that the following steps have been taken prior to releasing property to the evidence custodian. Officers will advise the complainant/victim to contact the evidence custodian to make an appointment to obtain any seized items that can be released.

2. Required Documentation (Recovering Officer)

- a. Evidence and non-evidence property will not be mixed in the same property bag(s). Property bags will be sealed and signed and a property label completed and attached to the bag by the arresting or reporting officer prior to transfer to the evidence custodian. Officers must write on or attach information that advises who the items may be returned to and when if no criminal action is being sought.
- b. Red evidence tags will be securely attached to property seized as evidence or contraband which is too large or bulky or otherwise inappropriate for property bags.
- c. All firearms, including handguns will be tagged only, not placed in bags.
- d. The custodial officer is responsible for maintaining an adequate supply of property receipts, property bags, red evidence tags, property labels and making them available to all personnel.
- e. Officers confiscating property have the responsibility of notifying the owner when said property is released from evidence if the owner/finder is legally entitled to receive such property. A release form will be completed by the officer and given to the evidence custodian.
- f. It shall be the responsibility of the officer to properly mark and tag items submitted to evidence that might present a health hazard with the appropriate biohazard labels on all containers.

g. The officer receiving found property will make every attempt to identify the rightful owner of such property and advise the owner that the property is being held for safekeeping.

DUTIES OF EVIDENCE CUSTODIAN

A. The evidence custodian will receive, store and release evidence and other property in a timely efficient and accountable manner, avoiding any unnecessary delay in receiving and releasing property. The evidence custodian will follow established procedures which minimize loss, theft, or destruction of property or any other actions which might lead to loss of evidentiary value of the property. All procedures will be followed to maintain a proper chain of evidence, and document the transfer of property to the point of release from police control. Every legal effort will be made by the evidence custodian to prevent the unnecessary accumulation of property in storage.

1. Receiving

- a. General property. Evidence and/or property will be received by the evidence custodian only after these items have been recorded on the property receipt and each item listed thereon has been properly bagged or tagged.
- b. Weapons. Weapons will be received as indicated above; however, all firearms will be tagged only with the appropriate tag. All firearms will be unloaded with the ammunition bagged and properly marked.

2. Evidence and Property Room Procedures

- a. The evidence custodian will date and initial the property receipt, bag and tags.
- b. The property receipt will be filed by the officer's last name.
- c. It is the submitting officer's responsibility to properly list all items that are being placed into evidence on a report prior to placing them into the storage cabinet.
 - 1. Selected clerical staff will be assigned the duty of entering property into the computer.
- d. Upon placement of the evidence or property in the evidence storage room, the storage area and bin number will be recorded on the property receipt.
- e. Any item of evidence or property taken to the State Crime Lab will be accompanied by the property receipt. The receipt will be signed by the accepting technician and the crime lab number duly noted on the receipt. The receipt will then be returned to the department's files. Also, a lab work sheet filled out by the officer shall accompany the evidence.
- f. Narcotics and dangerous drug evidence (capsules, pills) shall be counted as well as weighed. Additionally, all containers of narcotics and

dangerous drugs shall be inspected for tampering as a safeguard against the substitution of material having the same weight. The evidence custodian shall secure all narcotics and dangerous drugs in the locked storage cabinet within the storage room.

3. Incident Reporting

a. In the event that the evidence custodian has problems with either evidence or the submitting officer, a department incident report must be completed and turned into the supervisor controlling the property room.

DUTIES OF THE NARCOTIC EVIDENCE CUSTODIAN

- A. The narcotics evidence custodian will handle all narcotic/drugs that are placed into the property bins.
- B. The narcotics evidence custodian shall follow the following steps:
 - 1. Shall remove the property and log it into the property book and place it in a secure location.
 - 2. Shall determine whether or not the property needs to go to the Michigan State Police Laboratory for examination. If the property need to go to the laboratory the narcotics evidence custodian shall place the property in a secure location until it can be taken to the lab.
 - 3. The narcotics evidence custodian shall be responsible for making sure that the narcotics/drugs property is taken to the lab and it is returned to the department. Once the narcotics/drugs are taken into the property room and it needs to go to the lab, the narcotics evidence custodian shall make sure it gets there in a reasonable amount of time.
- C. The narcotics evidence custodian will also be responsible for the disposition of the narcotics/drugs and destroying the narcotics/drugs.

ALLEGAN CITY POLICE DEPARTMENT
POST TRAUMATIC INCIDENT PROCEDURES

PURPOSE

The purpose of this policy is to provide guidelines that shall be uniformly applied following any officer-involved trauma that has resulted in death or serious bodily injury, in order to minimize the chances that involved personnel will develop or suffer from post-traumatic stress disorder.

These orders are for Department use only, and do not apply to any criminal or civil proceedings. The Department policy should be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of Department administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

POLICY

Law enforcement duties can often expose officers and support personnel to mentally painful and highly stressful situations that cannot be resolved through normal stress coping mechanisms. Unless adequately treated, these situations can cause disabling emotional and physical problems. It has been found that officer-involved shootings resulting in death or serious bodily injury to a citizen or fellow officer (or a similar event) may precipitate such stress disorders. It is the responsibility of this law enforcement agency to provide personnel with information on stress disorders and to guide and assist in their deterrence. Therefore, it shall be the policy of this agency to take immediate action after such incidents to safeguard the continued good mental health of all involved personnel.

DEFINITIONS

- A. Post-Traumatic Stress Disorder: An anxiety disorder that can result from exposure to short-term severe stress, or the long-term buildup of repetitive and prolonged milder stress.
- B. Officer-involved Incident: A line-of-duty incident where shooting causes death or serious bodily injury to an officer or other person.

HANDLING OF OFFICERS AT SCENE

- A. A supervisor shall be dispatched to the scene of the incident, and shall assume primary responsibility in caring for involved personnel.

- B. The supervisor shall notify the Chief and Lieutenant.
- C. The supervisor shall make appropriate arrangements for all necessary medical treatment.
- D. During any period where the involved officer is required to remain on the scene, but has no immediate duties to fulfill, the officer should be taken to a quiet area away from the scene of the incident. A peer counselor or other supportive friend or officer should remain with the officers but should be advised not to discuss details of the incident.
- E. The supervisor should arrange for the officers directly involved in the incident to leave the scene as soon as possible, and be taken to quiet, securing setting.
- F. Where possible, the supervisor shall briefly meet with the involved officers.
 - 1. No caffeine or other stimulants or depressants should be given to the officers unless administered by medical personnel.
 - 2. Only minimal, preliminary questions should be asked about the incident. The officers should be advised that a more detailed debriefing will be conducted at a later time.
 - 3. Any standard investigations that will occur concerning the incident should be discussed with the officers.
 - 4. The officers should be advised that they may seek legal counsel.
 - 5. The officers should be advised not to discuss the incident with anyone except a personal or agency attorney, union representative, or departmental investigator, until the conclusion of the preliminary investigation.
- G. The supervisor shall determine whether the circumstances of the incident require that the officer's duty weapon be taken for laboratory analysis.
 - 1. Where the duty weapon is taken, the supervisor shall:
 - a. Take custody of the officer's weapon in a discreet manner; and
 - b. Replace it with another weapon, or advise the officer that it will be returned or replaced at a later time, as appropriate.
 - c. Involved officers should notify their families about the incident as soon as possible. Where an officer is unable to do so, a police department official shall personally notify his/her family, and arrange for their transportation to the hospital.
 - d. At all times, when at the scene of the incident, the supervisor should handle the officer and all involved personnel in a manner that acknowledges the stress caused by the incident.

POST INCIDENT PROCEDURES

- A. Involved personnel shall be removed from line duties pending evaluation but shall remain available for any necessary administrative investigation.
- B. All officers directly involved in the incident shall be required to contact a designated specialist for counseling and evaluation as soon as practical after the incident. Involved support personnel should also be encouraged to contact such specialists after an incident. After the counseling sessions, the specialist shall advise the Police Department:
 - 1. Whether it would be in the officer's best interest to be placed on administrative leave or light duty, and for how long;
 - 2. Where the officers were relieved of their duty weapons after an incident, at what point they should be returned;
 - 3. What will be the best continued course of counseling.
- C. The Police Department strongly encourages the families of the involved officers to take advantage of available counseling services.
- D. Any Police Department investigation of the incident shall be conducted as soon and as quickly as practical.
- E. The Police Department will brief other agency members concerning the incident so that rumors are kept to a minimum. Members are encouraged to show the involved officers their concern.
- F. All personnel involved in an incident should be advised that they are not permitted to speak with the media about the incident. Officers shall refer inquiries from the media to a designated spokesperson, unless otherwise authorized to release a statement pertaining to the incident.
- G. In order to protect against crank or abusive calls, officers should be advised to have phone calls answered by another person for several days if their names are released to the public.
- H. Officers directly involved in an incident shall be required to re-qualify as soon as practical.

DAILY STRESS RECOGNITION

- A. As post-traumatic stress disorders may not arise immediately, or the officers may attempt to hide the problem, each supervisor is responsible for monitoring the behavior of unit members for symptoms of the disorder.
- B. A supervisor may order an officer to seek assistance or counseling from a mental health specialist upon a reasonable belief that stress may be disrupting the officer's job performance.

TRAINING

- A. The Allegan City Police Department will provide employees with training pertaining to post-traumatic stress disorders and the uniform procedures contained in this policy on a regular basis.
- B. Supervisors are responsible for making available to their unit members, information about peer counseling group and mental health services.

ALLEGAN CITY POLICE DEPARTMENT
WEAPONS: GENERAL

PURPOSE

The purpose of this order is to specify the weapons that an officer may carry and use, the manner in which these weapons are to be carried, and the qualifications and training regulations that apply to the carry of weapons.

These orders are for Allegan City Police Department use only, and do not apply to any criminal or civil proceedings. This policy should not be construed as a creation of a higher legal standard or safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

POLICY

It is the policy of the Allegan City Police Department that only authorized and trained persons shall carry and use weapons. It is also the policy of this office that only those weapons issued or approved by the officer shall be carried and used while engaged in employment related activity.

Nothing in this policy shall be construed in any way to limit the legitimate rights of employees to use firearms for sporting purposes.

AUTHORIZATION TO CARRY WEAPONS

The Allegan City Police Department authorizes employees to carry weapons as follows:

A. CERTIFIED POLICE OFFICERS

Certified police officers are those employees who are:

1. Certified by M.C.O.L.E.S. as police officers or who are exempt from certification.
2. Are assigned to the Patrol Division or the Command Staff and who are regularly employed.

- a. On-duty: These officers are authorized to carry all issued weapons and personally owned weapons that have been approved by the Chief with which they have current qualification while on duty.
- b. Off-duty: These officers are authorized to carry all issued weapons and personally owned weapons that have been approved by the Chief with which they have current qualification while off-duty subject to the following limitations:
 - 1. Officers are not authorized to carry weapons in states, which do not allow off duty out-of-state police officers to carry weapons in their state.
 - 2. Officers are not authorized to carry off-duty weapons when they consume alcoholic beverages or have consumed alcoholic beverages.
 - 3. Officers are not authorized to carry weapons off duty when the weapons will not be under the immediate control of the officers and there is no means of providing for a high level of security for an unattended weapon. Locking the weapon in the trunk of a vehicle is considered adequate security for an unattended weapon. Locking the weapon in a locker in a school, health club, motel, airport, or other place open to the public is not considered adequate security for the weapon.
 - 4. So as not to alarm citizens, weapons carried off duty must be concealed, and will not be displayed unless such display is justified under the Allegan City Police Department's use of lethal force policy.

B. NON-CERTIFIED EMPLOYEES

Non-certified employees are those employees who have not been certified as police officers by M.C.O.L.E.S., and who are not exempt from certification requirements.

Certain non-certified personnel are authorized to carry weapons while on-duty. The employee may carry a Allegan City Police Department issued or approved weapon, and must have current qualification with the weapon carried.

- 1. On-duty: The following non-certified employees are authorized to carry weapons while on-duty:
 - a. Uniformed reserve officers.
- 2. Off-duty: Non-certified employees who are authorized to carry weapons while on duty may, while wearing a uniform, carry a weapon while driving to or from work locations by a direct route and with no unnecessary stops. All other carry of weapons while off duty is prohibited.

- C. Approved on-duty uniformed weapons:
1. Glock model 22, 23, 27 or 43.
 2. Remington model 870 12 ga.- less lethal rounds only
 3. Advanced Taser X-26p
 4. AR-15 .223 rifle.
 5. M-16 .223 rifle.
 6. Collapsible batons not less than 18” in length or greater than 26” in length
 7. Straight batons not greater than 26” in length.

TRAINING AND QUALIFICATION REGULATIONS

A. REQUIRED TRAINING

1. The Allegan City Police Department will provide training programs for all issued and authorized weapons. Successful completion of training for any weapon is mandatory for persons whose assignment requires the carry or use of that weapon and is optional for those employees who are authorized, but not required to carry the weapon in question as part of their duties.

Training/qualification requirements are as follows:

- a. Firearms: Employees who carry firearms must qualify with each type of firearm used (revolver, semi-auto handgun, shotgun, or rifle). Employees must qualify once annually, with the qualification separated by a period of minimum no more than 6 months. Any employee who has not qualified with the type of firearm in question within the past 12 months is no longer authorized to carry that type of firearm.
- b. Impact weapons: Employees who carry or use impact weapons must be trained and qualified annually. Any employee who has not qualified with the impact weapon within the past 18 months is no longer authorized to carry that impact weapon.

B. FAILURE TO QUALIFY:

1. Employees who attend, but fail to successfully complete mandatory training and/or qualification in any weapon shall receive remedial training and be given another opportunity to successfully complete the training or qualification.

Continued failure to successfully complete mandatory training may result in termination of employment.

C. FAILURE TO ATTEND

1. Employees who fail to attend mandatory training will be subject to disciplinary action.

RANGE OPERATIONS

A. RECORDS

1. The range instructor will maintain a Range Manual containing the course of fire, safety rules, and training programs for firearms.
2. The range instructor will maintain records of all firearms training and documentation of qualification.

B. AMMUNITION

1. The range instructor will provide all ammunition for issued firearms. The employee will provide ammunition for personally owned weapons.

C. RANGE SUPERVISION

1. Safety is the primary consideration in all firearms training. Employees will pay strict attention to all direction instructions and directions given by the range officer.
2. The assigned range officer is in authority at the range, regardless of rank. The direction of the range officer carries the authority of a verbal order from a superior officer.
3. Employees that are disruptive or engage in unsafe behavior at the range will be directed to leave the range.

D. LEAD TESTING FOR RANGE OFFICERS

1. Employees who are active as range officers will be tested for lead levels on an annual basis at the Allegan City Police Department's discretion.
2. Should the range officer refuse to be tested, documentation will be completed by a supervisor stating date and time the test was and signature of the officer refusing the test.
3. Dates and results of tests will be kept in the officer's personnel file.

GUN HANDLING RULES

A. GENERAL RULES

1. Officers shall be responsible for the security of their weapons. No firearm will be left unattended in the building unless locked in a secure container or area. Locking firearms in desk drawers, file cabinets, and other minimum security areas is prohibited. The following security areas are authorized for the storage of weapons:

- a. The handgun lockers:
- b. The evidence room.
- c. In the officer's personal locker.

2. Possession of firearms is prohibited in the jail portion of the Allegan County Jail

3. Officers who enter the Allegan County Jail through the security garage shall lock the weapon either in the gun locker provided or in the trunk of the patrol car prior to allowing any prisoner to exit the patrol car or enter the garage from the booking room.

4. Officers who enter the Allegan County Jail from the officer area shall secure firearms in a gun locker or in a personal locker in the locker room prior to entering the Allegan County Jail.

B. SHOTGUNS & PATROL RIFLES

1. Whenever shotguns and/or rifles are carried inside the Police Department building, the magazine shall be empty, the action shall be open, and the safety shall be on.

2. Whenever shotguns and/or rifles are carried in a patrol car, they shall either:

- a. Unloaded, slide open safety on, or
- b. Magazine loaded, chamber empty, slide closed, safety on.
- c. Officers may chamber a round of ammunition in a shotgun when the officer feels that the use of the shotgun may be eminent.

C. HANDGUNS

1. All handling of handguns in the office shall be kept to a minimum. Handguns shall normally remain in the holster when in the office portion of the Allegan City

Police Department building. Handguns shall not be removed from the holster except to place them in secure storage areas or for inspection at the direction of supervisor or armorer.

2. Whenever an officer finds it necessary to remove the holster from their person, the handgun will first be removed from the holster and secured.

3. In order to minimize the chance of injury resulting from accidental discharge, officers who find it necessary to load or unload any handgun while in the building shall use the designated loading and unloading station located by the male locker room entrance.

4. Unloading: Officers shall follow the following procedure in unloading semi-auto handguns:

- a. Leave the weapon in the holster.
- b. Remove the magazine from the weapon.
- c. Remove the weapon from the holster (keeping finger clear of trigger).
- d. Place the weapon in the green container of the unloading station, muzzle down;
- e. Rack the slide to the rear, ejecting the round from the chamber into the container.
- f. Visually and physically inspect the chamber to insure that it is empty. Lock the slide to the rear.
- g. If the weapon must be disassembled for cleaning or maintenance, close the action and point the muzzle toward the bottom of the container and pull the trigger.
- h. Secure the weapon and retrieve the ejected round from the container.

5. Loading: Officers shall following the following procedure in unloading semi-auto handguns:

- a. Go to the designated loading station.
- b. Secure a loaded magazine.
- c. Place the weapon in the loading station container, muzzle down.
- d. Insert and seat the magazine in the weapon.
- e. Rack the slide fully to the rear to load a round into the chamber
- f. Holster the weapon.
- g. If you wish to fully load the magazine, remove the magazine from the weapon with the weapon in the holster, and fully load the magazine. The re-insert the magazine, checking to ensure that it is fully seated in the weapon.

ALLEGAN CITY POLICE DEPARTMENT
USE OF FORCE

PURPOSE

To establish policy and procedure regarding the appropriate and acceptable use of force, to provide for a high degree of officer safety, to provide for the treatment of any injury or complaint of injury as a result of the appropriate application of use of force and to provide guidelines for the proper documentation and reporting in use of force incidents.

POLICY

It is the policy of the Allegan City Police Department to utilize the amount of force that is objectively reasonable considering the totality of circumstances that are confronted in order to effect an arrest and/or accomplish the lawful performance of duty while protecting the public.

OBJECTIVELY REASONABLE USE OF FORCE

The United States Supreme Court has ruled that an officer's use of force will be judged in light of an objectively reasonable standard. This reasonableness shall be determined by balancing the nature and quality of the intrusions with the countervailing governmental interests. The standard takes into consideration: a) the severity of the crime, b) whether the suspect poses an immediate threat to safety of officers or others, and c) whether the suspect is actively resisting arrest or attempting to evade arrest by flight (Graham "Three Part Test"). This reasonableness shall be judged from the perspective of a reasonable officer on scene and at the moment the force is used, rather than from 20/20 hindsight, and will take into consideration the fact that police officers are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving. *Graham v. Conner*, 109 S. Ct. 1865 (1989)

DUTY TO INTERVENE

It is the obligation of each officer to intervene when witnessing another officer utilizing force that is inappropriate or excessive and to report this incident to their commanding officer.

APPLICATION

This policy constitutes department policy, intended for internal use only, and is intended to enlarge the employee's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in the evidentiary sense with respect to third-party claims insofar as the employee's legal duty is imposed by law. Violations of this directive, if substantiated, can only form the basis for the inter-departmental administration review and action.

DEFINITIONS

Active Resistance:

Action by a subject that attempts to prevent an officer from gaining control of the subject. Noncompliance alone does not indicate active resistance; there must be something more.

Chemical Agents:

Inflammatory agent(s) that may influence the mucus membranes such as the eyes, sinuses and lungs. Contact with these areas will cause temporary blindness and difficulty in breathing. Some forms of chemical agents fall into the definition of Less Lethal Munitions.

Control:

An officer's response to neutralize the unlawful actions of a subject, or to protect the subject from injuring him/herself or others.

Deadly Force:

Force that creates a substantial likelihood of death or serious bodily harm.

Force:

The attempt to establish control through physical means in the presence of resistance. All force is a means of control; however, control can at times be achieved without the use of physical force.

Impact Weapons:

To provide officers an effective control option when confronted by potentially violent subjects. Impact weapons provide for the instant incapacitation of subjects by creating a temporary motor dysfunction of the impacted muscle group. The expandable baton also provides the officer with effective defense and control options while imposing limited risks to the subject.

Last Resort:

Those situations in which certain immediate and drastic measures must be undertaken by an officer in order to protect human life. Force used in these situations may involve the use of techniques or objects not covered by this protocol; however, they remain to be measured by objectively reasonable use of force standards.

Less Lethal Munitions:

There are types of munitions which can be fired, launched, or otherwise propelled for the purpose of gaining compliance, overcoming resistance, or preventing serious injury. Some common examples are CEWs, beanbags, launchable wooden/foam/rubber batons, pepper spray or OC Pepperball, ect.

Non-Deadly Force:

Force that will not likely result in death or serious physical injury.

Resistance:

A subject's actions to evade an officer's attempts to establish control.

Serious Physical Injury:

Any injury that causes significant physical impairment.

TASER (CEW):

Conducted Electrical Weapon that uses an electrical discharge to disrupt the body's ability to communicate messages from the brain to the muscles, thereby causing motor skill dysfunction. Upon deployment, an air cartridge uses compressed nitrogen to project two probes into the targeted offender. The probes are attached to the power source by insulated wire leads.

- **Air Cartridge:** A single-use item that contains compressed nitrogen, AFID tags, two darts, and the insulated wires. It is identified with a tamper-resistant serial number.
- **Anti-Felon Identification Device (AFID):** AFIDs are confetti-like identification tags. Each cartridge contains up to 40 identification tags that are ejected when the CEW is discharged. The tags contain the serial number of the cartridge used, allowing for identification of the officer assigned to that cartridge.
- **Data Port:** The CEW is designed with a data port located on the back of the unit. This data port allows for the downloading of the usage record of that weapon.
- **Drive Stun:** The process of using the CEW as a pain compliance technique. This is done by activating the CEW and placing it against an individual's body. This can be done without an air cartridge in place or after an air cartridge has been deployed. The use of a CEW in "drive-stun" mode will not reliably or foreseeably incapacitate a subject. Officers will not use a CEW in drive-stun mode if they reasonably believe that the discomfort will not cause the subject to be compliant with the officers; e.g., CEW should not be used in drive-stun mode on a subject with drug-induced pain-resistance.

TOTALITY OF CIRCUMSTANCES

Whether an officer's actions are "reasonable" in light of all the facts and circumstances confronting the officer at the time the force is used. The officer should consider the following totality of circumstances when deciding the appropriate level of officer response (list is not all-inclusive):

- A. Type of crime committed or attempted;
- B. Relative size/stature;

- C. Exigent Conditions;
 - 1. Number of officers;
 - 2. Number of subjects involved;
 - 3. Availability of backup;
- D. Reaction time (officers must consider that action is faster than reaction);
- E. Immediacy of danger;
- F. Relative strength;
- G. Subject(s)' access to weapon;
- H. Whether subjects(s) is/are under the influence of alcohol and drugs;
- I. Exceptional abilities/skill (e.g., martial arts);
- J. Injury to, or exhaustion of, the officer;
- K. Distance from the subject;
- L. Special knowledge (e.g., subject's prior history of violence), and;
- M. Weather or terrain conditions.

ESCALATION AND DE-ESCALATION OF FORCE

- A. Escalation of force may be justified when an officer reasonably believes that the level of force being used is insufficient to stop or control the resistance.
- B. Officers may escalate to the level of force that is objectively reasonable and necessary to control the situation, based on the level of resistance encountered. The officer will take into consideration when the subject begins to de-escalate or lessen the resistance offered.

USE OF FORCE PROCEDURES

- A. Officers should assess the totality of the circumstances in order to determine the appropriate response to gain control. When possible, officers should attempt to gain control by means of verbal directives or commands.
- B. If verbal directives or commands are ineffective, or not feasible given the circumstances of the situation, the officer may escalate to control methods that involve the use of physical force. If force is necessary, the officer must decide what technique(s) or authorized equipment will best de-escalate the incident and bring it under control in a safe manner.
- C. Officers are authorized to use department approved control techniques and authorized equipment for resolution of incidents, as follows;
 - 1. To stop potentially dangerous and unlawful behavior;
 - 2. To protect a person or the officer from injury or death.
 - 3. To protect subjects from injuring themselves; the use of control methods and/or weapons shall not be used as punishment or retaliation.
- D. Officers using force shall render assistance to the subject, after control has been established. Officers shall observe the extent of any injuries and assess the need for medical assistance.

CHEMICAL AGENTS

To provide officers the option to use chemical agents for the purpose of gaining compliance, overcoming resistance, or preventing serious injury. Chemical agents have application where the subject's actions constitute Active Resistance or where the officer believes lower forms of empty hand controls will be inadequate to control the subject's actions. Any use of pepper spray or OC Pepperball will be documented in detail in the incident report.

Use of Chemical Agents:

- A. Only officers who have successfully completed the appropriate training for a chemical agent may carry and utilize those chemical agents.
- B. Officers shall be recertified in the use of chemical agents annually.
- C. Officers shall only carry or use chemical agents issued by the Allegan City Police Department.
- D. Once a person has been subdued, the officer will ensure that proper first aid is promptly administered as soon as practical after pepper spray is used.
- E. Proper first aid for pepper spray:
 - 1. Exposure to large amounts of fresh air
 - 2. Washing the affected area with clear cold water
 - 3. Immediate treatment by medical personnel, if aggravated symptoms or severe reactions exist
 - 4. Continual monitoring of the subject
- F. Booking officers shall be notified that chemical agents were used on a subject prior to lodging in the jail.

IMPACT WEAPONS

Impact weapons have application when the subject's actions constitute Active Resistance or where the officer believes lower forms of empty hand controls will be inadequate. The Allegan City Police Department issued or approved baton is a tool that can provide means by which an officer can defend themselves or others from injury. Any use of impact weapons will be documented in detail in the incident report.

- A. Training and certification:
 - 1. Only officers who have successfully completed the appropriate training for impact weapons may carry an impact weapon.
 - 2. Officers shall be re-certified in the use of impact weapons annually.
- B. No officer shall carry any personally owned impact weapon without the prior written consent of the Chief.

TASER (CEW) PROCEDURE

Conducted Electrical Weapons have application where the subject's actions constitute Active Resistance. Any use of the TASER will be documented in the incident report.

A. Elevated CEW Application Risk Factors

The following factors, when reasonably apparent to involved officers, require elevated justification of CEW application. Under the following conditions, the risks of foreseeable direct or secondary injuries are elevated; thus, officers' justification(s) for CEW application are also elevated.

1. Presence of flammable liquid/fumes or explosive environments
2. Elevated positions
3. Person operating moving vehicle or machinery
4. Person running (fleeing)
5. Pregnant female
6. Swimming pool or other body of water
7. Intentional CEW application to sensitive areas
8. Frail or infirm individual
9. Non-standard repeated CEW application
10. A contributing factor to serious injury or death is the level of a subject's exhaustion. Studies recommend that, when an officer believes that control of a subject will be necessary and met with resistance, deployment of the CEW should be considered early on in the event so that the person has not reached a level of exhaustion prior to the CEW'S use.

B. Societal perceptions & concerns may create the need for elevated justification factors. The following factors involve categories of people that the general public commonly assumes are not capable of being an imminent threat of death and/or serious bodily harm, or believes should be treated more sensitively and compassionately by officers.

Officers understand the reality that individuals from each of these groups do commit violent crimes, can be an imminent threat of death and/or serious bodily harm to officers, others, and themselves; can be so resistant that the use of CEW's are eminently justified, ect. However, since society generally places individuals from these groups into protected classes, officers using a CEW on one of these individuals will foreseeably be placed under heightened scrutiny and will likely be required to provide additional justification(s) for the use of the CEW.

These groups include:

1. Children
2. Seniors
3. Restrained subjects
4. Passive subjects who are being seized

C. Deployment Considerations

1. The decision to use the CEW is based on criteria similar to those an officer uses when deciding whether to deploy other less lethal options. The decision must be made dependent of the actions of the subject(s) and/or threat facing the officer(s), and the totality of the circumstances surrounding the incident. The use of the CEW must be objectively reasonable and the subject's actions constitute Active Resistance.
2. The CEW is not meant to be used in place of deadly force. However, there are tactical strategies that, when applied properly, may allow the CEW to be used.
3. The CEW should not be used without deadly force backup in those situations where there is a substantial threat towards the officer(s) or others present.
4. Prior to utilizing the CEW, officers shall take into consideration:
 - a. The subject's actions;
 - b. Multiple subjects and the number of officers present;
 - c. The skill and/or strength level (ability to resist) of the subject(s);
 - d. The ability of the officer to gain physical control of the subject; and,
 - e. The age of the subject.

D. Issuance and recording of CEW

- i. All department personnel shall carry and use only the CEW device approved and issued by the Allegan City Police Department.
 - ii. Officers may use only department issued CEW cartridges.
 - iii. A record of cartridge serial number shall be recorded with the issuance of each CEW. An administrative designee should audit this log at least two times each year.
 - iv. A log of CEW deployments shall be kept.
 - v. The CEW should be carried and deployed from the off/weak hand side of the individual officer.
- a. If deployed with a strong hand, the officer deploying the CEW has the responsibility of visually and physically confirming that the instrument is a CEW and not a firearm.

E. Training and certification

1. Only officers who have successfully completed appropriate training may carry and use the CEW.
2. A mandatory re-certification program shall be successfully completed annually for officers who carry this equipment.
3. Any officer using a 35' cartridge must receive special training and be qualified regarding the foreseeable trajectory of cartridge deployment.
4. All department CEW certification programs will be presented by a TASER International, Inc., certified (or equivalent) CEW instructor. The CEW instructor must be certified with all weapons for which instruction and training is provided.

F. USE of CEW

The CEW is an additional law enforcement tool and is not intended to replace firearms or other equipment, tools, or techniques. The CEW should be used only when it is appropriate for the situation. The use of a CEW is considered used of force and, as such, must comply with the Allegan City Police Department use of force guidelines. Any use of a conducted electrical weapon device that is deemed unreasonable shall subject the officer to disciplinary action.

Sensitive Body Part Hazard: When possible, avoid intentionally targeting the CEW at sensitive areas of the body such as the head, throat, chest/breast, or known pre-existing injury areas without legal justification. The preferred target areas are the lower center mass (below chest) for front shots and below the neck area for back shots.

1. The CEW may be used in situations in which a subject is threatening himself, and officer, or another person and other methods of controlling the subject are not reasonable or could cause injury to the officer, the subject, or others. Examples of these situations include, but are limited to:
 - a. To stop potentially dangerous behavior.
 - b. To protect an officer or other person from injury or death.
 - c. To protect a subject from injuring himself/herself.
 - d. To maintain order within a facility.
 - e. Situations that require gaining/maintaining control of a subject or situation.
2. The CEW may be used when factors indicate that the officer, offender, or others would be endangered by the use of other force alternatives or equal force options that may be ineffective due to the danger existing to the officer, subject, or other.
3. For an optimum deployment result, the back of the human body, below the neck, is the preferred location for CEW impact.
4. When an officer has to deploy a CEW when facing a subject, the body's lower center mass, below the sternum, above and just below the waistline, should be the primary target area.
5. The head and face should **not** be targeted unless deadly force or the appropriate level of force can be justified. If the preferred areas are not accessible due to heavy clothing, the legs are an effective target area.
6. Upon firing the device, the officer shall energize the subject as few times and for as little duration as necessary to accomplish the legitimate operational objects. The subject should be secured as soon as practical while disabled by CEW power to minimize the number of deployment cycles.
7. The CEW should never be used punitively or for purposes of coercion.
8. Any repeated application of the CEW must be justified and the criteria used to justify each re-deployment shall be clearly documented in the officer's report.
9. When practical, the deploying officer should also notify assisting officers that he/she intends to deploy CEW.

10. If feasible, immediately prior to the use of the CEW, the deploying officer should announce in a loud, clear, commanding voice his/her intent to deploy the CEW. This announcement should be made only if it would not endanger any civilians, officers, or the suspect.
11. The CEW shall not be used on those who passively resist and should generally not be used on a handcuffed or secured prisoner, absent overtly assaultive, self-destructive, or resistive behavior that cannot reasonably be controlled by other readily available means.
12. The CEW has the ability to ignite flammable liquids. It should not be deployed at subjects who are in contact with flammables or in environments where flammables are obviously present.
Personnel should be especially aware of this when in known clandestine lab environments. The CEW shall NOT be deployed in conjunction with flammable or ignitable chemical munitions. The risk of clothing/material ignition is significant.
13. Proper consideration and care should be taken when deploying the CEW on subjects who are in an elevated position or in other circumstances in which a fall may cause substantial injury or death.

G. Responsibilities after deployment

1. Immediate action should be taken to care for the injured, to apprehend any suspects, and to protect the crime scene.
2. Once the subject is restrained or has complied, the CEW should be turned off.
3. Make sure the suspect's injuries (if any) are appropriately treated. The officer should determine if medical clearance is necessary.
4. Special care should be followed to inspect for any secondary injuries related to the incident.
5. CEW probes should be removed at the earliest opportunity. These probes shall only be removed by trained personnel or medical personnel, keeping in mind bloodborne pathogen concerns.
6. Officers shall provide first aid following removal of the probes by applying an antiseptic to the probe sites as needed.
7. Medical personnel shall remove probes located in sensitive areas such as the face, neck, groin, or breast.
8. Officers should inspect probes after removal to ensure that the entire probe and probe barb has been removed. In the event that a probe or probe barb has been broken off, the subject should be provided with appropriate medical attention to facilitate the removal of the object.
9. Medical contact may be made to further assess the condition of the subject. If conditions warrant, the subject shall be transported to the nearest medical facility for medical clearance.
10. Medical Treatment shall not be refused to a subject requesting it.
11. When lawful and appropriate to do so, photographs should be taken of probe impact sites and any other related injuries as soon as it is reasonable to do so. In some instances, photographs may not be taken, such as with juveniles or when probes have impacted genitals, a female's breasts, ect. It is important to preserve

- evidence of the CEW use; however, it is important to not violate any medical, HIPAA, or privacy statutes or other legal restrictions.
12. Probes that have been removed from the skin shall be treated as biohazard sharps and placed as evidence in an appropriate container.
 13. If probes are still embedded in the subject, avoid transporting the subject in a position that would foreseeably further embed the probes in the subject.
 14. When used operationally, the officer should collect the cartridge, wire leads, and probes and process as evidence. AFIDs need only be collected if reasonably necessary and there is question of who fired a cartridge.
 15. Involved personnel shall attempt to locate and identify any witnesses to the incident.
 16. The deploying officer shall complete both an incident report.
 17. Corrections or jail officer shall be notified that the CEW had been deployed on the subject prior to incarceration.
 18. In the event of an accidental CEW cartridge discharge, the officers shall promptly notify their next level command. The superior officer shall reasonably investigate the incident and prepare a written report documenting the incident. Alternatively, the supervisor shall have the officers prepare a written report and then the supervising officer shall make appropriate notification and/or take other appropriate actions.
 19. In the event that a subject has been exposed to more than single deployment, medical contact should be made.

H. Conditions Mandating Medical Clearance

It shall be required that medical clearance is obtained when:

1. Individual has experienced an exposure lasting fifteen (15) seconds or longer.
2. Exposures occur to an individual's chest area and/or sensitive areas.

LESS-LETHAL WEAPONS

Less-Lethal Weapons have application where the subject's actions constitute Active Resistance. Any use of the Less-Lethal Weapons will be documented in detail in the incident report.

A. Use of Restrictions

In the absence of other reasonable means, an officer may deploy less lethal munitions in the performance of their police duties under the following conditions:

1. Only officers who have completed a department-approved training program on less lethal munitions shall be allowed to carry and/or use less lethal munitions.
2. Only weapons specially designated, marked, and authorized specifically by the department as less lethal munitions shall be used.
3. When stored, these specially designed weapons shall be kept in a distinct location, separated from other firearms.

B. Conditions for Justification of Use

Less lethal munitions will only be used after other reasonable efforts to control a violent individual have failed. Conditions for justifying the use of less lethal munitions include, but are not limited to:

1. When the use of less lethal munitions would assist in the arrest of an armed and/or violent person;
2. When the use of less lethal munitions would assist in reducing the risk of injury to a suspect, bystander, or police officer;
3. To disperse crowds during riotous civil disturbances; or,
4. In situations in which a supervisor deems the use of less lethal munitions necessary to safely resolve an incident.

C. Examples of Conditions for Use Justification

The following are examples of encounters that may justify the use of less lethal munitions. These examples are in no way reflective of the entire spectrum of circumstances.

1. A violent subject armed with a weapon such as a baseball bat, crowbar, shovel, or other device or item that can be used as a dangerous weapon.
2. A subject who is armed with a knife or other cutting edge.
3. Civil disturbances such as riots, violent demonstrators, and demonstrators who fail to disperse when commanded to do so.
4. Armed mentally ill or developmentally disabled individuals who may pose a risk to themselves, others, or police officers.
5. An unarmed, violent subject that poses too great a risk to approach within arm's reach of an officer. This could apply to a violent subject who is bleeding, biting or otherwise endangering officers due to the potential of transference of bloodborne pathogens.
6. An armed suicidal person who may try to force officers into shooting him/her so as to facilitate his/her own death.

D. Conditions NOT calling for the use of less lethal munitions

Examples include, but are not limited to:

1. A situation in which an unarmed person is uncooperative but does not display active resistance.
2. A situation in which the use of less lethal munitions would pose a greater risk to officers or bystanders.

E. Guidelines for authorizing the use of less lethal munitions

1. If the situation permits, the officers should attempt to obtain authorizations from a supervisor prior to using less lethal munitions.
2. **Exception:** When an imminent threat is presented to citizens or police officers, such force may be used without supervisor's approval.
3. Application of less lethal munitions during riotous situations shall be at the discretion of the command officer in charge.

- F. Tactical guidelines for use of less lethal munitions
1. It is recommended that, if the situation permits, a cover officer ready with lethal force accompanies the less lethal munitions officer.
 2. When practical, prior to deploying less lethal munitions, it shall be announced to all officers at the scene that less lethal munitions are to be deployed.
 3. The less lethal munitions will be delivered to a specific target area based on the threat and on the judgment of the officer.
- G. Recommended impact areas for less lethal munitions
1. Primary Target Areas. These are the major muscle areas of mass such as the legs, arms, buttocks, hips and thighs. These areas offer a low probability of causing serious injury and should be used when incapacitation is necessary but not time critical.
 2. Secondary Impact Areas. These are areas of the human body considered to be the center of mass areas such as the abdomen and chest area. These areas should be considered for impact when an escalation of force and immediate incapacitation is necessary and appropriate. **An increase in the potential for death or serious physical injury must be recognized.**
 3. Deadly Force Impact Areas. These are areas of the body that, when struck, **may cause serious injury or death.** These are usually associated with the head, neck, throat, and groin. Intentional impacts to these areas should be avoided unless the use of deadly force is justified and necessary.
 4. Impacts to the Rear of the Subject. Impacts to the back should be avoided in all less lethal applications. **Striking the spinal area with impact munitions could cause permanent injury.**
- H. Medical attention and subsequent responsibilities
1. Whenever less lethal munitions are used the officer shall, after the individual has been secured, promptly determine if there is a need for medical contact or medical clearance.
 2. The officer must notify the supervisor and document the incident. It is recommended that photographs be taken of the impact area of the individual's body.
 3. Involved personnel shall attempt to locate and identify any witnesses to the incident.
 4. The deploying officer shall complete both an incident report.
 5. Corrections of jail officer shall be notified that less lethal weapons had been deployed on the subject prior to incarceration.

DEADLY FORCE PROCEDURES

- A. The use of deadly force is authorized in either of the following situations:
1. To protect another person or the officer from what is reasonably believed to be an immediate threat of death or serious physical injury.

2. To prevent the escape of a subject who is fleeing from an inherently violent felony crime, and the officer has probable cause to believe that the subject poses an immediate threat of death or serious physical injury to others or the officer. The following are considered dangerous and life threatening felonies.
 - a. Murder and its attempt
 - b. Armed Robbery and its attempt
 - c. Arson (felony) and its attempt (occupied dwelling only)
 - d. Kidnapping (non-family)
 - e. Criminal Sexual Conduct involving a weapon
- B. Officers are prohibited from firing (warning shots.)
- C. Officers are prohibited from shooting at or from a moving vehicle, except as a “last resort” as defined in this policy.

DISCHARGE OF FIREARM

Whenever an officer, except at an approved range, has the occasion to discharge a firearm in the line of duty, a written report will be completed as soon as it is practical thereafter. Upon its completion, a copy is to immediately be forwarded to the chief. Exception to this rule would be in department approved training or the destruction of animals.

WEAPONS OF LAST RESORT

Situations may occur in which certain immediate and drastic measures must be taken by an officer in order to protect human life. Force used in these situations may involve the use of techniques or weapons not covered in this policy. These situations will also be judged by the objectively reasonable use of force standard.

MEDICAL CONSIDERATIONS

- A. When safe for officer(s) and other, officers using force on a subject shall make medical treatment available to that subject when:
 1. The subject request medical treatment;
 2. The subject complains of injury or continued pain;
 3. The subject is or was rendered unconscious;
 4. Any officer observes or suspects injury to the subject;
 5. The subject does not substantially recover from the effects of an aerosol subject restraint (ASR) after following the manufacturer’s decontamination instructions; and,
 6. When directed to do so by a supervisor
- B. Officers providing a subject with medical treatment shall document the treatment given in an incident report.
- C. Officers providing a subject with medical treatment shall receive written authorization from the attending physician prior to removing the subject from the medical care facility.

- D. Officers providing a subject with medical treatment shall notify their supervisor as soon as possible.
- E. Should a subject be transported to a medical facility, a supervisor shall be notified as soon as possible.

REPORTING AND INVESTIGATION OF USE OF FORCE

A. Officer's Responsibilities

- 1. Uses of force shall be reported to the supervisor by the involved officer.
- 2. The involved officers shall complete a report as soon as possible. (The exception to this is when officers have been forced to utilize deadly force.)

Minimally, the report should include the following documentation:

- a. Legal basis for initial contact;
- b. Amount of resistance encountered;
- c. Control methods used;
 - (1) Handcuffing of subject detailed
 - (a) Check for fit
 - (b) Double locked
- d. Injuries to any person;
- e. Treatment of injuries to parties involved;
- f. Damage to property;
- g. Identity of officers involved;
- h. Identity of known witnesses;
- i. Available supporting evidence (e.g., pictures of injuries);
- j. Must be able to articulate their state of mind during the incident; and,
- k. It is imperative to document their concerns, fears and physical condition as the incident occurred.
 - (1) Officers must account for how they established "officer's presence." For example, were they in full uniform, and/or did they utilize voice commands stating they were police officers, ect.

B. Supervisor Responsibilities

- 1. The supervisor shall review all use of force incidents
- 2. Supervisors shall forward the report to the appropriate command.
- 3. The supervisor shall require completion of the incident report in a timely manner.

ALLEGAN CITY POLICE DEPARTMENT
VICTIM'S RIGHTS

PURPOSE

The purpose of this order is to establish our responsibilities to the victims of crimes we investigate pursuant to the Crime Victims Rights Act and amendments thereto.

DEFINITIONS

Crime: A violation of penal law of this state for which the offender, upon conviction, may be punished by imprisonment for more than 1 year or an offense expressly designated by law as a felony.

Defendant: A person charged with or convicted of committing a crime against a victim.

Juvenile: A person within the jurisdiction of the Probate Court.

Victim: Means any of the following:

- i. An individual who suffers direct or threatened physical, financial, or emotional harm as a result of the commission of a crime, except as provided in subparagraph (ii), (iii), or (iv).
- ii. The following individuals other than the defendant if the victim is deceased:
 - a. The spouse of the deceased victim.
 - b. A child of the deceased victim if the child is 18 years of age or older and sub-paragraph (a) does not apply.
 - c. A parent of a deceased victim if sub-subparagraphs (a) and (b) do not apply.
 - d. The guardian or custodian of a child of a deceased victim if the child is less than 18 years of age and sub-subparagraphs (a) to (c) do not apply.
 - e. A sibling of the deceased victim if sub-subparagraphs (a) to (d) do not apply.
 - f. A grandparent of the deceased victim if sub-subparagraphs (a) to (e) do not apply.
- iii. A parent, guardian, or custodian of a victim who is less than 18 years of age and who is neither the defendant nor incarcerated, if the parent, guardian, or custodian so chooses.
- iv. A parent, guardian, or custodian of a victim who is mentally or emotionally unable to participate in the legal process if he or she is neither the defendant nor incarcerated.

If a victim as defined above is physically or emotionally unable to exercise the privileges and rights under this article, the victim may designate his or her spouse, child 18 years of age or older, parent, sibling, grandparent, or any other person 18 years of age or older who is neither the defendant nor incarcerated to act in his or her place while the physical or emotional disability continues. The victim shall provide the prosecuting attorney with the name of the person who is to act in his or her place. During the physical or emotional disability, notices to be provided under this article to the victim shall continue to be sent only to the victim.

DESCRIPTION OF INCLUDED OFFENSES COVERED IN THIS SECTION

Definition of offense includes felonies, 2-year misdemeanors and the following misdemeanors:

- Assault and battery.
- Assault with infliction of serious injury.
- Breaking and entering or illegal entry.
- Enticing a child for immoral purposes.
- Discharge of a firearm intentionally aimed at a person.
- Discharge of an intentionally aimed firearm resulting in injury.
- Leaving the scene of a personal injury accident.
- Operating a vehicle while under the influence of or impaired by alcohol or a controlled substance, if the violation involves an accident resulting in injury or death to another's person or damage to another person's property.
- Indecent exposure.
- Selling or furnishing alcoholic liquor to a minor, if the violation results in physical injury or death to any individual.
- Fourth-degree child abuse.
- Misdemeanor "stalking" offenses.
- Drunk-boating offenses resulting in death, injury, or damage to another person's property.
- Selling or furnishing alcoholic liquor to a minor, if the violation results in physical injury or death to any individual.
- Covers enumerated offenses that are subsequently reduced to a lesser charge.
- Violation of a local ordinance corresponding to any of these offenses.

Jailed inmates have limited rights.

DUTIES OF OFFICERS TO VICTIMS

- A. Within 24 hours after the initial contact between the victim of a reported crime and the law enforcement agency having the responsibility for investigating that crime, that agency shall give to the victim the following information in writing:
1. The availability of emergency and medical services, if applicable.

2. The availability of victim's compensation benefits and the address of the crime victims' compensation board.
 3. The address and telephone number of the prosecuting attorney whom the victim should contact to obtain information about victim's rights.
 4. The following statements:
 - a. "If you would like to be notified of an arrest in your case or the release of the person arrested, or both, you should call the Allegan City Police Department (269) 673-2115 and inform them."
 - b. "If you are not notified of an arrest in your case, you may call this law enforcement agency at (269) 673-2115 and inform them."
 - c. "If you are not notified of an arrest in your case, you may call this law enforcement agency at (269) 673-2115 for the status of your case."
 5. Bond revocation procedure.
- B. Provide information regarding obtaining a personal protection order.
1. The following statements should be made to the victim regarding filing of a personal protection order:

"Your legal rights include the right to go to court and file a petition requesting a personal protection order to protect you or other members of your household from domestic abuse which could include restraining or enjoining the abuser from doing the following:

 - a. Entering onto premises.
 - b. Assaulting, attacking, beating, molesting, or wounding you.
 - c. Threatening to kill or physically injure you or another person.
 - d. Removing minor children from you, except as otherwise authorized by a custody or parenting time order issued by a court of competent jurisdiction.
 - e. Engaging in stalking behavior.
 - f. Purchasing or possessing a firearm.
 - g. Interfering with your efforts to remove your children or personal property from premises that are solely owned or leased by the abuser.
 - h. Interfering with you at your place of employment or education or engaging in conduct that impairs your employment relationship or your employment or education environment.
 - i. Engaging in any other specific act or conduct that imposes upon or interferes with your personal liberty or that causes a reasonable apprehension of violence.
 - j. Having access to information in records concerning any minor child you have with the abuser that would inform the abuser about your address or telephone number, the child's address or telephone number, or your employment address.

Your legal rights also include the right to go to court and file a motion for an order to show cause and a hearing if the abuser is violating or has violated a personal protection order and has not been arrested.”

- C. Return victim’s property promptly, including photographing so evidence property can be returned.

RELEASE OF VICTIM INFORMATION

- A. The release of victim’s home and work addresses and telephone numbers is now more restricted. This information is not to be in court files. This information, and any pictures or visual representations of the victim are exempt from Freedom of Information Act (although it can be released to victim advocacy organizations or agencies for the purpose of providing victim services). MCL 780.758.

PREPARING INCIDENT REPORT

The investigating officer must place a statement in the incident report if the violation of the following offenses resulted in damage to another’s property or physical injury or death to another:

- Operating a vehicle while under the influence of or impaired by alcohol or a controlled substance, if the violation involves an accident resulting in injury or death to another person or damage to another person’s property.
- Selling or furnishing alcoholic liquor to a minor, if the violation results in physical injury or death to any individual.
- Drunk-boating offenses resulting in death, injury, or damage to another person’s property.

ALLEGAN CITY POLICE DEPARTMENT
BODY ARMOR

PURPOSE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use and care of body armor.

These orders are for Department use only, and do not apply to any criminal or civil proceedings. The Department policy should not be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of Department administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

POLICY

It is the policy of the Allegan City Police Department to maximize officer safety through the use of body armor in conjunction with the practice of prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for sound, basic safety procedures.

ISSUANCE OF BODY ARMOR

- A. All law enforcement officers shall be issued body armor. If an officer elects to use personally owned body armor, that officer may decline to be issued body armor.
- B. Issued body armor that is worn or damaged shall be replaced by the agency. Body armor that must be replaced due to misuse or abuse by the officer shall be paid for by the officer.

USE OF BODY ARMOR

- A. The Allegan City Police Department mandates the use of body armor during all field training that involves the use or carrying of firearms
- B. Law enforcement officers that are assigned to a uniformed function are required to wear the issued body armor while engaged in field activities while on duty unless exempted as follows:
 - 1. When an agency-approved physician determines that an officer has a medical condition that would preclude use of body armor;

2. When the officer is involved in an undercover or plainclothes work that his supervisor determines would be compromised by use of body armor;
 3. When the officer is assigned to perform an administrative function; or
 4. When the Allegan City Police Department determines that circumstances make it inappropriate to mandate body armor.
- C. Officers assigned to a non-uniform function are required to wear the issued body armor when engaging in field activities that involve the high risk warrant arrest, the execution of high risk search warrants, or other activities that expose the officer to potentially dangerous confrontations.

INSPECTIONS OF BODY ARMOR

- A. Supervisors shall be responsible for ensuring that body armor is worn as required by this policy.

CARE AND MAINTENANCE OF BODY ARMOR

- A. Each law enforcement officer is responsible for the proper storage of body armor in accordance with manufacturer's instructions and daily inspection for signs of damage and general cleanliness.
- B. As dirt and perspiration may erode ballistic panels, each officer shall be responsible for cleaning his or her body armor in accordance with the manufacturer's instructions.
- C. Officers are responsible for reporting any damage or wear to the ballistic panels or cover to the individual responsible for the uniform supply function.

ALLEGAN CITY POLICE DEPARTMENT
WRITTEN DIRECTIVES

PURPOSE

This directive will establish the Policy, Rules and Procedure for implementation and administration of a written directive system.

These orders are for Allegan City Police Department use only, and do not apply to any criminal or civil proceedings. This policy should not be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

POLICY

The policy of the Allegan City Police Department is to promulgate a distribution system for Policies, Rules and Procedures that guide and direct employees in the performance of their duties.

DEFINITIONS

General Orders (G.O.): General Orders apply to all personnel of the Allegan City Police Department regardless of their assignment.

Divisional Directives (D.D.): Division Directives apply to the specific unit from which they originate. These will include Patrol Services, Lieutenants, Sergeants, and Office Staff.

Departmental Memorandum (D.M.): Departmental Memorandum have a two-fold purpose; to relate messages and informational material of agency-wide interest or relevance, and to provide timely dissemination of Policies, Rules and Procedural changes.

Training Bulletins (T.B.): Training Bulletins contain information on new equipment, safety precautions, clarifications or explanation of legal documents and other information intended to enhance organizational effectiveness and efficiency.

Personnel Order (P.O.): Personal orders announce the appointment of new personnel; new assignments or transfer of employees, promotions, retirements, and other changes in the status of agency personnel.

Standard Operating Procedures (S.O.P.): S.O.P.'s describe detailed methods of performing certain duties in a uniform manner.

RULES

- A. Employees must acknowledge receipt for all General Orders distributed per this policy.
- B. Supervisors will periodically check to ensure that personnel have received all Directives and Orders distributed by the agency.

PROCEDURAL GUIDELINES

- A. All General Orders will be issued by or at the direction of the Chief.
 - 1. General Orders will be issued to ALL members of the agency.
- B. The Chief, Lieutenants, and Sergeants issue all directives.
 - 1. Divisional directives will be issued to ALL members of the affected division and others as deemed appropriate by issuing authority.
- C. All Allegan City Police Department staff may issue departmental memorandums.
 - 1. Departmental memorandums will be distributed to personnel effected.
- D. The Training Unit supervisor will issue training bulletins.
 - 1. Training bulletins will be distributed to affected personnel and all command staff.
- E. The Chief will issue personnel orders.
 - 1. Personnel orders will be distributed to the impacted staff and their Command Staff as appropriate.
- F. The Chief and Supervisors will issue standard operating procedures.
 - 1. Standard operating procedures will be issued to appropriate personnel.

ALLEGAN CITY POLICE DEPARTMENT
NO SMOKING POLICY

PURPOSE

The purpose of this order is to establish the rules for smoking while on duty.

These orders are for Allegan City Police Department use only, and do not apply to any criminal or civil proceedings. This policy should not be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

POLICY

It is the policy of the Allegan City Police Department to prohibit smoking in City owned or operated buildings and vehicles, and to be compliant with the City's No Smoking policy.

BALANCING NEEDS

It is the desire of the Allegan City Police Department to provide a working environment that is inoffensive and healthy for all employees. It is also the desire of the department to minimize maintenance and avoid damage to department equipment and vehicles that can result from smoking or smoke-filled environments.

Therefore, in order to meet the needs of the Department, and balance the rights of smokers and non-smokers, it is the policy of this department that employees and their guests restrict the smoking of tobacco, while on duty as follows.

PROHIBITED SMOKING

- A. Smoking is prohibited in the following areas:
1. All City Buildings and offices.
 2. On all City owned property and utilized by the Allegan City Police Department.
 3. In any marked or unmarked patrol vehicle, detective, administrative or any other vehicle owned by the City.
 4. During any training exercise that is conducted inside a building.

5. Smoking will only be permitted during an employee's regularly scheduled break period. Time spent smoking will be deducted from the break period.

ALLEGAN CITY POLICE DEPARTMENT
VEHICLE IMPOUND, ABANDONED VEHICLE,
AND INVENTORY

PURPOSE

The purpose of this order is to establish guidelines for the impoundment of motor vehicles and the disposition of motor vehicles and their contents when such impoundment occurs.

These orders are for Allegan City Police Department use only, and do not apply to any criminal or civil proceedings. This policy should not be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of administrative sanctions. Violations of law will for the basis for criminal and civil sanctions in a recognized judicial setting.

POLICY

The Allegan City Police Department has an obligation to provide for the security of motor vehicles and their contents when they are taken out of the immediate control of their owners or operators. The Allegan City Police Department also has an obligation to protect its officers and agents from accusations of theft or damages occurring to motor vehicles and/or its contents while held in impound. Therefore, it is the policy of this department that whenever an officer of the Allegan City Police Department arrests or otherwise causes the owner and/or operator of a motor vehicle to be displaced from that vehicle, or when an officer impounds an unattended vehicle for whatever reason, that the officer will make a reasonable attempt to provide for the security of the vehicle and its contents by; 1) turning custody of the vehicle over to a responsible person of the owner and/or operators choosing or; 2) placing the vehicle and its contents in impound with an approved towing service. Further, it is the policy of the Allegan City Police Department that whenever a motor vehicle is placed in impound that the officer make and inventory of the vehicle and its contents and complete an inventory report on a form approved by this office.

PROCEDURE

Situations where vehicles may be placed in impound:

- A. Vehicles may be impounded in the following situations:
 - 1. When the operator is placed under full custody arrest for any reason.
 - 2. When the vehicle is reported as stolen.

3. When the officer has probable cause to believe that the vehicle was used in the commission of a crime or that the vehicle is the fruit of criminal activity and subject to forfeiture proceedings.
4. When the vehicle has been abandoned, and has been tagged as an abandoned vehicle for 48 hours.
5. When the vehicle has been left unattended or abandoned for any amount of time and is obstructing critical access to property by its position.
6. When the vehicle is parked on a public roadway and is an obstruction to snow removal or other critical maintenance activity.
7. When the vehicle is deemed by the officer to be unsafe for operation on a public roadway.
8. When the vehicle is found to be without a registration, improperly registered or titled, or operated without insurance.
9. When the vehicle is left unattended at the scene of a crime, crash, or accident.

Abandoned Vehicle Impound Procedures

A. All abandoned vehicles:

1. Run registration plate and VIN to determine if stolen.
2. Place a 48 hour abandoned vehicle sticker containing:
 - a. Date and time affixed;
 - b. Name of officer affixing notice;
 - c. Date and time vehicle will be towed if not removed;
 - e. Year, make and VIN of vehicle;
 - f. Department complaint number.
3. If vehicle creates a hazard, is completely blocking an entrance and/or exit, or blocks a fire lane, it can be towed immediately.
4. Before the vehicle is towed, a “Vehicle Inventory Form” must be filled out completely, including the VIN of the vehicle.
5. After being towed, the vehicle must be entered into LEIN as an abandoned/impounded vehicle and the LEIN traffic noted and attached to the report along with the inventory sheet.

- B. On public property an Allegan County towing service will be contacted through Allegan County Central Dispatch at the officer's request, or owner's request if reasonable.
- C. If an Allegan County towing service has already towed the vehicle to their lot from an Allegan County location, the sticker must then be placed on the vehicle and the abandoned vehicle process started.
- D. After impound/abandoned vehicle procedure the Administration will insure that:
 - 1. A re-check is made to see if the vehicle is stolen;
 - 2. Ensure that the vehicle had been entered into LEIN;
 - 3. Within seven (7) days send the registered owner and secured party (if applicable) a TR52 S.O.S. form by mail, notifying them of the impound.
 - 4. No less than 20 days after notification to the owner, the vehicle may be sold at public auction or scrapped.
 - 5. When the vehicle has been returned, sold or scrapped, advise Allegan County Central Dispatch to remove the vehicle from LEIN.

ALLEGAN CITY POLICE DEPARTMENT
HARASSMENT IN THE WORK PLACE

PURPOSE

The purpose of this policy is to maintain a healthy work environment and to provide procedures for reporting, investigation and resolution of complaints of harassment, sexual or otherwise.

POLICY

It is the policy of the Allegan City Police Department that all employees have the right to work in an environment free of all forms of harassment. The agency does not condone, and will not tolerate, any harassment. Therefore, the agency shall take direct and immediate action to prevent such behavior and to remedy all reported instances of harassment, sexual or otherwise.

HARASSMENT DEFINED

- A. Harassment on the basis of race, color, religion, gender, national origin, age or disability constitutes discrimination in the terms, conditions, and privileges of employment, and as such violates the title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq. (title VII); the Age Discrimination in Employment Act, as amended, 29 U.S.C. 621 et seq. (ADEA); the Americans with Disabilities Act, 42 U.S.C. 12101 et seq.(ADA); or the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701 et seq., as applicable.
- B. Harassment is verbal, visual or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age or disability, or that of his/her relatives, friends, or associates, and that;
 - 1. Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
 - 2. Has the purpose of effect of unreasonably interfering with an individual's work performance; or
 - 3. Otherwise adversely affects an individual's employment opportunities.
- C. Harassing conduct includes, but is not limited to, the following:
 - 1. Epithets, slurs, negative stereotyping or threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, age or disability; and

2. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age or disability and that is placed on walls, bulletin boards, or elsewhere on the employer's premises or circulated in the work place.
 3. Harassment may also include conduct by one employee toward another, on an ongoing basis, that creates a hostile work environment.
- D. The standard for determining whether verbal, graphic or physical conduct relating to race, color, religion, gender, national origin, age or disability is sufficiently severe or pervasive to create a hostile or abusive work environment is whether a reasonable person in the same or similar circumstances would find the conduct intimidating, hostile or abusive. The "reasonable person" standard includes consideration of the perspective of persons of the alleged victim's race, color, religion, gender, national origin, age or disability. It is not necessary to make an additional showing of psychological harm.

PROHIBITED ACTIVITY

- A. No employee shall either explicitly or implicitly ridicule, mock, deride or belittle any person.
- B. Employees shall not make offensive or derogatory comments based on race, color, sex, religion or national origin either directly or indirectly to another person.
- C. Gender-based hostility is a form of sexual harassment. Harassment that is not of a sexual nature, but would not have occurred but for the sex of the victim is an offense under this policy. Harassing behavior lacking sexually explicit content but motivated by hostility against men/women is sex discrimination under this policy.
- D. The criteria for determining whether an action constitutes unlawful behavior are that the conduct;
 1. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment.
 2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
 3. Otherwise adversely affects an individual's employment opportunities.
- E. Actionable harassment includes harassment or retaliation of one's relatives, friends or associates.

- F. The standard to determine whether the alleged harassing conduct is sufficiently severe or pervasive to alter the conditions of employment and create an intimidating, hostile or abusive work environment is whether a reasonable person in the same or similar circumstances would find the challenged conduct intimidating, hostile or abusive.
- G. In determining whether that standard has been met, consideration is to be given to the perspective of individuals of the claimant's gender.
- H. In order to prove a violation, the plaintiff need only prove that a reasonable person would find the conduct sufficiently offensive to create a hostile work environment, but his/her psychological well being need not be affected. (Complainant need not demonstrate adverse psychological effects).
- I. The determination of whether the complaint of conduct violates this anti-discrimination policy turns on its severity and pervasiveness.
- J. A supervisor may be disciplined where he/she knew or should have known of the conduct and failed to take immediate and appropriate corrective action.
- K. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when;
 - 1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
 - 2. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
 - 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.

EMPLOYER'S RESPONSIBILITIES

- A. Each supervisor shall be responsible for preventing acts of harassment. This responsibility includes;
 - 1. Monitoring the unit work environment on a daily basis for signs that harassment may be occurring;
 - 2. Counseling all employees on the types of behavior prohibited, and the agency procedures for reporting and resolving complaints of harassment;

3. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision; and
 4. Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment, pending investigation.
- B. Each supervisor has the responsibility to assist an employee of this agency who comes to that supervisor with a complaint of harassment, in documenting and filing a complaint with the Chief.
- C. Each employee of this agency is responsibility for assisting in the prevention of harassment through the following acts:
1. Refraining from participation in, or encouragement of, actions that could be perceived as harassment.
 2. Reporting acts of harassment to a supervisor, and
 3. Encouraging any employee who confides that he/she is being harassed to report these acts to a supervisor.
- D. Failure to take action to stop known harassment shall be grounds for discipline.

COMPLAINT PROCEUDRES

- A. Employees encountering harassment shall tell the person that their actions are unwelcome and offensive. The employee shall document all incidents of harassment in order to provide the fullest basis for investigation.
- B. Any employee who believes that he is being harassed shall report the incident(s) to his/her supervisor as soon as possible so that steps may be taken to protect the employee from further harassment, and appropriate investigative and disciplinary measures may be initiated. Where this is not practical, the employee may instead file a complaint with another supervisor, or with the Lieutenant.
1. The supervisor or other person to whom a complaint is given shall meet with the employee and document the incidents complained of, the person(s) performing or participating in the harassment, and the dates on which it occurred.
 2. The agency employee taking the complaint shall expeditiously deliver the complaint to the appropriate investigative authority.
- C. The internal investigation authority shall be responsible for the investigation of any complaint alleging harassment.

1. The internal investigations authority shall immediately notify the Lieutenant, who may then notify the Prosecutor's Office if the complaint contains evidence of criminal activity, such as battery, rape, or attempted rape.
 2. The investigator shall include a determination whether the person is harassing other employees, and whether other agency members participated in, or encouraged the harassment.
 3. The internal investigations authority shall inform the parties involved of the outcome of the investigation.
 4. A file of harassment complaints shall be maintained in a secure location. The Chief shall be provided with an annual summary of these complaints.
- D. There shall be no retaliation against any employee for filing a harassment complaint, or assisting, testifying, or participating in the investigation of such a complaint.
- E. Complaints or employees accused of harassment may file a grievance/appeal in accordance with agency procedures when they disagree with the investigation or disposition of the harassment claim.
- F. This policy does not preclude any employee from filing a complaint or grievance with the appropriate outside agency.

ALLEGAN CITY POLICE DEPARTMENT
BLOODBORNE PATHOGENS EXPOSURE

PURPOSE

It is the intent of this policy to provide training, educate, and establish guidelines and procedures for the employee to reduce the risk associated with exposure to blood and/or body fluids. This policy applies to all Allegan City Police Department personnel that may come in contact with blood or other potentially infectious materials in the performance of their duty, namely; all sworn officers, office personnel and custodians.

These orders are for Allegan City Police Department use only, and do not apply to any criminal or civil proceedings. This policy should not be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

POLICY

It is the policy of the Allegan City Police Department to safeguard, to the highest degree possible. The Allegan City Police Department employees and the public who come in contact with people who are known to have, or are suspected of having a communicable disease without sacrificing essential services to the community or individual citizens.

DISCUSSION

Public Safety personnel routinely come into contact with members of the public. At some point police officers will come in contact with a person who has an infectious disease such as (HIV), Hepatitis or other infectious diseases. Although there are no reported instances where officers have contracted HIV as a result of a duty-related incident, cases have been documented where the HIV virus has been transmitted to health care workers. These instances have been the result of handling blood samples with ungloved hands (particularly where skin disorders have left broken skin), splashing of contaminated blood into the mouth or nose, or piercing the skin with a contaminated needle.

Bloodborne Pathogens means pathogenic microorganisms are present in human blood and can cause disease in humans. These pathogens include but are not limited to Hepatitis B (HBV), and Human Immunodeficiency Virus.

HIV is a serious infectious disease of viral etiology. It appears to be caused by one or more viruses called human T lymphotropic virus type III (HTLV-III and HTLV-IV).

If any employee declines the vaccination, it is mandatory that he or she sign a Hepatitis B vaccine declination. However, if at a later date the employee decides to be vaccinated, he or she will receive the inoculations at the employer's expense.

Vaccinations will be administered by a Licensed Medical Professional.

RECORD KEEPING

An accurate medical record will be kept in a confidential file for each employee with an occupational exposure. This record will contain all necessary information as required by the Standard.

Medical records will be kept confidential and not disclosed or reported without the employees express written consent to any person within or outside the work place except as required by this Standard or by Law.

Medical records will be maintained for the duration of employment plus 30 years as required by the Standard.

PROTECTIVE EQUIPMENT

- A. Disposable gloves.
- B. Plastic storage tubes (for syringes).
- C. Protective Mask.
- D. Antiseptic towelettes.
- E. Red disposable bag for contaminated items.
- F. Eye protection.
- G. Shoe covers.
- H. Microshield (for CPR).
- I. Crown.

Personnel should use the above protective equipment to help alleviate the possibility of any type of exposure. It is mandatory that personnel, at a minimum, wear disposable gloves when responding to a situation where there is a probability of exposure to human body fluids.

Additional quantities of protective equipment will be available by request.

EXPOSURE

A. An exposure occurs when a person's blood or any body fluids transfer to another person's blood stream. This can occur three ways:

1. Needle sticks (e.g. accidental needle stick while searching people or places).
2. Through human bites or through openings in the skin (e.g. cuts, sores, abrasions, etc.)
3. Splashes into the eyes, nose or mouth.

Examples of fluids include blood, saliva, tears, semen, vomit, urine, and stool.

B. The mere handling of a victim does not constitute an exposure. For an actual exposure to occur, at least one of the above conditions must be met.

REPORTING

An employee who believes that they have been exposed to an infectious disease:

- A. Shall thoroughly wash the area with soap and hot water, if direct personal contact was made.
- B. Shall gather information about the person involved (keeping in mind confidentiality). Information collected by the employee shall include name, date of birth, any medical information legally available, where the person is now, and what has led the employee to believe the person has an infectious disease. This information may not be disclosed under the Freedom of Information Act.
- C. Shall contact their supervisor immediately.
- D. A general case report, as well as, an incident report shall be immediately completed and forwarded to the Chief
 1. The supervisor may contact an area hospital emergency room if necessary. Advise the doctor of all the facts about the exposure and follow the doctors instructions, or;
 2. The supervisor may contact the Allegan County Public Health Department advising the staff of all the facts about the exposure and follow a doctor's instructions

BLOOD TEST FOR SUSPECTS

When a supervisor has been notified that an employee believes that they have been exposed to a communicable disease, the supervisor may ask the suspected carrier to voluntarily submit to a blood test. The test shall be administered by medical personnel.

GENERAL PRECAUTIONS

The following precautions should be observed:

- A. Use a resuscitator mask when performing mouth-to-mouth resuscitation or CPR.
- B. Disposable surgical gloves shall be worn when handling blood or other body fluids, regardless of whether such fluids are wet or dry.
- C. Make it a practice to bandage open wounds or cuts on hands to avoid direct contact with contaminated body fluids. Bandages should be changed if they become wet or soiled.
- D. Use care when conducting searches of suspects or vehicles. Never blindly place hands in areas where there may be sharp objects that could puncture the skin.
- E. Employees who have been diagnosed as having leukemia or other forms of cancer, or who are taking medicine which suppresses the immune system should not enter areas where there are body fluids present or have contact with persons who have an infectious disease.
- F. Information in records (e.g. test results) regarding an employee or arrestee with AIDS or other communicable disease is confidential. Access to such information is limited to staff who have a legal need to know. Disclosure of any information except as required by law must not be made unless the express written consent of the person is obtained.

CUSTODY PROCEDURES

- A. Persons of high-risk groups, including homosexual, intravenous drug users, prostitutes, and others should be treated with caution. Where violence or an altercation is likely, protective disposable gloves should be worn. Extreme caution must also be used when reaching into areas such as under car seats that are not visible.
- B. After the completion of the task or search where protective disposable gloves were utilized, they should be removed with caution, placed in a plastic bag and securely sealed. Upon returning to the station, the officer shall place the sealed bag into a designated "CONTAMINATED ITEM RECEPTACLE".

- C. Whenever it is necessary to transport a subject known to have an infectious disease who has blood or bodily fluids present on this person or clothing, a supervisor shall be notified.
- D. Subjects known to have an infectious disease with blood or bodily fluids present on their persons should be transported separately from other subjects when practical.
- E. Officers have an obligation to inform other support personnel (fire fighters, paramedic, other police officers and correction officers) whenever transfer of custody occurs and the subject has blood or bodily fluids present on their person, or if the subject has made a voluntary statement that they have a contagious disease.
- F. Officers should indicate in their report when a subject taken into custody makes a voluntary statement that they have an infectious disease. Additionally, notation shall be made when that subject had blood or bodily fluids visibly present on their person or clothing.

DETENTION

- A. If a person is discovered to have an infectious disease during the course of custody, the shift supervisor will be notified immediately.
- B. The supervisor will notify the correction supervisor of the inmate's condition.
- C. If the inmate's clothing is contaminated with bodily fluids the officer shall:
 - 1. Protect the interior of the patrol unit by covering the back seat with a blanket or by wrapping the inmate with a blanket.
 - 2. Notify booking personnel that the inmates clothing is contaminated.
 - 3. After the inmate is transported, inspect the interior of the patrol unit for contamination.

EVIDENCE HANDLING

- A. Evidence containing suspected blood or other bodily fluids should be handled with disposable gloves. If the stain or sample is dry, the evidence should be placed in a paper bag. A proper evidence tag, evidence processing request, and a biohazard label should be affixed to the outside of the package. If the evidence consists of a syringe needle, the needle should be made safe by placing it in a protective plastic tube. Special precautions should be taken when bodily fluids are present including:

1. A proper evidence tag.
 2. Evidence processing request.
 3. Biohazard label on the container.
- B. Persons working in areas for extended periods of time where blood or other bodily fluids have been shed (for example, crime scene personnel working for protracted periods of time at homicide, suicide or accident scenes) should wear protective equipment such as masks, gloves, and shoe covers.
- C. Evidence from personnel will adhere to a precise regimen when handling, processing and storing potentially infectious disease contaminated evidence/property.
- D. Any clothing or evidence known to be contaminated with suspected infectious diseases will be placed in a specified area and clearly labeled.
- F. Protective disposable gloves will be furnished to appropriate personnel handling contaminated evidence.
- G. All property for disposal shall be kept in sealed plastic bags and placed in a conspicuously labeled area.

DECONTAMINATION/CLEANUP

- A. As soon as possible, wash hands thoroughly and immediately with hot soapy water. Hand washing with hot soapy water is your best protection against infectious disease.
- B. When you are exposed to contamination, with or without protective equipment, your hands shall be thoroughly washed with hot soapy water.
- C. Resuscitator masks and evidence collection equipment contaminated with blood or other body fluids should be disinfected after each use.
- D. Vehicles contaminated by blood or other body fluids should be cleaned with a household bleach solution immediately following the person's release from the vehicle. Inmates confined to the Allegan county Jail cannot decontaminate vehicles.
- E. Decontamination shall be accomplished via the following procedures:
1. Use disposable plastic gloves during any decontamination procedure.
 2. Small items or equipment.

- a. Wash the item with soap and hot water and then rise thoroughly.
 - b. Soak item in a solution of water and household bleach for 10 to 15 minutes. Use a concentration of 1 to 1 ½ cups of bleach for each gallon of water. Rinse with water and air dry.
3. Large areas:
- a. To decontaminate large areas (e.g. floors, vehicles, etc.) disinfect with the bleach and water solution and then clean with soap and detergent.
4. Vehicle maintenance personnel will have the primary responsibility for vehicle decontamination. However, if immediate decontamination is necessary, the arresting officers will be responsible, using the above- described method.

DISPOSAL OF CONTAMINATED ITEMS

Disposable gloves, clothing and other contaminated items, must be disposed of properly to minimize the risk of infection.

- A. Contaminated items shall be packaged in a RED BIOHAZARD BAG sealed with tape (no staples).
- B. All contaminated materials must be placed in a BIOHAZARD BAG. The BIOHAZARD BAG must be placed in a BIOHAZARD CONTAINER. The BIOHAZARD CONTAINER is located in the garage. Contact the shift sergeant to deposit contaminated material in the BIOHAZARD CONTAINER.
- C. Contaminated uniforms and coats shall be placed in a RED BIOHAZARD BAG. The bag can then be placed in the normal dry cleaning receptacle.

ALLEGAN CITY POLICE DEPARTMENT
HIRING POLICY

PURPOSE

The purpose of this order is to establish pre-employment qualifications and define the selection process for the hiring of new employees.

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POLICY

It is the policy of the Allegan City Police Department to select for employment the most qualified applicant for the position available. This selection process will be based upon the applicant's education, past behavior, experience, and ability to perform the duties involved in the position applied for. It is the policy of this office to not accept applications from or hire immediate family members of current employees.

DEFINITIONS

- A. Immediate family members would include:
1. Son/daughter.
 2. Brother/sister
 3. Father/mother
 4. Husband/wife
 5. Step-son/step-daughter

SELECTION OF PERSONNEL

- A. Each applicant for a position shall complete a standard application form supplied by the Allegan City Police Department. A current file of all applications will be maintained.
1. Advertisement of openings and the application period will be coordinated with City Hall.

- B. No application will be accepted from any person who does not meet the following minimum qualifications:
1. The applicant must be a resident of the State of Michigan for one year.
 2. Applicants must be at least 21 years of age.
- C. Those seeking a law enforcement appointment must have successfully completed the M.C.O.L.E.S. written and physical agility tests except those exempt from this testing as determined by M.C.O.L.E.S.
- D. The applicant must possess a valid operator's license for the State of Michigan at the time of their application.
- E. The preliminary screening process will be as follows:
1. Criminal History: Applicants with felony convictions will be automatically disqualified. Applicants with misdemeanor convictions will be reviewed on a case-by-case basis.
 2. Driving History: The driving history of the applicant will be reviewed. Applicants will normally be disqualified for any of the following reasons:
 - a. Suspension, revocation or denial of driving privileges within the last four years.
 - b. Suspension for failure to comply with judgement within the last two years.
 - c. Six or more points on the driving record at the time of application.
 - d. Any three convictions for moving violations within the last two years.
 - e. Any O.U.I.L., O.W.I., U.B.A.L., O.U.I.D., O.W.V.I. or Operating While Ability Impaired conviction within the last seven years.
 - f. Any two chargeable accidents within the last two years.
- F. Application Review Process:
1. Active applications of those candidates who meet the minimum qualifications and pass the preliminary screening process will be subject to review for employment. The purpose of this review is to remove any candidates who fail to meet minimum standards for employment.
 2. The Review Board will consist of the following:
 - a. The Chief a Sergeant, and a representative of the appropriate union, for applications related to a certified patrol position.
 3. The Review Board will select candidates for further consideration based on the following criteria:
 - a. Prior police/correctional experience.

- b. Academic history.
- c. Military experience.
- d. Police academy performance.
- e. Other information available to the board that bears directly upon the candidate's likelihood of success in completing the selection process.

Those applicants that meet the minimum qualifications, pass the preliminary screening process and are selected by the board of review will be invited to an oral board examination.

G. Oral Board Examination:

- 1. A standard interview form will be used for all candidates.
- 2. The oral board will consist of the following members of the department:
 - a. Chief.
 - b. Sergeant.
 - c. Union officer/representative from the unit that the applicant would enter if selected.
- 3. Each applicant will be asked a core set of questions as determined by the oral board.

H. Conditional Offer of Employment:

- 1. After a conditional offer of employment has been made to a candidate, the following evaluative process will occur:
- 2. A psychological examination will be administered.
- 3. A complete background investigation will be completed to include, but not be limited to:
 - a. Verification of educational credentials.
 - b. Verification and interviews of previous employers.
 - c. Verification of at least three personal references.
 - d. Interview with others not listed as references who may have knowledge of the candidate.
 - e. Verification of credit history.
 - f. Other verifications as may be deemed necessary and appropriate by investigation of the applicant's background.
- 4. Background investigators will be selected by the Chief. Every effort will be made to assign FTO personnel to this task.

5. Upon completion of the background information, a detailed report will be submitted to the Chief for inclusion in the candidate's file.
6. During the application process the applicant will complete and eight hour ride-along with a field-training officer or complete.
 - a. At the conclusion of this shift the FTO will complete an Allegan City Police Department ride-along form and submit it to the appropriate supervisor.
7. Any instance of a candidate providing false information about their background on any documentation submitted, an/or during any interview will result in the immediate termination of their application with this agency.

I. Eligibility List:

1. Candidates who successfully pass all phases of the selection process shall be placed on an eligibility list.
2. Candidates that are eligible will be notified in writing within seven days of the creation of the eligibility list.
3. Persons who fail any phase of the selection process or who are not placed on the eligibility list may re-apply and re-test at a later time.
4. All records related to the creation of the eligibility list will be maintained for a period of six months form the date of the creation of the list. After six months the files of those not selected will be destroyed.

J. Final Selection:

1. Those candidates who have been placed on the list will be selected to fill any vacancies by an administrative review of their records.
2. The Chief will determine the order in which eligible candidates are offered positions.

ALLEGAN CITY POLICE DEPARTMENT
POLICY ON OUTSIDE EMPLOYMENT

PURPOSE

To ensure that a conflict of interest will not occur by members of the Allegan City Police Department when, and if, they seek outside employment while they are members of the Allegan City Police Department.

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POLICY

It will be the policy of the Allegan City Police Department to preclude all members of the Allegan City Police Department from performing tasks or duties for an outside employer to use powers vested in them by the Chief or the implied use of those powers in any way as an outside job requirement or prerequisite without the express written consent of the Chief.

It will also be policy of this office to allow members to engage in outside employment when that employment does not require the use of powers vested in them by the Chief nor does the employment conflict with the employee's tasks and duties for the Allegan City Police Department or conflict with the Allegan City Police Department Mission Statement or Code of Ethics.

PROCEDURE

- A. Requests: If an employee finds that he/she would like to work outside the Department, the member will:
 - 1. Submit a written request to the Chief.
 - 2. The request must state the type of employment tasks and duties, hours and days the employee is expected to work, and the name of the employer.
- B. Review: The Chief will review the request and give a reply to the employee.
- C. Record: The Chief will then place both the request and the response in the employee's personnel file.

ALLEGAN CITY POLICE DEPARTMENT
OPERATION OF POLICE VEHICLES

PURPOSE

To establish a policy and procedure regarding the proper operation of police vehicles during normal, emergency and pursuit driving situations.

POLICY

All personnel will adhere to the guidelines and provisions contained within this policy.

NON-EMERGENCY DRIVING

Non-emergency driving is that which is generally used while on routine patrol, or when responding to calls for service of a non-emergency nature.

- A. Officers will obey all traffic laws and operate police vehicles in a safe and courteous manner being mindful they are setting an example by their driving behavior.
- B. Complaints of hazardous or careless driving made by citizens will be investigated and, if substantiated, disciplinary or corrective action may be taken.
- C. Officers attempting to apprehend a traffic offender may exceed the posted or pima facie speed limit in order to determine the speed of the violator's vehicle, however, always operating with the due regard for the safety of others. Apprehension includes both the pacing and closing in on a violator's vehicle.

EMERGENCY DRIVING

An emergency response is permitted when events occur, which if allowed to continue unchecked, will likely result in death, injury or serious property damage. It may also be appropriate during, or following, the commission of a felony.

- A. A police vehicle responding as an emergency vehicle will utilize both emergency lights and siren to be protected by statute and local ordinances.
- B. Any police vehicle operating substantially in excess of the speed limit will operate with both emergency lights and siren. (Note: The Michigan Vehicle Code (MCLA 257.603e) allows for an emergency response without the use of an audible signal (siren) "if the police vehicle is engaged in an emergency run where silence is required," however, MCLA 257.706 requires that a siren be used when necessary to warn other innocent motorists or pedestrians.)

- C. Even though legally engaged in emergency driving an officer is not relieved of the duty to drive with “due regard” for the safety of all persons, nor is an officer protected from the consequences of any reckless disregard for the safety of others.
- D. No police vehicle will travel more than 20 mph over the posted speed while on a valid emergency response.

USE OF SEAT BELTS

All department personnel and passengers when operating or riding in the front seta of any city owned vehicle or any vehicle used to conduct police department business, will use seat belts as installed by the manufacturer.

- A. Supervisory personnel will monitor the compliance of this requirement and take corrective action as deemed proper.
- B. Exceptions may include vice operations or other duties where authorized by supervisory personnel.

RESPONSE TO CALLS

- A. All non-emergency calls will be handled with a non-emergency response in which all traffic laws will be obeyed.
- B. Officers responding to known injury accidents may respond as an emergency vehicle and operate within the guidelines of emergency driving.
- C. Response to known property damage or unknown accidents will be handled as a non-emergency call.
- D. Response to all fire calls will be handled as a non-emergency call unless fire personnel request emergency assistance or it is reported that a life is in immediate danger. The police will generally play a secondary role and provide such services as traffic, pedestrian and spectator control.
- E. Response to alarm calls will be handled as a non-emergency call unless information is given that an actual robbery or break-in is occurring.
- F. Response Codes:
 - Code 1: Response made at the officer’s convenience
 - Code 2: Response made immediately, however, all traffic laws are obeyed.
 - Code 3: Emergency response utilizing both emergency lights and siren.
 - Code 4: Emergency response but without siren.

POLICE VEHICLE CRASHES

- A. Each officer at the beginning of their shift will inspect their vehicle and report any damage to their supervisor. Any damage discovered which has been unreported will be investigated by the Command Officer or designee of the division the unit is assigned to.
- B. Whenever a police vehicle is damaged, however slight, it must be reported to the on-duty supervisor. The supervisor will determine if a traffic accident report is to be filled out. All accidents that occur on a city street will have a traffic accident report completed by the supervisor or appointed designee. At the discretion of the Chief of Police the report may be turned over to the City Attorney for their review and possible enforcement action.
- C. In all cases of police vehicle damage, the officer responsible will promptly complete a letter to the Chief of Police (copied to their command Officer) explaining the circumstances. Passengers may be required to complete a letter of explanation upon request.
- D. The Chief of Police will have the final authority on the disposition of the case.
- E. A copy of the crash reports and findings will be placed in the officer's personnel file and become a permanent part of the officer's record.

ALLEGAN CITY POLICE DEPARTMENT
DOMESTIC VIOLENCE

PURPOSE

Domestic violence is criminal behavior. This policy defines the department's commitment to and the officer's responsibility in responding to domestic violence. This is the result of a countywide task force and reflects requirements set forth in policy MCLA 764.15, 1994.

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GOALS

The goals of this department's domestic violence response policy are:

- **TO ESTABLISH ARREST AS THE PREFERRED RESPONSE TO DOMESTIC VIOLENCE.**
- To protect victims of domestic violence and hold assailants accountable.
- To reduce assaults and homicides resulting from domestic situations.
- To reduce police callbacks, reduce injuries to officers and free officers for other responsibilities.

ARREST

Arrest Policy

- A. The Allegan County Prosecutor has authorized and expects an arrest of assailants in any and ALL of the following circumstances:
1. Felony Committed in the officer's presence.
 2. Felony based on probable cause.
 3. Misdemeanor committed in the officer's presence;
 4. Warrantless arrest for misdemeanor assaults. MCLA 764.15a grants an officer the authority to make a misdemeanor arrest without a warrant based upon reasonable cause for an individual who assaults or assaults and

batters his or her spouse or former spouse, an individual with whom he or she has had a dating relationship, he or she has had a child in common, or a resident or former resident of his or her household, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00 or both.

5. Warrantless arrest for violations of personal protection orders. MCLA 764.15b grants an officer the authority, without a warrant, to arrest a person for violation of a personal protection order when the personal protection order states on its face that a violation of its terms subjects the individual to immediate arrest and criminal contempt of court, the officer has reasonable cause to believe that all of the following exist:
 - a. The person named in the order is acting in violation of the order. A person is in violation of the order if that person commits one or more of the following acts specifically enumerated in the order to restrain or enjoin the person from:
 - i. Assaulting, attacking, beating, molesting, or wounding a named person.
 - ii. Removing minor children from an individual having legal custody of the children, in violation of custody or visitation orders issued by the court.
 - iii. Entering onto premises.
 - iv. Engaging in stalking conduct as prohibited by statute.
 - v. Threatening to kill or physically injure a named individual.
 - vi. Purchasing or possessing a firearm.
 - vii. Interfering with petitioner's efforts to remove petitioner's children or personal property from premises that are solely owned or leased by the individual to be restrained or enjoined.
 - viii. Interfering with petitioner at petitioner's place of employment or engaging in conduct that impairs petitioner's employment relationship or environment.
 - ix. Any other act or conduct specified by the court in the personal protection order.
 - b. All personal protection orders must be entered into LEIN and verified via LEIN. Officers shall note on the LEIN entry and in enforcing any injunctive order, whether the issuing Circuit Court Judge has authorized or prohibited arrest for violations of such order.
 - i. A personal protection order is immediately enforced anywhere in the State of Michigan by any law enforcement officer.
 - c. Arrest procedure on personal protection orders:
 - i. If possible show the individual restrained or enjoined with a true copy of the orders if they have not been served or advise the individual of the existence of the personal protection order, the specific conduct enjoined, the penalty for violating the order and where they can obtain a copy.

- ii. Give the individual the opportunity to comply if they have not previously been given notice.
 - iii. Failure to comply shall be grounds for immediate arrest.
 - iv. Advise LEIN operator to enter confirmation that the individual restrained or enjoined has received actual notice of the personal protection order.
- 6. Warrantless arrest for violation of conditions of release.
 - a. MCLA 764.15e grants an officer the authority to arrest without a warrant based upon reasonable cause to believe a suspect is violating or has violated a condition of release.
- 7. Violation of probation or parole based on probable cause.
- 8. This requirement is also applicable where there is a violation of local ordinance regarding the above.

B. Probable Cause

- 1. The probable/reasonable cause standard applied to domestic violence crimes is no different than the standard applied to all other crimes. An officer's decision not to arrest should not be based solely on the absence of visible injury. The word of the victim alone, if believed, is sufficient grounds for establishing reasonable cause.
 - a. If doubt exists, officer should document in police report why statements are questioned.
- 2. When determining whether probable cause exists to believe that a crime has been committed an officer should not consider any of the following factors:
 - a. The marital status of the parties;
 - b. The lack of a personal protection order;
 - c. The wishes or consent of either party concerning arrest or prosecution;
 - d. Assurances that the violence will stop;
 - e. Financial consequences of arrest
 - f. The race, sex, religion, ethnic origin, social class, sexual orientation, education, or occupation of either party.
- 3. Dual arrests should be avoided where possible. Those acting in self-defense or in the defense of others shall not be subject to arrest. If both parties are mutually assaultive, dual arrests will be authorized providing clear detail of the aggressive nature of both parties is provided in the police report.
- 4. Complaints of elder and abuse perpetrated by a minor shall be investigated as any other domestic violence complaint.

RESPONSE AND INVESTIGATION

A. Officer Response

1. The responding officers will approach the scene as a criminal investigation. Officers should use appropriate precautionary procedures when approaching and entering the scene.
2. The officer will always conduct a thorough criminal investigation. This investigation will include interviewing all witnesses and collecting evidence of all possible crimes committed.
3. Officers should determine what crimes they have probable cause to believe were committed and who committed them.
4. Officers should utilize domestic violence training techniques such as separating and removing from the presence of the other, not leaving either party alone, checking for and securing available weapons, etc.
5. During the course of investigation, the officer should be cognizant of other possible violations and take appropriate action.
6. If the suspect has left the scene, reasonable attempts to locate and arrest the suspect should be made.
7. If the suspect cannot be located a warrant should be sought in accordance with departmental and prosecutorial policy.
8. Officers are required to provide domestic violence victims with referral information. This can be done by providing the victim with a completed "Crime Victim Assistance" referral card. This information must be provided whether or not an arrest was made (MCL 764.15C).
9. If no arrest has been made, investigating officer should discuss safety plan, encourage the victim to contact police in the event the suspect returns.
10. The victim, as does any citizen, has the right to know, and can call the jail or lockup facility to determine if the suspect is still incarcerated, such information shall be provided.

B. Report Writing

1. Officers shall prepare a written incident report whenever there is a domestic violence response.
 - a. When documenting a domestic violence response:

- i. The victim does not have to write a statement, although a statement should be offered, and at the very least the victim's verbal statement should be summarized in the police report.
 - ii. The victim does not have to sign the report.
 - iii. The officer will act as the complainant signing on information and belief with the authorization of the prosecutor.
2. The report shall contain, but is not limited to containing, all of the following:
 - a. The address, date, and time of the incident.
 - b. The victim's name, address, home and work telephone numbers, race, sex, and DOB.
 - c. The suspect's name, address, home and work telephone numbers, race, sex DOB and information describing the suspect and whether a personal protection order covering the suspect exists.
 - d. The name, address, home and work telephone numbers, race, sex, DOB of any witness, including a child of the victim or suspect, and the relationship of the witness to the suspect or victim.
 - e. The report must contain the following information
 - i. The name of the person who called the law enforcement agency.
 - ii. The relationship of the victim and suspect.
 - iii. Whether alcohol or controlled substance use was involved in the occurrence or incident, and by whom.
 - iv. A brief narrative describing the incident and the circumstances that led to it.
 - v. Whether and how many times the suspect physically assaulted the victim and a description of any weapon or object used.
 - vi. A description of all injuries sustained by the victim and an explanation of how the injuries were sustained.
 - vii. If the victim sought medical attention, information concerning where and how the victim was transported, whether the victim was admitted to a hospital or clinic and the name and telephone number of the attending physician.
 - viii. A description of any property damage reported by the victim or evidence at the scene.
 - f. A description of any previous incidents involving domestic violence between the victim and the suspect.
 - g. The date and time of the report and the name, badge number and signature of the officer completing the report.
3. The officer shall also complete the Supplemental Domestic Violence Incident Report form.
 - a. The law enforcement agency shall retain the completed domestic violence report in its files. The law enforcement agency shall also file a copy of the completed domestic violence report and supplemental form with the prosecuting attorney within 47 hours (PA 63 of 1994).

- b. A prosecutor's "Warrant Request Form" need NOT be completed. The prosecutor shall use the face sheet and Supplemental Domestic Violence report form for information and warrant issuance.
- 4. If factors related to domestic violence are alleged, document the reasons for the probable cause determination made whether or not a crime has been committed or an arrest has been made.
- 5. Where probable cause existed and no arrest was made, a written incident report documenting the reasons no arrest was made must be prepared.
- 6. If the victim leaves the scene, the confidentiality of the victim's location shall be maintained.
- 7. All reports will be reviewed by administrative staff and assigned as appropriate for follow-up and/or for review by the prosecutor.

C. Bonding Policy

- 1. A person arrested for domestic violence without a warrant shall not be released on an interim bond.
 - a. The suspect shall be brought before the magistrate or judge for arraignment or bond posting, per the request of the 57th District Court.
 - b. If after the twenty hours a magistrate is not available, the suspect can be released on an interim bond, following District Court bond schedules
 - c. Violations involving personal physical violence on the protected person, or an immediate likelihood of physical violence, \$5,000.00, 10% bail bond or \$5,000 cash/surety bail bond.
 - d. All other violations shall be released on a \$500.00 Personal Recognizance bond and instructed to appear at the Circuit Court Clerk's Office to schedule arraignment the next business day.
- 2. A person arrested for violation of a personal protection order under the authority of MCLA 764.15b shall not be released on bond. The suspect shall be brought before the court in accordance with this policy.
 - a. The arrested person must be brought before the circuit court, which issued the order within 24 hours after the arrest.
 - b. The circuit court shall set a time for a hearing on the alleged violation and shall set bond. If a circuit court judge is not available within 24 hours after arrest, the arrested person shall be brought before the district court within 24 hours after arrest, at which time the district court shall order the defendant to appear before the circuit court for a hearing on the charge and shall set bond.

IMPLEMENTATION

- A. All police personnel shall be issued a copy of this policy and procedure. Supervisors will review this policy with their personnel, and as appropriate, an inservice training session will be provided on this specific policy and additional information relative to police officer handling of domestic disputes.
- B. Following department procedures, all domestic violence reports will be reviewed internally, for assignment of necessary follow-up and compliance with this policy.
 - 1. As appropriate, follow-up supervision will be made with personnel by command staff or supervisors to correct procedural errors and/or obtain necessary additional information.
 - 2. Appropriate discipline action shall be taken for personnel found in violation of this policy.
- C. Following department policy, this policy will be periodically reviewed for updating, refresher training or any legal or judicial changes in procedure.

PUBLICATION OF WRITTEN POLICY

- A. This policy, consistent with all adopted policy and procedure is intended as an internal operating directive and is not intended for use in civil litigation other than to support the police agency's handling of domestic violence incidents.
- B. Consistent with statutory requirements, upon written request and administrative approval, the policy shall be made available to the public for information and documentation purposes.
 - 1. MCLA 764-15, 1994.
 - 2. The State of Michigan Model Policy: The Law Enforcement Response to Domestic Violence (revised Nov. 1994).
- C. This policy shall be reviewed annually or if statute or circumstances dictate otherwise.

ALLEGAN CITY POLICE DEPARTMENT
ALLEGAN COUNTY LAW ENFORCEMENT
MUTUAL AID AGREEMENT

PURPOSE

For the general purpose of rendering mutual aid in law enforcement protection, pursuant to MCLA 123.811 et seq; MSA 5.3323 et seq; the local units of government within Allegan County which have passed resolutions pursuant to Sec. 13 of this agreement hereby enter into an agreement for mutual aid upon the following terms and conditions.

These orders are for Allegan City Police Department use only, and do not apply to any criminal or civil proceedings. This policy should not be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

DEFINITIONS:

Community: Shall mean a county, township, city or village.

Police Officer: Shall mean a peace officer having jurisdiction in the community by which he or she is employed.

Commanding Officer: Shall mean the highest ranking police officer on duty in the community or his designee, who has the responsibility for directing the police department at the time of the emergency.

Special Police Need: Shall mean a combination of circumstances requiring immediate action which requires manpower or equipment additional to that available to the requesting community at the time of the emergency.

Requesting Community: Shall mean the community in which an emergency exists and who requests aid pursuant to this Agreement.

Responding Community: Shall mean the community which sends personnel and/or equipment to requesting community pursuant to this Agreement.

Investigation Need: Shall mean that the Chief, Sheriff, MSP Post Commander or their designee jurisdiction. This shall further mean that the following procedures shall be utilized to activate mutual aid under these circumstances.

- A. Requesting Emergency Investigation Assistance: The requesting community shall use the following procedure to request emergency investigation assistance from a responding community.

1. Advise the prosecuting attorney's office of a major crime incident within the community.
 2. Requesting community to determine whether incident requires the formation of a Major Crime Action Unit consisting of select members from participating communities.
 3. Determine the number of investigators required for emergency assistance.
 4. Determine and inform the responding community what type of expertise is required (i.e., interviewers, photographs, crime scene processing, or any other expertise required by the requesting community).
- B. Determination and Declaration of Emergency: The Commanding Officer shall be responsible for determining and declaring that any emergency exists in his or her community.
- C. Request for Assistance: A Commanding Officer of the requesting community may make a request for aid to the Commanding Officer of the responding community.
- D. Response to Request for Assistance: The Commanding Officer of the responding community may make available to the Commanding Officer of the requesting community such police officers and unsworn employees and equipment as are available to meet the needs of the emergency. The Commanding Officer of the responding community may decline the request for aid. Neither party to this Agreement shall be liable for a failure to respond to a request for assistance for any reason.
- E. Use of Auxiliary or Reserve Police or Public Safety Officers: A responding community may send auxiliary or reserve police or public safety officers when the requesting department approves their use, provided that such auxiliary or reserve officers act under the direction of regularly employed officers of the responding community.
- F. Direction at the Scene of an Emergency: The person in charge of operations at the scene of an emergency shall be the Commanding Officer of the requesting community. All personnel and equipment of a responding community shall be under the control and direction of the Commanding Officer of the requesting community upon arriving at the scene of the emergency. All directions for the use of responding personnel and equipment shall be made through the highest ranking officer of the responding unit, whenever possible.

1. Incident Command:

Whenever possible an Incident Command System shall be employed to assist in incident management. The Incident Command System shall consist of the following components:

- a. Command Post – Designated area for the Incident Commander and any other person identified to facilitate unity of command.
- b. Communication Center – There shall only be one communication relay used per incident to communicate with Central Dispatch.
- c. Staging Area – All personnel responding to the incident shall report to a designated staging location. All unassigned personnel are to remain in this staging area until further instruction by Commanding Officer.
- d. Information Officer – (Optional) Designated person responsible for dissemination of any/all incident information to public agencies including the media.
- e. Safety Officer – (Optional) Designated person responsible for overall incident safety and security.

G. Withdrawal of Personnel and Equipment: The personnel and equipment of a responding community may be withdrawn at any time at the sole discretion of the Commanding Officer of a responding community. The Commanding Officer of the requesting community shall be notified prior to the withdrawal whenever possible. The Commanding Officer of the requesting community shall be notified of the withdrawal whenever possible. The responding community shall not have any obligation to keep its personnel or equipment in the requesting community for a longer period of time than is deemed necessary by the Commanding Officer of the responding community. A responding community shall not be liable to a requesting community for leaving the scene of an emergency.

H. Indemnity:

1. The requesting community shall indemnify and save the responding community harmless from all claims, demands, costs or damages (including attorney fees) for bodily injury, including death, or property damage to person or legal entity arising out of the acts and omission of personnel of the responding community which are specifically ordered or directed by the Commanding Officer of the requesting community.
2. The responding community shall indemnify and save the requesting community harmless from all claims, demands, costs or damages (including attorney fees) for bodily injury, including death, or property damage to any person or legal entity arising out of the acts or omissions of personnel of the responding community which are not

specifically directed or ordered by the Commanding Officer of the requesting community.

3. Nothing in this Agreement shall be intended to provide third party beneficiary rights to any persons or to create a cause of action in favor of persons or to create a cause of action in favor of such persons. Nothing in this Agreement shall be construed as a waiver of governmental immunity.
- I. Indemnity in Joint Training Programs: Each community entering this Agreement shall indemnify and save all other participating communities harmless from all claims, demands, costs or damages (including attorney fees) for bodily injury, including death, or property damages to any person or legal entity arising out of the acts or omissions of personnel of that community during joint training programs for emergency operations.
- J. Employee Benefits: Each community in this Agreement shall continue to provide the same salaries, workers' compensation, retirement and other fringe benefits to its employees responding to a mutual aid request, as those employees would receive while on duty in their community.
- K. Costs of Equipment and Supplies: Costs of equipment and supplies used while giving assistance will be borne by the community owning the equipment and supplies.
- L. Federal or State Reimbursement for Emergency Works Funds: The requesting community in an emergency, when making application for federal or state funds for reimbursement of the costs of the emergency operations, shall apply for such funds for responding communities. Each community will maintain appropriate records to support such applications.
- M. Community Participation in this Agreement: A Community may agree to participate in this Agreement by having the chief law enforcement officer of their community sign the original document. The original document will be held in the Prosecutor's Office.
- N. Termination: This Agreement may be terminated by any party to this Agreement by providing the other parties of this Agreement with written notice thirty (30) days prior to the time the party wishes to withdraw its service from the Mutual Aid Agreement.
- O. Rescission of Existing Agreements: The adoption of this Agreement rescinds any existing reciprocal or mutual aid agreements between the adopting community and any other communities which have adopted this Agreement.

- P. All incident reports that are generated as a result of this Agreement will be forwarded to the requesting community as soon as possible.
- Q. The requesting community should convene a post incident evaluation within a reasonable amount of time after the conclusion of the incident.
- R. In the event that any portion or portions of this Agreement are deemed to be unenforceable shall not indicate other provisions are not enforceable.
- S. The following procedure shall be followed to revise this Agreement.
 - 1. Send copies of revisions to all participating communities.
 - 2. Revision must be agreed to by a majority of the participating communities.
 - 3. After the revisions are approved by a majority of the participating communities they may be attached as an addendum to the Agreement or the Agreement can be retyped.

EYEWITNESS IDENTIFICATION MODEL POLICY

I. PURPOSE

The purpose of this policy is to establish guidelines for eyewitness identification procedures using photographic lineup, live lineups and showups.

II. POLICY

It is the policy of this agency that eyewitness identifications be conducted in a manner most likely to assess witnesses' true and reliable recollections in compliance with state and federal constitutional requirements. Agency members shall afford witnesses, suspects, and defendants all legal rights that are afforded any citizen. The core objectives of this policy are to ensure constitutional rights by improving the ability of law enforcement officials to act appropriately during eyewitness identifications.

Further, this policy is intended to reduce misidentifications, improve the reliability of identifications, and establish evidence that conforms to legal precedent. The double-blind procedure, in which neither the officer conducting the lineup nor the witness is aware of the suspect's identity, is the preferred method. If this method is not practicable, an alternative technique of "blinded" administration may be used, in which the officer may know the suspect's identity but cannot see which photograph is being viewed by the witness at a given time (e.g. the folder shuffle method, in which photographs are placed in folders and shuffled and then handed over to the eyewitness).

III. DEFINITIONS

Double-blind presentation or lineup means the law enforcement official (and witness) do not know which photograph or person is the suspect. Double-blind is a proper term to use, but is often used interchangeably with the term "blind" and means same thing.

Blinded administration is when the officer knows the suspect's identity but can't tell which suspect is being viewed at a given time, such as through use of the folder shuffle method.

Sequential presentation is a display of photographs or persons one at a time, where the law enforcement official retrieves one before presenting another.

Simultaneous presentation is a display of photographs or persons presented at the same time, either manually constructed or computer generated.

Showup is the presentation of a live person in the field who is close in time and proximity to the incident under investigation.

Confidence statement is a witness's statement about his or her selection and the confidence with which it is made. It is taken immediately after the selection has been made.

IV. PROCEDURES

Instructions to witnesses shall be read from the Eyewitness Identification Form, which shall also include a witness's affirmation of his or her confidence statements. A video record with audio is the preferred method of documenting the presentations. Presentations, forms, and video records shall be treated as evidence, with documentation included in the investigative file, whether or not the witnesses made identifications.

If a photo lineup is developed electronically, the lineup shall be printed for documentation. Law enforcement officials shall provide a written justification for using a live or photographic presentation other than a double blind or blinded presentation.

I. Obtaining a Description of a Perpetrator

Prior to any lineup, law enforcement shall record a thorough description of the perpetrator from each eyewitness, taken separately for each eyewitness, in his or her own words.

II. Witness Instructions

Prior to the start of the identification procedure, the officer shall read the witness instructions. Specific instructions for photographic lineups, live lineups, and showups are included on the forms in Section V. The witness shall sign the form to indicate that he or she understands the instructions.

III. Photographic Lineup

Organizing a Photographic Lineup

- Include only one suspect in each identification procedure, with a minimum of five fillers.
- Fillers shall match the witness's description of the perpetrator in significant features, including any unique or unusual features.
- All photographs shall be contemporary and similar in size. There should be consistency in personal features across all pictures.
- The photographs shall be numbered
- When conducting a single lineup for multiple witnesses, renumber photographs for each witness.
- If the witness has previously viewed a photo lineup in connection with the offense, use different fillers.

Conducting a Photographic Lineup

- Whenever possible, a blind administrator, e.g. an officer who does not know the suspect's identity, should conduct the procedure. If that is not practicable, a blinded administration technique such as the folder shuffle may be used (see below for details).
- Prior to the presentation, read instructions to the witness on the form in Section V, ensuring and documenting that they understand the instructions.
- If conducting a simultaneous presentation, photographs are presented at the same time.
- If using sequential presentation:
 - a. The law enforcement official shall display the photographs to the witness by replacing one photograph with another so that no two are presented at the same time.
 - b. The law enforcement official shall present each photograph to the witness, even if the witness identifies a previous photograph as the suspect.
 - c. At the request of the witness, the law enforcement official may present the photographs again; each photograph must be presented and presented sequentially.
 - d. After each photograph is presented, ask if the witness recognizes the person. Even if the witness identifies a previous photograph as the suspect, present each photograph in series.
 - e. At the request of the witness, the law enforcement official may present the photographs one more time.
- If identification is made, record a statement of confidence on the form in Section V, which shall be signed by the witness.

Blinded Administration (The Folder Shuffle Method):

The Folder Shuffle Method was devised to address concerns surrounding limited resources while removing any possibility of suggestiveness in the procedure. Should the investigating officer of a particular case be the only law enforcement personnel available to conduct a photo lineup, the following instructions are recommended:

- Use one suspect photograph that resembles the description of the perpetrator provided by the witness, five filler photographs that match the description, and ten folders (four of the folders will not contain any photos and will serve as 'dummy folders').
- Affix one filler photo to Folder #1 and number the folder.
- The individual administering the lineup shall place the suspect photograph and the other four filler photographs into Folders #2-6 and shuffle the photographs so that he is unaware of which folder the suspect is in, and then number the remaining folders, including Folders #7-10, which will remain empty (this is done so that the witness does not know when he has seen the last photo).

- Prior to the presentation, read instructions to the witness from the form in Section V, ensuring and documenting that they understand the instructions.
- Without looking at the photo in the folder, that administrator is to hand each folder to the witness individually. Each time the witness has viewed a folder, the witness should indicate whether or not this is the person the witness saw and the degree of confidence in this identification, and return the photo to the administrator. The order of the photos should be preserved, in a facedown position, in order to document.
- The administrator should then document and record the results of the procedure, including the order of the folders used.
- If identification is made, record a statement of confidence on the form in Section V, which shall be signed by the witness.

IV. Live Lineups

Organizing a Live Lineup

- Determine when a live lineup is appropriate by considering the availability of witnesses and lookalikes.
- Include only one suspect in each identification procedure, with a minimum of four fillers.
- Select fillers who generally fit the witness's description of the suspect. No participant should stand out in the lineup.
- When conducting more than one lineup due to multiple witnesses, consider placing the suspect in different display positions.
- When showing a new suspect, avoid reusing fillers in lineups shown to the same witness.

Conducting a Live Lineup

- Live lineups shall be conducted by a blind administrator, who is unaware of the suspect's identity.
- Prior to a presentation, the law enforcement official shall read the witness instructions from the form in Section V, ensuring and documenting the witness understands the instructions.
- If conducting a simultaneous lineup, participants are presented at the same time.
- If conducting a sequential lineup:
 - a. Begin with all lineup participants out of view of the witnesses and present each participant to the witness separately, in a previously determined order, removing those previously shown.
 - b. The law enforcement official shall present each participant to the witness, even if the witness identifies a previous participant as the suspect.
 - c. After each lineup member is presented, ask if the witness recognizes the person.

- d. At the request of the witness, the law enforcement official may present the participants again each participant must be presented and presented sequentially.
- If identification is made, record a statement of confidence on the form in Section V, which shall be signed by the witness.

V. Showups

Consider if a photo lineup can be conducted instead of a showup for: increased control, minimizing observable nervousness, and improved logistics. However, when circumstances require prompt display of a suspect to the witness, the following guidelines shall be followed.

- Showups shall be conducted only when the suspect is detained within a reasonably short timeframe following the offense.
- The witness shall be transported to the suspect's location, whenever possible.
- Presentations shall be recorded when possible
- Prior to presentation, read instructions to the witness from the form in Section V, ensuring and documenting that they understand the instructions.
- Officers shall avoid suggestive words or conduct, such as presenting the suspect in handcuffs, from the backseat of a patrol car, or being physically restrained by police.
- Separate witnesses to avoid communication among them, and obtain a thorough description of the suspect from each witness separately prior to the showup. A suspect shall only be viewed by one witness at a time, out of the presence and earshot of other witnesses.
- If an identification is made, record a statement of confidence on the form in Section V, which shall be signed by the witness.

VI. Witness Confidence Statement

Regardless of the type of identification procedure employed, if an identification is made, the officer shall ask the witness immediately for a statement of confidence in his or her selection in his or her own words. The statement shall be documented by the officer and signed by the witness.

Documenting the Identification Procedure

The identification procedure shall be carefully documented. The preferred method of documenting the identification procedure is a video record with audio. Documentation, which shall be treated as evidence, shall include the following:

- Name of the administrator and eyewitness.
- Date and time of the identification procedure.
- Names and sources of fillers used in photo and live lineups.
- In a photo or live lineup, any eyewitness identification of a filler.

- All identification and non-identification results obtained during the procedure, including witness confidence statements, signed by the witness.
- If a photo lineup is developed electronically, the lineup shall be printed for documentation.

1. Test kits due to the fact that they contain acids. Contact with this material may result in permanent disability.
2. To reduce the potential of an severity of inhalation exposures, the use of N-95 disposable masks is required.

Allegan City PD Law Enforcement
Naloxone Rescue Kit Program
Policy and Procedure

1. Background

According to the Centers for Disease Control, drug overdose mortality nationwide has more than tripled in the past 20 years, primarily caused by opioid related overdoses. Naloxone is a medication FDA approved in 1971 as the widely accepted medical first response to an opioid overdose. In the past few years many law enforcement agencies nationwide have started equipping their personnel with naloxone rescue kits in order to reduce fatality arising from opioid overdoses. In Michigan, PA 462 of 2014, effective January 12, 2015, allows law enforcement agencies to purchase and equip their personnel with naloxone rescue kits. Public Act 462 of 2014 provides that law enforcement officers and agencies complying with the acts provisions are not subject to criminal prosecution or civil liability for purchasing, possessing, distributing, or administering naloxone to any individual under the act. ALLEGAN CITY PD has adopted the following policy and procedure aimed at reducing fatality from opioid overdose.

2. Policy

It is the policy of ALLEGAN CITY PD to train and equip officers with naloxone rescue kits to intervene in opioid overdose situations in order to reduce fatality within our community. Officers will carry naloxone rescue kits in a manner approved by ALLEGAN CITY PD and in compliance with manufacturer recommendations, and applicable state and federal law.

3. Procedure

a. Program Management Personnel- Allegan City PD will identify personnel to fill the following roles, with responsibilities consisting of a minimum of the following:

i. Program Manager

1. Maintain a log of officers of ALLEGAN CITY PD who have been trained to be equipped with naloxone rescue kits, pursuant to PA 462 Section 3 (a), and who have been recertified every year.
2. Maintain an inventory of naloxone rescue kits, stored pursuant to manufacturer guidelines, and restock inventory as needed.
3. Record and track use of naloxone rescue kits by officers of ALLEGAN CITY PD to intervene in overdose situations.

4. Maintain regular communication and serve as ALLEGAN CITY PD's liaison with The Medical Director.
- ii. Medical Director
 1. Approve a training program for all officers of ALLEGAN CITY PD to be equipped with naloxone rescue kits pursuant to PA 462 Section 3 (a).
 2. Purchase naloxone for ALLEGAN CITY PD pursuant to PA 462 Section 2, under a valid Michigan medical license, for distribution to its trained officers.
 3. Provide regular oversight and direction for ALLEGAN CITY PD's naloxone rescue kit program.
- b. Deployment
 - i. ALLEGAN CITY PD will deploy naloxone rescue kits in the following ways:
 1. Each officer will be issued a kit to be kept in their gear bag.
- c. Training
 - i. Officers of ALLEGAN CITY PD shall receive training consisting of the following at a minimum, prior to being deployed with a naloxone rescue kit, pursuant to PA 462 Section 3 (a) and (b):
 1. Risk factors for overdose
 2. Recognizing an overdose
 3. Responding to overdose with naloxone
 4. Overdose aftercare
 5. Naloxone kit storage
 - ii. Officers equipped with naloxone rescue kits must take recertification training on an annual basis.
- d. Use Of Naloxone
 - i. When an officer of ALLEGAN CITY PD has arrived on the scene of a medical emergency prior to the arrival of EMS, and has reason to believe that the individual is experiencing an opioid-related overdose, pursuant to PA 462 Section 3 (b), the following steps shall take place:
 1. If not already notified, the officer shall notify EMS of the medical emergency situation
 2. At all times the officer shall use universal precautions
 3. The officer shall assemble their naloxone rescue kit and administer per manufacturers specifications and training received. Officers shall be aware that precipitated withdrawal symptoms can be the result of the rapid reversal of an opioid overdose with naloxone.

4. If after 5 minutes of unresponsiveness there is no improvement in the patient, the officer shall administer their second dose of naloxone.
 5. The patient should continue to be observed and treated as the situation dictates. If, for any reason, the patient must be left unattended, the officer shall place the patient in the recovery position.
 6. The treating officer shall inform incoming EMS of the treatment and condition of the patient, and shall not relinquish care of the patient until relieved by someone with a higher level of training.
 7. After use, naloxone rescue kits are considered biohazardous material, and should be given to EMS or the hospital for safe disposal.
- ii. After any use of a naloxone rescue kit, officers of ALLEGAN CITY PD should report on the incident following procedure outlined in this document.
- e. Reporting
- i. Any use of a naloxone rescue kit by officers of ALLEGAN CITY PD must be recorded and tracked. Minimum criteria to be reported on should include:
 1. Amount of naloxone used and administration method
 2. Any adverse reactions on the part of the patient
 3. Outcome of the incident
 4. Any follow up or referrals made
 - ii. Officers of ALLEGAN CITY PD shall provide all naloxone use reports to the Program Manager.
 - iii. ALLEGAN CITY PD's Program Manager will submit complete Naloxone Use Reports to the Medical Director on an at least monthly basis.
- f. Storage and Replacement
- i. Naloxone rescue kits shall be stored according to manufacturer specifications
 - ii. It shall be the responsibility of officers to inspect kits upon signing them out and returning them
 - iii. Any damaged and/or expired kits should be immediately replaced
 - iv. Any kits that have been used should be replaced before the next shift by the Program Manager

Approved: _____
Doctor

Date: _____

Approved: _____
Program Manager

Date: _____

TESTING OF POWDER NARCOTICS:

I. Purpose

Fentanyl and Fentanyl analogues, such as acetyl Fentanyl, pose a significant danger to department personnel who come into contact with it. Due to its rapid rate of absorption into the human body, reports indicate that as little as 250 micrograms (0.25mg) of pure Fentanyl can be deadly. In comparison, the amount is about the size of a few grains of table salt. Members of the department are advised to consider the potential exposure to Fentanyl and take appropriate safety precautions.

II. Field Testing

A. Fentanyl is a Schedule II synthetic opioid that is approximately 50 to 100 times as potent as morphine. It is both licitly and clandestinely manufactured. Acetyl Fentanyl is a clandestinely produced analogue of Fentanyl. Fentanyl in its unadulterated form may resemble cocaine powder. As pharmaceutical products, Fentanyl and structurally similar compounds are used for pain relief and anesthesia. Pharmaceutical Fentanyl is manufactured as a tablet, patch, or liquid. The Material Safety Data Sheet (MSDS) for Fentanyl indicates that Fentanyl exposure may be fatal if swallowed, inhaled, or absorbed through the skin. Fentanyl may be absorbed through your skin (e.g., hands) or enter the body through inadvertent touching of the mouth, nose, or other mucous membranes. Fentanyl can be lethal at very low levels of exposure with doses as small as 0.25 mg, potentially leading to overdose/death. However, lethal amounts vary depending on the individual's tolerance and physical characteristics and form of the synthetic opioid.

B. UNDER NO CIRCUMSTANCES SHALL FIELD TESTS BE CONDUCTED ON ANY SUBSTANCE SUSPECTED OF BEING FENTANYL. Unless absolutely necessary, field tests should be avoided on ALL powder narcotics. Substances should be submitted directly to the lab for analysis. If there is reason to believe there is a presence of Fentanyl, clearly indicate the information on the laboratory request. By alerting the laboratory of the suspected Fentanyl, laboratory personnel can take necessary safety precautions during the handling, processing, analysis, and storage of the sample.

C. The use of field test kits should be eliminated to the greatest extent feasible. This eliminates the potential for exposure incidents and the contamination of working surfaces, tools, and equipment. When the use of a field test kit is necessary and unavoidable, testing should be conducted in a controlled work environment with access to running water for the immediate flushing of any exposures.

D. USE OF PERSONAL PROTECTIVE EQUIPMENT (PPE) In the event that it is deemed necessary to conduct field testing of unknown powders or liquids, the following minimum level of personal protective equipment shall be utilized.

1. To reduce the potential and severity of skin exposures, bare skin should be covered to the greatest extent feasible. This includes long sleeved shirts and the mandatory use of disposable nitrile gloves.
2. To reduce the potential and severity of eye exposures/injuries, the use of safety glasses is mandatory when handling the field test kits due to the fact that they contain acids. Contact with this material may result in permanent disability.
3. To reduce the potential and severity of inhalation exposures, the use of N-95 disposable masks is required.

III. Accidental Exposure

A. Personnel must always employ universal precautions when conducting a field/presumptive test of any narcotic or substance that may contain a synthetic drug. Despite the color and/or appearance, there is no certainty of what the substance actually is. In general, field testing unknown drugs should be conducted as appropriate, in a well-ventilated area according to commercial test kit instructions and training received.

B. Adverse health effects, such as disorientation, coughing, sedation, respiratory distress, or cardiac arrest, are very rapid and profound, usually occurring within minutes of exposure. If inhaled, move to fresh air. If ingested, wash out mouth with water provided the person is conscious and seek emergency medical attention immediately. If absorbed, wash the area with water and seek emergency medical attention immediately. All personnel rendering aid should do so in a safe area and be mindful of secondary contamination.

IV. Suspected Lab Locations

If you encounter or suspect the presence of a Fentanyl lab, contact the Special Investigation Division (SID) and/or the State Methamphetamine Coordinator; **DONOT ENTER THE LOCATION, HANDLE OR ATTEMPT TO TEST ANY SUBSTANCE.** The MSP Level A Response Team shall be consulted/used for all suspected powder narcotics labs. Details can be found in the Clandestine and High-Hazard Laboratory Response Bureau Policy.

V. Notification of Possible Lab Locations

Officers are responsible for notifying SWET

Unbiased Policing

1. Purpose

To reaffirm this department's commitment to maintain the public trust and confidence through unbiased policing and equitable treatment of all citizens while providing professional police services and enforcing the law.

2. Definition

Unbiased Policing – involves the delivery of fair and impartial law enforcement services to all people with whom we interact. It cannot rely merely on factors such as race, ethnicity, national origin, religion, sex, sexual orientation, economic status, age, disability or affiliation with any group in a decision to take law enforcement action or provide service.

3. Policy

a. Unbiased Policing

- Investigative detentions, traffic stops, arrests, searches, and seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers need to be able to articulate specific fact(s) and circumstance(s) that support reasonable suspicion or probable cause.
- Racial or bias-based profiling is strictly prohibited in both providing police services and enforcing the law. Officers shall not solely consider race/ethnicity in establishing reasonable suspicion or probable cause, or in making law enforcement decisions. However, nothing in this policy is intended to prohibit an officer from considering factors such as race or ethnicity in combination with other legitimate factors, circumstances, reliable information or a violation of law to establish reasonable suspicion or probable cause or to make law enforcement decisions in the same manner that characteristics like hair color, height, weight, or gender are used (e.g., suspect description is limited to a specific race or group).

b. Equitable Treatment of All Citizens

- Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial or bias-based profiling to a supervisor.
- Personnel shall not allow personal feelings to influence their professional conduct or decisions.

- To maintain public trust and confidence in law enforcement, all citizens will receive equitable treatment. To prevent inaccurate perceptions of biased policing during pedestrian and traffic stops, officers shall do the following:
 - Traffic stops or contact with the public will be made in an unbiased manner. Any officer making any public contact must be able to articulate their reason based on a violation of law, reliable information known to the officer, or other legitimate purpose.
 - Be courteous and professional.
 - State the reason for the stop as soon as practically possible, unless officer/public safety or an investigation may be compromised.
 - Ensure that the detention is no longer than reasonably necessary and explain to the citizen the purpose of the delay.
 - Answer reasonable questions of the citizen regarding the stop and explain traffic citation disposition options to the citizen.
 - Provide name and badge number when requested, if not working in an undercover capacity.
 - If an officer determines the reasonable suspicion or probable cause is unfounded (e.g., after an investigatory stop), explain the circumstances to the citizen.

4. Supervision and Accountability

Supervisors and field training officers shall ensure that all personnel under their command are familiar with the content of this policy and are operating in compliance with it.

The Training Sergeant is responsible to assure all personnel receive relevant training in unbiased policing.

Allegan City Police Department

Small Unmanned Aircraft Systems (sUAS) policy

1.0 PURPOSE:

The purpose of this policy is to provide guidance on Allegan City Police Departmental use of a small unmanned aircraft system (sUAS), also known as a unmanned aerial vehicle (UAV) to enhance officer and citizen safety by improving emergency response through the assessment and implementation of emerging technologies. Small Unmanned Aircraft Systems (sUAS) can provide video-audio recording and streaming that assist in this goal. Such tools can help facilitate increased situational awareness and incident command decisions at emergency scenes, in training environments, during pre-planning, and for incidents of varying sizes.

These orders are for Allegan City Police Department use only, and do not apply to any criminal or civil proceedings. This policy should not be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

2.0 POLICY:

The purpose of the program is to assist the Allegan City Police Department and other surrounding Emergency Response agencies (To include law enforcement, fire departments, EMS, Search and Rescue, etc. but not limited to those listed) in various ways through the aerial advantage gained by a small Unmanned Aircraft Systems (sUAS).

This policy shall establish guidelines for the operation, training, documenting, and maintenance of this system. No member shall operate any sUAS without proper training and having a current F.A.A. remote pilot certification with sUAS rating (otherwise known as a FAA Part 107 license).

3.0 GOALS:

The purpose of this program will be to provide increased situational awareness and support in instances such as:

- Search and Rescue
- Response to Active Shooter Incidents
- Tactical Team Support
- Aerial Damage Assessments

- Aerial Evidence Documentation
- HAZMAT Incidents
- Facility Security
- Response to Terrorist Threats, Incidents, or Homeland Security Missions
- Fires
- Any other instance that assists with Emergency operations

4.0 DEFINITIONS:

14 CFR Part 107 – (also referred to as, **FAA Part 107**) Title 14 Code of Federal Regulations, Chapter I, Subchapter F, Part 107 and it's Subparts refer to the registration, airman certification, and operation of civil [small unmanned aircraft](#) systems within the [United States](#). Docket FAA-2015-0150, Amdt. 107-1, [81 FR 42209](#), June 28, 2016, unless otherwise noted.

sUAS – small unmanned aircraft systems, also called Remote Piloted Aircrafts, Robotic Aircrafts, UAV or Drones

UAV – unmanned aerial vehicle, An aircraft that is intended to navigate in the air without an onboard pilot. UAVs are also called Remote Piloted Aircrafts, Robotic Aircrafts, sUAS or Drones.

VLOS – visual line of sight, With vision that is unaided by any device other than [corrective lenses](#), the remote [pilot in command](#), the [visual observer](#) (if one is used), and the [person](#) manipulating the flight control of the [small unmanned aircraft](#) system must be able to see the [unmanned aircraft](#) throughout the entire flight

Airworthiness – A condition in which the sUAS (including the aircraft, airframe, engine, propeller, accessories, appliances, and control stations (CS)) conforms to its type of certificate (TC), (if applicable) and is safe for operation.

Certificate of Authorization (COA) – An FAA grant of approval for a specific operation. COAs may be used as an authorization issued by the Air Traffic Organization (ATO), to a public operator for a specific unmanned aircraft (UA) activity. Provisions or limitations may be imposed as part of the approval process to ensure the UA can operate safely with other airspace users.

RPIC - Remote Pilot in Command, A person licensed by the Federal Aviation Administration (maintaining a remote pilot certification with sUAS rating) who exercises control over an small unmanned aerial system (sUAS) during flight.

sUAS Commander – This will be the Chief or his/her designee.

VO – Visual observer, part of the sUAS crew responsible for maintaining unaided visual line of sight (VLOS) observance of the sUAS.

sUAS Crew Member - In addition to the crew members identified in Title 14 of the Code of Federal Regulations (14 CFR) part 1, an sUAS flight crew members include: Remote Pilot in Command (RPIC), Sensor/Payload Operators, Visual Observers (VO), and may include other persons as appropriate or required to ensure safe operation of the aircraft.

Video-Audio Recording Device- Any department issued device that is intended to capture video-audio data including but not limited to; cell phones, tablets, or the sUAS.

Metadata- Digital identifiers that are captured as a part of an actual recording such as: date/time, GPS coordinates, labeling, etc.

Public Safety Mission- Event pre-planning or training exercises designed to improve the performance of the Department's team and its response to: incident size up, technical rescue or hazardous materials incidents, and human-made or natural disasters.

5.0 OPERATIONAL GUIDELINES:

- **5.1 Documentation**

Each pilot will receive a logbook in which all flights will be recorded along with duration of each flight to the 1/10th. The logbook must be kept current and with the PIC during flights along with any F.A.A. certificates.

Each aircraft will have a logbook that will be used to track of each mission, training flight, and maintenance for the aircraft. They must be kept current and with the aircraft ground support items along with any other F.A.A. certificates.

Each flight mission (not to include training missions) must be recorded on the Allegan City Police Department sUAS flight form and turned in after flight to sUAS commander for review.

- **5.2 Training**

Prior to approval for an Unmanned Aircraft Operator/Visual Observer, officers will receive Department approved training and learn the Department's policy with respect to the use of the sUAS technology.

sUAS flight crews will maintain the minimum flight training standards. Pilots: 3 hours of training flights, current F.A.A. Part 107 licensing, and ability of show competent safe operation of sUAS in varying conditions. Visual observer: training will entail the briefing before a flight or mission to include description of job duties and responsibilities.

- **5.3 Use and Care of Equipment**

sUAS crew members will exercise reasonable care in the use of all equipment and ensure proper functioning through periodic inspection and testing.

sUAS crew members will report malfunctions or flight incidents to the sUAS commander as soon as possible so that the situation may be documented and the equipment serviced.

sUAS RPIC will inspect the equipment at the beginning and end of each flight.

sUAS crew members will only use Department issued equipment while participating in sUAS missions. sUAS crew members are not permitted to use personal sUAS units without special circumstances and sUAS commander approval.

- **5.4 Pre-Flight**

sUAS operations require flights to occur within the parameters set forth by the Federal Aviation Administration (F.A.A.) part 107 to Title 14 Code of Federal Regulations (14 CFR) guidelines. A Certificate of Authorization (COA) may be obtained prior to the flight or prior approval may be obtained via authorization form from the F.A.A. to exceed or bypass those guidelines within accordance of F.A.A. standards. This approval\authorization will be kept with the Remote Pilot in Command (RPIC) during the mission if operating outside of F.A.A. Part 107 parameters.

Upon notification of a request for the sUAS, the RPIC or requesting supervisor will gather the facts and contact the sUAS commander for permission for response. If the sUAS commander is not available, a scene command officer must approve all missions.

Training activities may be recorded on public property or private property with the prior approval of the property owner.

In an Emergency Incident ONLY, a Supervisor or RPIC, acting in good faith, is not required to obtain a warrant prior to flight provided that they possess specific and articulable facts leading to the conclusion that deployment of a sUAS is necessary in order to abate an imminent threat on the property.

In non-emergency sUAS use, sUAS crew members or appropriate personnel should attempt to obtain consent from an individual with authority over the property, or to obtain the appropriate warrant as required by law. Factors relevant in determining whether a warrant should be obtained include but are not limited to: the reason for the search, the scope of the search to be conducted, the number of prior entries by personnel, the time of day when the proposed search is to be made, the lapse of time since the fire or emergency, the continued use of the building, and the owner's efforts to secure the property against intruders.

The on scene decision to launch the sUAS rests with the RPIC and is contingent upon several factors including: the ability of the team to operate within a secure perimeter, physical features of the area, obstructions to flight, terrain, manned air traffic, and the weather. Other considerations include the safety of the sUAS crew members and the structural integrity of the area being surveilled.

Detailed documentation of the decision to launch or not launch will be kept in the incident or activity report in the Department's records management system.

- **5.5 In-Flight**

The sUAS will be operated within VLOS of the RPIC and/or VO. Operations should be done in close proximity to the incident, training area or public safety mission taking place within the jurisdiction. Radio communications with units on scene of incident will give further information at the scene.

The RPIC will function as the team leader and the operator of the sUAS. The RPIC will be held ultimately responsible for the safe operation of the device.

The VO will maintain VLOS (unaided, i.e. Binoculars) of the sUAS while it is in flight and alert the RPIC of any conditions (obstructions, terrain, structures, air traffic, weather, etc.) which affect the safety of the flight. To accomplish this, the VO must remain near the RPIC to ensure instant relaying of information.

sUAS crew members will always comply with all policies, standard operating guidelines, and flight checklists unless an emergency dictates otherwise.

- **5.6 Post Flight**

All flights will be documented in the Department's record management system.

The sUAS and associated equipment necessary to flight will be inspected for damage and airworthiness.

- **5.7 Retention and Destruction of Recordings**

sUAS crew members and related personnel may review the recordings they have collected at any time as it relates to their official duties. Personnel are encouraged to review such recordings as necessary to refresh memory and ensure accuracy.

Command staff may review recordings at their discretion in support of the goals of this policy.

Other sworn or civilian employees may review collected recordings when necessary as it relates to their assigned job functions.

No other review of aerial recordings will be allowed without the express written permission of the Chief, sUAS commander, or his/her designee.

All camera equipment and aircraft are property of the Allegan City Police Department and/or the City of Allegan. All video, data, images, metadata captured, recorded or otherwise produced by this equipment and will be entered into the evidence management system.

All files from Unmanned Aircrafts will be securely stored in accordance with State Law and Allegan City Police Department policies. Such stored files will not be kept longer than is reasonably necessary for use in: investigations of prosecutions (including appeals), resolving civil claims and/or civil actions, internal disciplinary investigations, or as is useful for police training. In capital offense prosecutions, files will be stored until the alleged offender is no longer under the control of a criminal justice agency.

Digital multimedia evidence that is not tagged as evidence will be purged after the flight is complete, but may be retained and used in training activities. Digital multimedia evidence that is tagged as evidence will be stored according to Allegan City Police Department Evidence Storage Policy.

Release of stored digital media evidence to the public is subject to the requirements of State Law, Freedom of Information Act, and the Allegan City Police Department Administrative Policies and procedures.

- **5.8 Prohibited Conduct**

Employees will not: edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner recordings and information except as authorized by policy, procedure, or without the prior written approval of the Chief or his/her designee.

The use of the sUAS, including all data, images, video and metadata captured, recorded or otherwise produced by the equipment for any purpose other than in accordance with this policy is prohibited.

6.0 EXCEPTIONS :

- **6.1 Allowed operations**

sUAS operations will be allowed by a F.A.A. Part 107 pilot for the City of Allegan as a government institution. These operations can be for the promotion of the city, recording city wide events, city building maintenance, and any other city use that falls within the guidelines of legal use and operation. These sUAS operations will not be governed by this policy (Allegan City Police Department sUAs Policy).

These sUAS operations will be separate from the operations of the Allegan City Police Department as a law enforcement agency but may be the same RPIC for both operations. These operations will not be under the direction of the Allegan City Police Department, the Chief of Police, the Allegan City Police sUAS commander, and/or his/her designee.

Issued date:

Issued by:

Rick Hoyer, Chief of Police
Allegan City Police Department

Reference: Docket FAA-2015-0150, Amdt. 107-1, [81 FR 42209](#)

VEHICLE PURSUIT POLICY:

PURPOSE:

The purpose of this policy is to state guidelines to be followed during vehicular pursuit.

These orders are for the Allegan City Police Department use only, and do not apply to any criminal or civil proceedings. This policy should not be construed as a creation of a higher legal standard of safety or care in evidentiary sense with respect to third party claims. Violations of these orders will only form the basis of administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

POLICY:

Vehicular pursuit of fleeing suspects presents a danger to the lives of the public, officers and suspects involved in the pursuit. It is the policy of the police department to protect all persons' lives to the extent possible when enforcing the law. In addition, it is the responsibility of the police department to assist officers in the safe performance of their duties. To effect these obligations, it shall be the policy of this Office to narrowly regulate the manner in which vehicular pursuit is undertaken and performed.

Totally encompassing guidelines cannot be established to cover all types and circumstances of emergency and pursuit driving. However, officers involved in vehicular pursuits will be held accountable for their decisions made during the pursuit and must constantly strive to use good judgment and observe for the unexpected variables that spontaneously occur.

A motor vehicle pursuit is justified only when the necessity of immediate apprehension clearly outweighs the level of danger created by the pursuit.

DEFINITIONS:

Vehicular Pursuit: An active attempt by an officer in an authorized emergency vehicle to apprehend fleeing suspects who are attempting to avoid apprehension through evasive tactics.

PROCEDURES:

Initiation of Pursuit:

1. The decision to initiate pursuit must be based on the pursuing officer's conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
2. Vehicle pursuit shall only be initiated by department personnel in a fully marked police

vehicle with all emergency lights and sirens activated.

a. "Slick top" vehicles may initiate a vehicle pursuit, but shall yield the primary pursuit position to a fully marked vehicle at the earliest possibility.

3. The officer shall consider the following factors in determining whether to initiate pursuit:

- a. Nature of the violation
- b. Presence of pedestrians and traffic conditions
- c. Population density in the area
- d. Roads and weather conditions
- e. Familiarity with the area
- f. Patrol car capability and condition including the presence or absence of audio and visual warning devices
- g. Familiarity with the violator; i.e., knowledge of his or her identity
- h. If non-department personnel are passengers, or a person is in custody in the patrol vehicle, a pursuit shall not be initiated except in those instances where the passenger has signed a waiver of liability or in an extreme case

Pursuit Officer Responsibilities:

1. The pursuing officer shall immediately notify Central Dispatch personnel that a pursuit is underway. The officer shall provide dispatch personnel with the following information:

- a. Reason for pursuit
- b. Present location and direction of pursuit
- c. Description of vehicle being pursued, including the license plate number, if known
- c. Description and number of occupants

2. The secondary pursuit unit shall assist the primary unit in the apprehension of the fleeing vehicle. When necessary, the secondary unit shall also be available to carry or to continue the pursuit if the primary unit is unable to continue the pursuit, experiences an equipment failure, etc.

- a. The secondary pursuit unit shall notify their primary dispatcher upon joining the pursuit.
- b. The secondary unit shall not pass the primary unit unless requested to do so.

3. Under normal conditions, or unless specifically requested by the occupants in the primary pursuit vehicle, pursuits shall only involve the primary and secondary pursuit units.

4. A caravan of police vehicles shall be avoided, as it increases the risk of serious crashes and contributes little to the apprehension of the violator.

5. When a marked unit becomes available to take over a pursuit initiated by a slick top unit, the slick top unit shall withdraw from the primary pursuit position and assume the

secondary pursuit unit's responsibilities.

Roadblocks:

1. The use of roadblocks can be an effective means of apprehending a fleeing violator; however, creating a roadblock is potentially dangerous to the violator, department members, and the general public. Therefore, roadblocks shall only be established when authorized by a shift supervisor or higher authority and according to the following guidelines.

2. Definitions:

a. Total roadblock is a physical blockage of the entire roadway using vehicles, materials, or other devices leaving no room for an approaching vehicle to avoid the barrier.

b. A partial roadblock is an incomplete blockage of the roadway leaving room for an approaching vehicle to avoid the barrier.

3. A total roadblock may only be established to apprehend a fleeing felon when the use of deadly force would be authorized under "Use of Deadly Force, Policy"

4. A partial roadblock may only be established to stop a fleeing vehicle when there is a substantial risk that the continued operation of the vehicle may cause serious injury or death to another person.

5. Roadblocks shall only be established in locations where the operator of the fleeing vehicle has sufficient visibility and distance to stop his or her vehicle.

6. Emergency warning lights on patrol vehicles shall be in operation at all roadblocks.

Intentional Collisions:

1. The use of intentional collisions; i.e. ramming, to force a fleeing subject to stop shall be considered a use of deadly force.

a. Under no circumstances shall an intentional collision be justified in the apprehension of persons for a civil infraction or misdemeanor charge, or fleeing from that charge.

b. Intentional collisions may be justifiable when use of deadly force would be authorized under "Use of Deadly Force. Any use of intentional collisions must have the prior authorization of the shift supervisor or higher authority.

Stop Sticks:

1. The use of stop sticks is not considered as an application of deadly force, in that they produce a slow controlled deflation of the pursued vehicle's tires, which will not cause

the vehicle to lose control.

3. Stop sticks may be deployed at the marked site of a roadblock or covertly in the path of a fleeing vehicle.
3. Stop sticks may be deployed in any pursuit which is authorized under this policy.
 - a. Stop sticks shall NOT be deployed on pursuits involving motorcycles, three wheeled vehicles, or all-terrain vehicles.
4. An officer deploying stop sticks shall notify all pursuing officers of the intended deployment and the location of the intended deployment.
5. Any time that stop sticks are deployed and struck, a stop stick pursuit reporting form shall be completed and attached to the corresponding report.

Termination of Pursuit:

1. A decision to terminate pursuit may be the most rational means of preserving the lives and property of both the public and the officers and suspects engaged in pursuit. The pursuing officer, the field supervisor or higher authority of the police department may terminate any pursuit.
2. Pursuit shall be immediately terminated in any of the following circumstances:
 - a. Weather or traffic conditions substantially increase the danger of pursuit beyond the worth of apprehending the suspect;
 - b. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile; or
 - c. A pursuit should be terminated at any time when the level of danger created by the pursuit outweighs the necessity of immediate apprehension.
3. The pursuing officer shall relay this information to dispatch personnel, along with any further information acquired which may assist in an arrest at a later date.

Field Supervisor's Responsibilities During Vehicular Pursuit:

1. Upon notification that a vehicular pursuit incident is in progress, the field supervisor shall assume responsibility for the monitoring and control of the pursuit as it progresses.
2. The field supervisor shall continuously review the incoming data to determine whether the pursuit should be continued or terminated.
3. In controlling the pursuit incident, the field supervisor shall be responsible for coordination of the pursuit as follows:
 - a. Directing pursuit vehicles units into or out of the pursuit;
 - b. Re-designation of primary, support or other backup vehicle responsibilities;
 - c. Approval or disapproval, and coordination of pursuit tactics;, and
 - d. Approval or disapproval to leave jurisdiction to continue pursuit.
4. The field supervisor may approve and assign additional backup vehicles to assist the

primary and backup pursuit vehicles based on an analysis of:

- a. The nature of the offense for which pursuit was initiated;
- b. The number of suspects and any known propensity for violence;
- c. The number of officers in the pursuit vehicles;
- d. Any damage or injuries to the assigned primary and backup vehicle or officers;
- e. The number of officers necessary to make and arrest at the conclusion of the pursuit; and
- f. Any other facts that would warrant the increased hazards caused by numerous pursuit vehicles.

Traffic Regulations During Pursuit:

1. Each unit authorized to engage in vehicular pursuit shall be required to activate all emergency vehicle equipment prior to beginning pursuit.
2. Officers engaged in pursuit shall at all times drive in a manner exercising reasonable care for the safety of themselves and all other persons and property within the pursuit area.
3. Officers are permitted to suspend conformance with normal traffic regulations during pursuit as long as reasonable care is used when driving in a manner not otherwise permitted, and the maneuver is reasonable necessary to gain control of the suspect.

Inter-jurisdictional Pursuits:

1. The pursuing officer shall notify dispatch when it is likely that a pursuit will continue into a neighboring jurisdiction.
2. Pursuit into a bordering county shall be authorized through the field supervisor.

Assist to Other Departments:

1. Only the shift supervisor may authorize request for assistance from other departments in conducting pursuits.
2. Officers are authorized to assist other departments in pursuits only as follows:
 - a. Officers will act as backup units only, unless the primary pursuing unit becomes disabled, in which case a unit from the police department may take over the primary pursuit role.
 - b. Before becoming involved in any pursuit initiated by any other agency, the officer must be certain that the reason for the pursuit is authorized under the police department policy.
 - c. Officers of the police department may assist other agencies by setting up roadblocks and barricades only when such tactics are in accordance with and authorized under this policy.

- d. Officers of the Sheriff's police department will disengage and terminate any such assistance at the point at which the pursuit would no longer be justified under this Office's pursuit policy.
- e. The field supervisor may terminate any such assistance at any time.

Reporting of Pursuit-related Crashes:

1. Any time that any vehicle is involved in a pursuit-related crash, the field supervisor shall be immediately contacted. This shall include any emergency vehicle, suspect vehicle, or civilian vehicle involved in an accident that is directly related to an active pursuit.
2. A department accident investigator shall be contacted and review the accident information and decide whether or not on scene investigation is necessary.
3. In the case of a serious injury or fatal crash, the shift supervisor shall also contact an outside agency to start an independent investigation of the crash.

EMPLOYEE SOCIAL MEDIA POLICY:

1. Purpose

Social media has become a powerful force in our culture. Social media offers the opportunity for people to gather in on-line communities of shared interests and create, share, and consume content.

The Allegan City Police Department (APD) recognizes that many of its employees use social media for personal communication and enjoyment. In general APD views social media positively, and respects the right of employees to use social media as a medium of self-expression. An employee's on-line activities, however, can reflect negatively on the APD or the City of Allegan and have negative consequences for all involved, especially if you choose to identify yourself as a City employee or to discuss matters related to the City or APD. This policy is designed to protect the APD interests, while allowing its employees to engage in the use of social media as freely as possible. Violations of this policy may result in discipline, up to and including discharge.

The use of social media has rapidly developed in recent years and will certainly continue to evolve. This policy will be reviewed regularly to ensure it remains relevant and applicable.

2. Social Media Includes:

- a. Social networking sites, (e.g. Facebook, MySpace, LinkedIn)
- b. Video and photo sharing websites, (e.g. Flickr, YouTube, Instagram)
- c. Micro-blogging sites, (e.g. Twitter)
- d. Weblogs, including corporate blogs, personal blogs, or blogs hosted by traditional media publications
- e. Forums and discussion boards
- f. Any other web site that allows individuals to publish their own content or comment on content posted by others.

3. Work Related Social Media

- a. Some employees, as part of their job duties and responsibilities with the APD, will be authorized to create social media content on behalf of the organization and the City. These employees will be notified by the Chief and will receive authorization

describing the content they are entitled to create and any restrictions or policies that apply to their individual circumstances.

- b. Only those that have been authorized and assigned to the job duties of creating APD or APD related social media or communicating within work-related social media sites are allowed to do so. Anyone that violates this shall be subject to disciplinary action up to and including termination.

4. Use of Personal Social Media

Employees who use social media for personal use are reminded that they are personally responsible for the content of any social media they create. An employee's personal perspectives, opinions, or postings must not cause damage to the APD and/or the department's interests. If you use social media:

- a. Your social media postings should not violate any other policy of the City or APD policy or guidelines.
- b. Your use of social media should not violate any federal, state, or local law.
- c. Any time an employee identifies themselves as an employee of the APD or the City of Allegan, it must be clear that the views expressed are yours alone and do not necessarily reflect the views of the APD or the City. Employees are not permitted to claim or imply to be speaking on the APD or city's behalf. If you identify yourself as a City or APD employee, refer to the work done by City government or APD, and are speaking or writing about city or department related topics or issues, you are required to include the following disclaimer in a reasonably prominent place:

“The views expressed on this post are mine and do not necessarily reflect the views of the Allegan City Police Department or the City of Allegan.”

- d. You shall not disclose any confidential or proprietary information of the APD, the City of Allegan or concerning residents of the City.
- e. You may discuss or post information about your job or position in a general context; however you shall not discuss or post any information or visual images related to any complaint, call, investigation, traffic stop, traffic citation, court proceeding, prosecution or any other situation involving your official duties as a APD employee.
- f. Do not use any APD/ City logo or any marked city vehicle, equipment or clothing in any social media posting, with the exception of photographs of ceremonial, award or graduation type events. Any other exceptions are not permitted without written permission from the Chief.

- g. You shall not harass, threaten, defame, demean, or threaten any other person or entity.
- h. Assume your social media posting is accessible and available to the general public and will remain available. You must be respectful to the City, our employees, our constituents, our partners and affiliates, and others. You shall not let your personal perspectives, opinions, or postings cause damage, create an environment that could potentially cause damage, or be reasonably viewed by others as negative comments toward the APD or the City and/or its interests.
- i. If a member of the news media or blogger contacts you about a social media posting that concerns the APD, please refer that person to a Command Officer or Chief of Police.
- j. You shall keep a clear distinction between your personal views and opinions as a citizen and your position as an employee of APD and the City of Allegan.
- k. Social media sites, personal e-mail, and other Internet use should be limited during work hours. Excessive usage of work or personal e-mail/Internet which interferes with the requirements and expectations of the job is subject to disciplinary action up to and including termination.